

Attachment 1: Draft Copy of Temporary Construction Easement Deed Between the City of Alexandria  
and Virginia Passenger Rail Authority for the Alexandria Fourth Track Project

VPRA Project: R03A Alexandria Fourth Track

TAX MAP # 061.04-02-26 (Parcel No. 002)  
TAX MAP # 073.01-02-10 (Parcel No. 004C)  
TAX MAP # 073.01-03-04 (Parcel No. 008A)  
TAX MAP # 044.03-09-01 (Parcel No. 009)  
TAX MAP # 044.03-08-01 (Parcel No. 010)  
TAX MAP # 025.04-01-06 (Parcel No. 014)  
TAX MAP # 025.04-01-07 (Parcel No. 015)  
TAX MAP # 016.04-01-04 (Parcel No. 016)  
TAX MAP # 008.03-02-02 (Parcel No. 017)  
TAX MAP # 061.04-02-25 (Parcel No. 025)  
TAX MAP # 072.01-07-01 (Parcel No. 026)

This instrument prepared by:

Joseph V. Jagdmann, VSB #25942  
Senior Associate General Counsel  
Virginia Passenger Rail Authority  
919 E. Main Street, Suite 2400  
Richmond, VA 23219

After recording return to:  
Virginia Passenger Rail Authority  
919 East Main Street, 24<sup>th</sup> Floor  
Richmond, VA 23219  
Attn: General Counsel

Consideration: [●]

Value: [●]

Exempted from recordation taxes and fees under Sections 58.1-811(A)(3), 58.1-811(C)(4), 58.1-3315, 42.1-70, 17.1-266, and 17.1-279(E)

**DEED OF TEMPORARY EASEMENT AND CONSTRUCTION AGREEMENT**

**THIS DEED OF TEMPORARY EASEMENT AND CONSTRUCTION AGREEMENT,**

made this \_\_\_\_\_ day of \_\_\_\_\_, 2025 by and between THE CITY OF ALEXANDRIA,

VIRGINIA, a municipal corporation of Virginia, hereinafter designated as Grantor, and the

VIRGINIA PASSENGER RAIL AUTHORITY, a political subdivision of the Commonwealth of

Virginia, hereinafter designated as Grantee.

**RECITALS:**

**R-1: WHEREAS**, Grantor is the owner of certain real property in the City of Alexandria, Virginia, further described in Exhibit A attached hereto and shown on Exhibit A-1 attached hereto (the “Property”);

**R-2: WHEREAS**, the Property is adjacent to and abutting portions of CSX Transportation, Inc. railroad right-of-way in the City of Alexandria (“Railroad ROW”);

**R-3: WHEREAS**, Grantee through CSXT as contractor and CSXT’s subcontractors (the “Contractors”) is improving portions of the Railroad ROW by constructing its Alexandria Fourth Track Project from approximate milepost CFP 104.1 to approximate milepost CFP 110.1 in the City of Alexandria, Virginia (the “Project”), which will add one new track adjacent to the existing three-track alignment and construct corridor-wide upgrades to track, signals and interlockings; and

**R-4: WHEREAS**, in the improvement it is necessary that Grantee enter upon portions of the Property in the aforesaid City of Alexandria to temporarily use said portions of the Property for construction of the Project.

**WITNESSETH:**

**NOW THEREFORE**, in consideration of Ten Dollars (\$10.00) cash in hand paid, in furtherance of Grantee’s funding and construction of improvements through others to the rail corridor in the City of Alexandria (Grantee’s “Work”), the Grantor does hereby grant and convey to the Grantee, its agents, permittees, successors and assigns, a temporary construction easement to use that portion of Grantor’s property described in Exhibit A attached hereto and shown in Exhibit A-1 attached hereto (the “Property”) for the construction of the Project (“Temporary Easement Area”) The temporary easement shall be subject to the following terms and conditions:

1. Grantee, its employees, contractors, and agents, shall have the right to use of the Temporary

Easement Area, or portions thereof, said assignment and usage to be only for the purposes and subject to the limitations set forth herein. Any entry or use of the Temporary Easement Area under this Deed is subject to the terms of this Deed. Grantee shall provide a copy of this deed to the Contractors performing the Project and inform said Contractors that they are bound by the terms of this Deed.

2. Grantor, by the execution of this instrument, acknowledges that the plans for the aforesaid Project as they affect the Property (but no other property of the City of Alexandria) have been fully explained to it or its authorized representative.

3. This temporary easement will terminate upon the first to occur of (a) completion of the aforesaid Project or (b) December 31, 2028.

