

**LANDOWNER'S PETITION FOR SPECIAL SERVICE DISTRICT AND RIGHT
OF ENTRY FOR RIGHTS TO DREDGE**

THIS REQUEST is made this ____ day of _____, 2013, by

legal owner(s) of the property known by the following
address: _____

(individually or collectively if more than one owner), hereinafter referred to as
"Petitioner."

Petitioner hereby requests the City Council of the City of Virginia Beach to
establish and maintain a special service district ("SSD") in or adjacent to Thoroughgood
Cove, starting at its junction with the Lynnhaven River to serve waterfront properties
within portions of the Thoroughgood neighborhood shown on the following plats
recorded in the Clerk's Office of the City of Virginia Beach, Virginia:

Section One Thoroughgood, Map Book 39, at page 37;
Subdivision of Lot 35, Section One, Thoroughgood, Map Book 49, at page 52;
Resubdivision Lots 233 & 233A, Sect. 1, Thoroughgood, Map Book 52, at page
36;
Subdivision of Parcel B, Section 1, Thoroughgood, Map Book 78, at page 50;
Resubdivision of Lots 233X, Resubdivision of Lot 233 & 233A, Sect. 1,
Thoroughgood, Map Book 100, at page 36;
Resubdivision of Lot 241 and 242, Section 1, Thoroughgood, Map Book 216, at
page 35;
Plat Showing Resubdivision of Pump Station Site and Lot 4 of Thoroughgood
Section 1 Parcel 'B', Map Book 235, at page 35; and
Resubdivision of Lot 253, Section 1, Thoroughgood, Map Book 114, at page 28a.

(collectively for purposes of dredging, the "Neighborhood") for the collection of an
additional real estate tax in such district for the purpose of funding neighborhood
dredging, which will improve the navigability of the waterways in the Neighborhood and
enhance the public use and enjoyment of and the public safety, convenience and well-
being within the service district (the "Project"). The Project boundaries are shown on the
map of the Project, entitled "Thoroughgood Neighborhood Dredging - Thoroughgood
Cove Attachment 'A'" on file in the Department of Public Works/Engineering Division
(Water Resources), as it may be amended. Petitioner understands that his/her property
will

be included in such district and that the City will only consider the creation of the SSD when current property owners of at least 80% of the parcels of the Neighborhood service area outlined by the City sign similar petitions.

Petitioner understands that there will be an **additional real estate tax** of 24.1 cents per \$100.00 of the assessed value. The 24.1-cent increase is based on calculations using the most up to date information and may be amended prior to the adoption by the City Council of the SSD. The City will notify all landowners of any change in this figure prior to City Council's adoption of the SSD. It is anticipated that City Council will review the Project funding every four (4) years and adjust the additional tax up or down as needed to finance the Project. The additional real estate tax rate will continue for the duration of the SSD, which is expected to be 16 years.

Petitioner further understands that the City will retain sole and exclusive authority over the design and construction of the Project. The Project will be constructed to improve navigation in the Neighborhood, but the City must consider topography, permits, engineering principles, available funds and other facts in designing the Project, and the City cannot guarantee any particular result or dredging depth. Prior to construction, the City will hold a public meeting with the neighborhood residents to explain the Project plans and the likely Project outcomes. After the design is complete, the City will meet with the property owners, upon request, to explain how the Project will affect the Petitioner's property. The City will be the applicant for any permits required for dredging of the neighborhood channel, and the City will work collaboratively with the neighborhood to achieve their dredging goals, while at the same time ensuring the Project remains fiscally sound and environmentally compliant.

Petitioner for him/herself and his/her successors and assigns, hereby grants to the City full permission to use any areas of the Petitioner's land that are submerged or partially submerged for purposes of accomplishing any dredging performed in connection with the SSD for the Neighborhood

HOLD HARMLESS:

The Petitioner acknowledges that the removal of the dredged material, even if properly performed, can cause changes to the shoreline and can affect the stability of piers, bulkheads and other shoreline structures. The Petitioner hereby RELEASES AND HOLDS HARMLESS the City of Virginia Beach, Virginia, its employees and representatives from any loss or damage that may occur to the Petitioner's property identified below, or improvements thereon, by reason of the proper construction of the Project; provided, however, that this hold harmless clause and release shall not apply to

acts or omissions by the City, its employees or representatives that amount to (i) intentional misconduct, (ii) gross negligence, or (iii) a violation of the required Project permits.

LEGAL DESCRIPTION:

PROPERTY ADDRESS:

GPIN NUMBER:

LANDOWNER'S
SIGNATURE:

Name

LANDOWNER'S
SIGNATURE:

Name:

WITNESS SIGNATURE:

PRINTED NAME: _____