4. Grantee shall ensure that the Contractors performing work on the Project use means and methods that are customary within the construction industry to avoid damage to the Temporary Easement Area that is not used as part of the Project and to Property outside of the Temporary Easement Area, including damage to areas and fixtures adjacent to the Temporary Easement Area.

5. Grantee shall ensure that all Contractors entering the Property maintain the following insurance policies with minimum coverage amounts, which may be adjusted from time to time at Grantor's sole discretion, and naming the City of Alexandria, Virginia, its elected and appointed officials, officers, and employees as additional insureds:

- Commercial general liability: \$1M per occurrence/\$2M aggregate
- Workers Compensation: \$1M
- Commercial automobile: \$1M

Grantee shall provide Grantor with ACORD certificates evidencing the above levels of coverage and additional insured endorsement for any contractor accessing or using the Property prior to such contractor accessing the Property.

6. Mitigation Requirements: Grantee agree to take steps to mitigate the impact of the Project. Such mitigation shall include both steps taken during the Project (“Concurrent Mitigation”) and upon its conclusion (“Restoration Mitigation” and, together with the Concurrent Mitigation, the “Mitigation Requirements”) as follows:

- a. Concurrent Mitigation: Grantee shall ensure, at no cost to Grantor, that Grantee’s Work will not interfere with the use of the Property by, or the work of, Grantor or its agents, other holders of rights to the Property, or members of the public. Grantee further agrees to comply with the Concurrent Mitigation requirements set out in Exhibit B: Mitigation Requirements.
- b. Restoration Mitigation: Grantee shall ensure, at no cost to the Grantor, that upon completion of Grantee’s Work, all areas subject to the Temporary Construction Easement be returned to pre-construction conditions, construction materials be cleared away, landscape and vegetation be replaced or remediated, and that all requirements set out in Exhibit B: Mitigation Requirements are met. Grantee’s obligation under this subparagraph b. to return such areas to their pre-construction conditions shall be considered met with respect to landscaping and vegetation if the landscaping requirements in Exhibit B are met.
- c. In addition to the specifically enumerated mitigation aims described above and in Exhibit B, Grantee shall ensure the Contractors performing the Project and/or the Mitigation Requirements promptly repair all damage caused to the Property both in

and outside of the Temporary Easement Area and at the completion of the Project to repair all damage caused to the Property, as a result of the Project.

- d. Any such repairs and/or mitigation shall be performed in an appropriate manner, and will be subject to the reasonable approval of the City Manager.

7. In order to secure performance of the Mitigation Requirements, Grantee shall cause the contractor responsible for performing the Concurrent Mitigation and the Restoration Mitigation to obtain a performance bond in a sum sufficient to complete the Mitigation Requirements and any other work such contractor may be performing on the Project. The general contractor under CSXT responsible for construction of the Project may be selected as the contractor responsible for performance of the Mitigation Requirements, but need not be so selected. The performance bond shall name the City as an additional obligee thereunder.

8. Grantee shall cause the contractor performing the Mitigation Requirements to indemnify, defend and hold harmless the Grantor, its officers, employees, and agents from and against any and all losses, liabilities, obligations, damages, costs and expenses (including reasonable attorney's fees) incurred by the Grantor in connection with such contractor's performance of the Mitigation Requirements. Such contractor shall also be responsible for any damage to the property of others that results from the performance of such work, and will hold harmless and indemnify the Grantor from any claims arising from such damage. Such indemnity shall be in written form reasonably acceptable to Grantor.

9. The Temporary Construction Easement shall not become effective until the following conditions have been met:

- a. Grantor shall have received written evidence that the performance bond has been issued by the contractor's surety and names Grantee as an additional obligee.

Grantor shall also have received a written indemnity from such contractor in accordance with the requirements of Section 8 above. Once received, Grantor shall have provided written confirmation to Grantee through the City Manager's Office of the aforementioned conditions having been met, and access being effective.

- b. With respect to the temporary construction easement at the Alexandria Union Station property only, Grantor shall have received and approved such replacement offsite parking for city employees or compensation as outlined in Exhibit B: Mitigation Requirements. Once received, Grantor shall have provided written confirmation to Grantee through the City Manager's Office of the aforementioned conditions having been met, and access to the temporary construction easement at the Alexandria Union Station property being effective.

10. Should any of the Mitigation Requirements not be performed as required or Grantee or Contractors otherwise not fulfill any of the requirements of this Deed, Grantor may, at its sole discretion and regardless of eventual performance of the unfulfilled requirements, suspend the easement conveyed hereunder until such requirements have been fulfilled. Should Grantee or Contractors not remedy the failure to fulfill such requirements to the reasonable satisfaction of Grantor within thirty (30) days notice from Grantor to Grantee, Grantor may terminate this Deed and the easement granted hereunder by providing written notice to Grantee, whereupon the cost of completing the Mitigation Requirements shall be forfeited to Grantor, and Grantee's and Contractors' access to the Property will be revoked. Notwithstanding the suspension of such easement, the contractor performing the Mitigation Requirements shall be permitted to cure the failure to perform the Mitigation Requirements during such thirty (30) day cure period. If after termination of the easement granted hereunder Grantee or Contractors are permitted by Grantor to

complete the aforementioned mitigation in lieu of forfeiture of the cost of completing the Mitigation Requirements, Grantee's obligation to complete the same shall survive the termination of this Deed. Grantor and Grantee acknowledge that the cost of completing the Mitigation Requirements is difficult to estimate at this time, and agree to work to establish the appropriate sum together in good faith. Such appropriate sum shall be subject to a survey of the sites and, subject to this Section 10, reviewed and approved by the Grantor.

11. Any notice or other communication required or permitted to be given under this Deed must be in writing and shall be effectively given or delivered if sent by certified United States Mail, return receipt requested, or if sent by receipted overnight delivery service or in person to such addresses. Notice effected by receipted overnight delivery service or in person shall be deemed to have been received upon the earlier of actual receipt or refusal thereof. Any notice mailed shall be deemed to have been received upon the earlier of (a) actual receipt, (b) refusal thereof, or (c) three (3) days after mailing of same. Either party shall have the right to change its address to which notices shall thereafter be sent, and the party to whose attention such notice shall be delivered, by giving the other party notice thereof in accordance with the provisions of this paragraph. Until such time as either party shall change its address for notices, notices shall be forwarded as follows:

To GRANTEE:

Virginia Passenger Rail Authority  
919 East Main Street, 24<sup>th</sup> Floor  
Richmond, VA 23219  
Attn: General Counsel

To GRANTOR/CITY:

City of Alexandria  
301 King Street  
Alexandria, Virginia 22314  
Attn: City Manager

12. Any construction materials and equipment temporarily installed or placed by Grantee within the Temporary Easement Area shall be and remain the property of Grantee and shall be removed at the termination of this Deed. If not removed at the termination of this Deed, Grantor may remove the materials and equipment and Grantee agrees to pay the cost of removal and storage.

13. This Deed covers all agreements between the parties hereto. No representations or statements have been made that would modify, add to, or change the terms of the Deed.

14. This Deed shall be construed and interpreted according to the laws of the Commonwealth of Virginia.

15. No provision of this Deed is intended to, or shall be construed as, relieving Grantee and Contractors of the obligation to fully comply with any City regulations applicable to Grantee or Contractors under applicable law.

16. The Recitals set forth above and the attached Exhibits are incorporated into this Deed.

17. This Deed may be amended by the written agreement of Grantor and Grantee.

#### **COVENANTS RUNNING WITH THE LAND**

Grantor agrees that the easements, agreements, and covenants stated in this Deed are not covenants personal to Grantor but are covenants running with the land, which are and shall be binding upon Grantor and their respective successors and assigns.

#### **FREE CONSENT**

This Deed is made in accordance with the statutes made and provided in such cases, with the approval of the proper authorities of the City of Alexandria, Virginia, and is with the free consent and in accordance with the desires of the Grantor.



**SIGNATURES ON NEXT PAGE**

**WITNESS** the following signature and seal:

**GRANTOR:**

City of Alexandria, a municipal corporation of the  
Commonwealth of Virginia

By: \_\_\_\_\_ (SEAL)  
James F. Parajon, City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
Office of the City Attorney

COMMONWEALTH OF VIRGINIA  
CITY OF ALEXANDRIA

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2025 by  
James F. Parajon, City Manager of the City of Alexandria, a municipal corporation of the  
Commonwealth of Virginia.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

Notary Registration No.: \_\_\_\_\_

(NOTARIAL SEAL)

**SIGNATURES CONTINUE ON NEXT PAGE**

**WITNESS** the following signature and seal:

**GRANTEE:**

Virginia Passenger Rail Authority

By: \_\_\_\_\_ (SEAL)  
DJ Stadtler, Executive Director

COMMONWEALTH OF VIRGINIA,  
CITY/ COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2025 by  
DJ Stadtler, Executive Director of the Virginia Passenger Rail Authority, a political subdivision  
of the Commonwealth of Virginia.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_  
Notary Registration No.: \_\_\_\_\_

(NOTARIAL SEAL)

**END OF SIGNATURES**

## **EXHIBIT A**

### **Property Description**

TAX MAP # 061.04-02-26 (Parcel No. 002)

Being a strip of land, hereinafter described as running in, through, over and across part of a parcel of land identified by City of Alexandria Tax Assessor records as Tax Map No. 061.04-02- 26, said parcel of land being the property of City of Alexandria and recorded in Instrument Number 090001513 among the Land Records of City of Alexandria, Virginia; and being more particularly described as follows:

**BEGINNING** for the same at a point bearing North American Datum of 1983/2011 (NAD 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,979,505.3444 feet, East 11,887,137.4919 feet as now established, said point marking the intersection of the easterly line of said Tax Map No. 061.04-02-26 and the northerly line of the Railroad Corridor as shown among the aforesaid Land Records, thence running in said Datum with and binding on a portion of said northerly line of the Railroad Corridor the following course and distance:

1. North 86° 23' 25" West, 1161.83 feet to a point; said point marking the intersection of the westerly line of said Tax Map No. 061.04-02-26 and said northerly line of the Railroad Corridor; thence leaving said northerly Railroad Corridor line and running in said Datum with and binding a portion of said westerly line the following course and distance:
2. North 03° 35' 36" East; 8.00 feet to a point; thence leaving said westerly line and running in said Datum so as to cross and include a portion of said Tax Map No. 061.04-02-26 the following five (5) courses and distances:
3. South 86° 23' 25" East, 286.50 feet to a point; thence
4. North 03° 36' 35" East, 13.00 feet to a point; thence
5. South 86° 23' 25" East, 26.00 feet to a point; thence
6. South 03° 36' 35" West, 13.00 feet to a point; thence
7. South 86° 23' 25" East, 849.33 feet to a point on said easterly line of Tax Map No. 061.04-02-26; thence in said Datum with and binding a portion of said easterly line the following course and distance:
8. South 03° 36' 35" West, 8.00 feet to said Point of Beginning containing a computed area of 9,632.62 square feet or 0.22113 of an acre of land.

## Property Description

### TAX MAP # 073.01-02-10 (Parcel No. 004C)

Being a strip of land, hereinafter described as running in, through over and across part of a parcel of land identified as Tax Map No. 073.01-02-10, said parcel of land being the property of City of Alexandria and recorded in Instrument No. 10005348 among the Land Records of City of Alexandria, Virginia; and being more particularly described as follows:

**BEGINNING** for the same at a point bearing North American Datum of 1983/2011 (NAO 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,979,150.5255 feet, East 11,890,877.0058 feet as now established, thence running in said Datum, so as to cross and include a portion of said parcel of land the following four (4) courses and distances:

1. North 61° 49' 03" East, 6.97 feet to a point; thence
2. 165.79 feet along the arc of a non-tangential curve deflecting to the left, having a Radius of 2,895.19 feet, and a Chord Bearing and Distance of North 85° 36' 59" East, 165.76 feet to a point; thence
3. South 77° 05' 46" East, 9.21 feet to a point; thence
4. 180.96 feet along the arc of a non-tangential curve deflecting to the right, having a Radius of 2,898.19 feet, and a Chord Bearing and Distance of South 85° 35' 33" West, 180.93 feet to said Point of Beginning containing a computed area of 520.15 square feet or 0.01194 of an acre of land.

## Property Description

### TAX MAP # 073.01-03-04 (Parcel No. 008A)

Being a strip of land, hereinafter described as running in, through over and across part of a parcel of land identified by City of Alexandria Tax Assessor records as Tax Map No. 073.01-03- 04, said parcel of land being the property of City of Alexandria and recorded in Instrument No. 000024586 among the Land Records of City of Alexandria, Virginia; and being more particularly described as follows:

**BEGINNING** for the same at a point bearing North American Datum of 1983/2011 (NAO 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,980,102.1796 feet, East 11,892,767.4552 feet as now established, said point lying on the southerly line of King Street as shown among the aforesaid Land Records, thence running in said Datum with and binding on a portion said southerly line of King Street the following course and distance:

1. South 81° 35' 49" East, 57.49 feet to a point; thence leaving said southerly line of King Street line and running in said Datum so as to cross and include a portion of said Tax Map No. 073.01-03-04 the following four (4) courses and distances:
2. South 54° 31' 35" West, 17.53 feet to a point; thence
3. South 35° 28' 25" East, 38.73 feet to a point; thence
4. South 54° 29' 36" West, 517.28 feet to a point; thence
5. 577.01 feet along the arc of a tangential curve to the right, having a Radius of 3,005.17 feet, and a Chord Bearing and Distance of South 59° 59' 38" West, 576.13 feet to a point on the northerly line of Duke Street as shown among the aforesaid Land Records; thence running in said Datum with and binding a portion of said northerly line the following two (2) courses and distances:
6. North 81° 36' 06" West, 1.17 feet to a point; thence
7. 98.71 feet along the arc of a non-tangential curve to the right, having a Radius of 42.14 feet, and a Chord Bearing and Distance of North 11° 59' 5,3" West, 77.64 feet to a point on the easterly line of Callahan Drive as shown among the aforesaid Land Records; thence running in said Datum with and binding a portion of said easterly line the following five (5) courses and distances:
8. North 55° 01' 33" East, 37.61 feet to a point; thence
9. North 53° 58' 39" East, 200.72 feet to a point; thence
10. North 31° 09' 51" West, 4.00 feet to a point; thence
11. North 58° 50' 54" East, 383.77 feet to a point; thence
12. North 22° 53' 54" East, 22.61 feet to a point; thence leaving said easterly line and continuing to run in in said Datum so as to cross and include a portion of said Tax Map No. 073.01-03-04 the following seven (7) courses and distances:

13. South  $67^{\circ} 07' 06''$  East, 40.84 feet to a point; thence
14. South  $35^{\circ} 28' 56''$  East, 51.20 feet to a point; thence
15. North  $54^{\circ} 41' 52''$  East, 54.05 feet to a point; thence
16. South  $35^{\circ} 25' 21''$  East, 2.10 feet to a point; thence
17. North  $54^{\circ} 31' 14''$  East, 168.22 feet to a point; thence
18. North  $35^{\circ} 13' 56''$  West, 51.56 feet to a point; thence
19. North  $54^{\circ} 29' 36''$  East a distance of 152.31 feet to said Point of Beginning containing a computed area of 93,455.92 square feet or 2.14545 of an acre of land.

## Property Description

### TAX MAP # 044.03-09-01 (Parcel No. 009)

Being strips of land, hereinafter described in Part 1, Part 2 and Part 3 as running in, through over and across part of a parcel of land identified by City of Alexandria Tax Assessor records as Tax Map No. 044.03-09-01, said parcel of land being the property of City of Alexandria and recorded in Instrument No. 150012727 among the Land Records of City of Alexandria, Virginia; and being more particularly described as follows:

#### **PART 1:**

**BEGINNING** for the same at a point bearing North American Datum of 1983/2011 (NAD 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,984,430.6046 feet, East 11,895,717.4801 feet as now established, said point lying on the westerly line of the Railroad Corridor, thence running in said Datum, with and binding on a portion of said Railroad Corridor line, the following course and distance:

1. South 28° 13' 13" West, 22.53 feet to a point; thence leaving said line and running in said Datum so as to cross and include a portion of said Tax Map No. 044.03-09-01 the following three (3) courses and distances:
2. North 61° 46' 47" West, 5.00 feet to a point; thence
3. North 28° 13' 13" East, 22.53 feet to a point; thence
4. South 61° 46' 47" East, 5.00 feet to said Point of Beginning containing a computed area of 112.63 square feet or 0.00259 of an acre of land.

#### **PART 2:**

**BEGINNING** for the same at a point bearing North American Datum of 1983/2011 (NAO 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,984,166.3556 feet, East 11,895,575.1905 feet as now established, said point lying on the westerly line of the Railroad Corridor, thence leaving said line and running in said Datum **so** as to cross and include a portion of said Tax Map No. 044.03-09-01 the following four (4) courses and distances:

1. North 61° 39' 54" West, 12.00 feet to a point; thence
2. North 28° 20' 06" East, 211.35 feet to a point; thence
3. North 28° 13' 13" East, 22.55 feet to a point; thence



4. South  $61^{\circ} 46' 47''$  East, 12.00 feet to a point lying on said westerly Railroad Corridor line; thence running in said Datum with and binding on portions of said Railroad Corridor line, the following two (2) courses and distances:
5. South  $28^{\circ} 13' 13''$  West, 22.56 feet to a point; thence
6. South  $28^{\circ} 20' 06''$  West, 211.35 feet to said Point of Beginning containing a computed area of 2,806.78 square feet or 0.06443 of an acre of land.

PART 3:

BEGINNING for the same at a point bearing North American Datum of 1983/2011 (NAO 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,982,549.7261 feet, East 11,894,708.2442 feet as now established, said point lying on the westerly line of the Railroad Corridor, thence running in said Datum, with and binding on a portion of said Railroad Corridor line, the following course and distance:

1. South  $28^{\circ} 01' 09''$  West, 56.11 feet to a point; thence leaving said line and running in said Datum so as to cross and include a portion of said Tax Map No. 044.03-09-01 the following three (3) courses and distances:
2. North  $61^{\circ} 58' 51''$  West, 14.00 feet to a point; thence
3. North  $28^{\circ} 01' 09''$  East, 56.11 feet to a point; thence
4. South  $61^{\circ} 58' 51''$  East, 14.00 feet to said Point of Beginning containing a computed area of 785.57 square feet or 0.01803 of an acre of land.

Said parcels of land herein described in Part 1, Part 2 and Part 3 containing a total computed area of 3,704.98 square feet or 0.08505 of an acre of land.

## Property Description

### TAX MAP # 044.03-08-01 (Parcel No. 010)

Being strips of land, hereinafter described as running in, through over and across part of a parcel of land identified by City of Alexandria Tax Assessor records as Tax Map No. 044.03-08-01, said parcel of land being the property of City of Alexandria and recorded in Instrument No. 110012415 among the Land Records of City of Alexandria, Virginia; and being more particularly described as follows:

**BEGINNING** for the same at a point bearing North American Datum of 1983/2011 (NAO 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,984,932.0097 feet, East 11,896,122.7598 feet as now established, said point lying on the easterly line of the Railroad Corridor, thence leaving said line and running in said Datum so as to cross and include a portion of said Tax Map No. 044.03-08-01 the following five (5) courses and distances:

1. South  $61^{\circ} 46' 47''$  East, 16.00 feet to a point; thence
2. South  $28^{\circ} 13' 13''$  West, 267.77 feet to a point; thence
3. North  $61^{\circ} 46' 47''$  West, 6.00 feet to a point; thence
4. South  $28^{\circ} 13' 13''$  West, 232.92 feet to a point; thence
5. North  $61^{\circ} 46' 47''$  West, 10.00 feet to a point on said easterly Railroad Corridor line; thence running with a portion of said Railroad Corridor line the following course and distance:
6. North  $28^{\circ} 13' 13''$  East; 500.68 feet to said Point of Beginning containing a computed area of 6,613.43 square feet or 0.15182 of an acre of land.

## Property Description

### TAX MAP # 025.04-01-06 (Parcel No. 014)

Being strips of land, hereinafter described in Part 1 and Part 2 as running in, through over and across part of a parcel of land identified by City of Alexandria Tax Assessor records as Tax Map No. 025.04-01-06, said parcel of land being the property of City of Alexandria and recorded in Instrument No. 120019364 among the Land Records of City of Alexandria, Virginia; and more particularly described as follows:

#### **PART 1:**

**BEGINNING** for the same at a point bearing North American Datum of 1983/2011 (NAD 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,988,774.9986 feet, East 11,896,867.0852 feet as now established, said point lying on the easterly line of the Railroad Corridor, thence running in said Datum with and binding on portions of said easterly Railroad Corridor lines, the following two (2) courses and distances:

1. North 03° 03' 09" West, 457.99 feet to a point; thence
2. 36.61 feet along the arc of a tangential curve to the right, having a Radius of 3,789.84 feet, and a Chord Bearing and Distance of North 02° 46' 33" West, 36.61 feet to a point marking the westerly corner of the northerly line of said Tax Map No. 025.04-01-06; thence running in said Datum with and binding on said northerly line and portions of the easterly lines of said Tax Map No. 025.04-01-06, the following four (4) courses and distances:
  3. North 87° 29' 51" East, 7.52 feet to a point; thence
  4. 37.54 feet along the arc of a non-tangential curve to the left, having a Radius of 403.13 feet, and a Chord Bearing and Distance of South 06° 01' 33" East, 37.53 feet to a point; thence
  5. South 08° 40' 23" East, 49.38 feet to a point; thence
  6. South 09° 31' 07" East, 25.09 feet to a point; thence leaving said easterly line and running in Said Datum so as to cross and include a portion of said Tax Map No. 025.04-01-06 the following two (2) courses and distances:
    7. South 03° 03' 10" East, 382.97 feet to a point; thence
    8. South 86° 56' 50" West a distance of 17.31 feet to said Point of Beginning containing a computed area of 7,928.74 square feet or 0.18202 of an acre of land.

**PART2:**

**BEGINNING** for the same at a point bearing North American Datum of 1983/2011 (NAD 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,988,593.8364, East 11,896,876.7461 feet as now established, said point lying on the easterly line of the Railroad Corridor, thence leaving said line and running in said Datum so as to cross and include a portion of said Tax Map No. 025.04-01-06 the following four (4) courses and distances:

1. North  $86^{\circ} 56' 50''$  East, 31.64 feet to a point; thence
2. South  $02^{\circ} 12' 09''$  West, 124.60 feet to a point; thence
3. South  $03^{\circ} 03' 10''$  East, 1092.77 feet to a point; thence
4. South  $86^{\circ} 56' 50''$  West, 20.25 feet to a point on said easterly Railroad Corridor line; thence running in said Datum with and binding on portions said easterly line the following three (3) courses and distances:
5. 9.85 feet along the arc of a non-tangential curve to the left, having a Radius of 3,137.67 feet, and a Chord Bearing and Distance of North  $02^{\circ} 57' 45''$  West, 9.85 feet to a point; thence
6. North  $03^{\circ} 03' 09''$  West, 1206.99 feet to a point to said Point of Beginning containing a computed area of 25,321.62 square feet or 0.58130 of an acre of land.

Said parcels of land herein described in Part 1 and Part 2 containing a total computed area of 33,250.36 square feet or 0.76332 of an acre of land.

## Property Description

### TAX MAP # 025.04-01-07 (Parcel No. 015)

Being two (2) strips of land, hereinafter described in Part 1 and Part 2 as running in, through, over and across part of a parcel of land identified by City of Alexandria Tax Assessor records as Tax Map No. 025.04-01-07, said parcel of land being the property of City of Alexandria and recorded in Instrument No. 110012415 among the Land Records of City of Alexandria, Virginia; and being more particularly described as follows:

#### **PART 1:**

**BEGINNING** for Part 1 at a point bearing North American Datum of 1983/2011 (NAO 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,992,097.1782 feet, East 11,896,531.0123 feet as now established, said point lying at the intersection of the northerly line of said Tax Map No. 025.04-01-07 and the easterly line of the Railroad Corridor, thence running in said Datum with and binding on portions of the outlines said Tax Map, the following two (2) courses and distances:

1. South 31° 09' 57" East, 34.97 feet to a point; thence
2. South 60° 19' 16" East, 12.18 feet to a point; thence leaving said line and running in said Datum so as to cross and include a portion of said Tax Map No. Map No. 025.04-01-07 the following two (2) courses and distances:
3. South 25° 47' 06" East, 99.21 feet to a point; thence
4. South 64° 12' 54" West, 10.19 feet to a point on said easterly line of the Railroad Corridor; thence running in said Datum with and binding on a portion of said easterly Railroad Corridor line, the following course and distance:
5. North 25° 46' 50" West, 144.05 feet to said Point of Beginning for said Part 1 containing a computed area of 1,135.48 square feet or 0.02607 of an acre of land.

#### **PART 2:**

**BEGINNING** for Part 2 at a point bearing North American Datum of 1983/2011 (NAD 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,989,268.9049 feet, East 11,896,840.9237 feet as now established, said point lying on the easterly line of the Railroad Corridor, thence running in said Datum with and binding on a portion of said easterly Railroad Corridor line, the following course and distance:

1. 34.66 feet along the arc of a curve to the right, having a Radius of 3,789.84 feet, and a Chord Bearing and Distance of North 02° 14' 14" West, 34.66 feet to a point; thence leaving said line and running in said Datum so as to cross and include a portion of said Tax Map No. 025.04-01-07 the following three (3) courses and distances:
2. North 86° 56' 50" East for a distance of 8.43 feet to a point; thence
3. South 03° 03' 10" East for a distance of 34.74 feet to a point; thence

4. South  $87^{\circ} 29' 51''$  West a distance of 8.92 feet to said Point of Beginning for said Part 2 containing a computed area of 301.88 square feet or 0.00693 of an acre of land.

Said parcels of land herein described in Part 1 and Part 2 containing a total computed area of 1,437.36 square feet or 0.03300 of an acre of land.

## Property Description

### TAX MAP # 016.04-01-04 (Parcel 016)

Being strips of land, hereinafter described as running in, through, over and across part of a parcel of land identified by City of Alexandria Tax Assessor records as Tax Map No. 016.04-01-04, said parcel of land being the property of City of Alexandria and recorded in Instrument No. 200027821 among the Land Records of City of Alexandria, Virginia; and being more particularly described as follows:

**BEGINNING** for the same at a point bearing North American Datum of 1983/2011 (NAD 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,990,240.2992 feet, East 11,896,767.7132 feet as now established, said point lying on the westerly line of the Railroad Corridor, thence running in said Datum with and binding on a portion of said westerly Railroad Corridor line, the following course and distance:

1. South 04° 23' 28" West, 82.98 feet to a point; thence leaving said line and running in said Datum so as to cross and include a portion of said Tax Map No. 016.04-01-04 the following three (3) courses and distances:
2. North 84° 58' 39" West, 6.61 feet to a point; thence
3. North 05° 01' 21" East, 82.97 feet to a point; thence
4. South 84° 58' 39" East a distance of 5.70 feet to said Point of Beginning containing a computed area of 510.68 square feet or 0.01172 of an acre of land.

## Property Description

### TAX MAP # 008.03-02-02 (Parcel No. 017)

Being a strip of land, hereinafter described as running in, through, over and across part of a parcel of land identified by City of Alexandria Tax Assessor records as Parcel No. 008.03-02-02, said parcel of land being the property of City of Alexandria and recorded in Instrument No. 140010552 among the Land Records of City of Alexandria, Virginia; and being more particularly described as follows:

**BEGINNING** for the same at a point bearing North American Datum of 1983/2011 (NAO 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,992,697.6769 feet, East 11,896,110.7560 feet as now established, said point lying on the Arlington County and City of Alexandria division line as recorded in Instrument No. 2003325510 among the aforesaid land records, thence running, in said Datum, with and binding on a part of said division line, the following course and distance:

1. 40.40 feet along the arc of a non-tangential curve deflecting to the left, having a Radius of 692.78 feet, and a Chord Bearing and Distance of South 79° 38' 53" East, 40.39 feet to a point; thence leaving said line and running in said Datum with and binding on a portion of VPRA Parcel Line the following course and distance:
2. South 25° 20' 37" East, 15.04 feet to a point; thence leaving said line and running in said Datum so as to cross and include a portion of said Tax Map No. 008.03-02-02 the following four (4) courses and distances:
3. South 85° 45' 45" West, 4.43 feet to a point; thence
4. South 24° 49' 57" East, 15.90 feet to a point; thence
5. South 14° 01' 55" East, 290.77 feet to a point; thence
6. North 86° 45' 42" East, 30.70 feet to a point on VPRA Parcel Line; thence running in said Datum with and binding on a portion of said line the following course and distance:
7. South 25° 46' 50" East, 106.08 feet to a point; thence leaving said line and continuing to run in said Datum so as to cross and include a portion of said Tax Map No. 008.03-02-02 the following six (6) courses and distances:
8. South 86° 45' 42" West, 130.70 feet to a point; thence
9. North 06° 44' 27" West, 139.20 feet to a point; thence
10. North 88° 02' 16" East, 39.72 feet to a point; thence
11. North 14° 04' 26" West, 264.74 feet to a point; thence
12. South 85° 45' 41" West, 13.99 feet to a point; thence
13. North 23° 34' 24" West, 25.66 feet to said Point of Beginning containing a computed area of 19,646.99 square feet or 0.45103 of an acre of land.



### Property Description

#### TAX MAP # 061.04-02-25 (Parcel No. 025)

Being a strip of land, hereinafter described as running in, through, over and across part of a parcel of land identified by City of Alexandria Tax Assessor records as Tax Map No. 061.04-02- 25, said parcel of land being the property of City of Alexandria and recorded in Instrument 020023547 among the Land Records of City of Alexandria, Virginia; and being more particularly described as follows:

**BEGINNING** for the same at a point bearing North American Datum of 1983/2011 (NAO 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,979,578.4929 feet, East 11,885,977.9701 feet as now established, said point marking the intersection of the westerly line of Tax Map No. 061.04-02-26 and the northerly line of the Railroad Corridor as shown among the aforesaid Land Records, thence leaving said westerly line and running in said Datum with and binding on a portion of said northerly line of the Railroad Corridor the following two (2) courses and distance:

1. North 86° 23' 25" West, 192.06 feet to a point; thence
2. North 86° 27' 54" West, 121.41 feet to a point; thence leaving said northerly line of the Railroad Corridor and running in said Datum so as to cross and include a portion of said Tax Map No. 061.04-02-25 the following two (2) courses and distances:
3. North 03° 32' 06" East, 8.00 feet to a point; thence
4. South 86° 27' 54" East, 121.42 feet to a point; thence
5. South 86° 23' 24" East, 192.06 feet to a point on said westerly line of Tax Map No. 061.04-02-26; thence running in said Datum with and binding on a portion of said westerly line the following course and distance:
6. South 03° 35' 36" West, 8.00 feet to said Point of Beginning containing a computed area of 2,507.70 square feet or 0.05757 of an acre of land.

## Property Description

### TAX MAP # 072.01-07-01 (Parcel No. 026)

Being two (2) strips of land, hereinafter described in Part 1 and Part 2 as running in, through, over and across part of a parcel of land identified by City of Alexandria Tax Assessor records as Tax Map No. 072.01-07-01, said parcel of land being the property of City of Alexandria and recorded in Instrument No. 060032162 among the Land Records of City of Alexandria, Virginia; and being more particularly described as follows:

#### **PART 1:**

**BEGINNING** for Part 1 at a point bearing North American Datum of 1983/2011 (NAD 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,979,377.0527 feet, East 11,889,171.1233 feet as now established, said point marking the intersection of the easterly line of said Tax Map No. 072.01-07-01 and the northerly line of the Railroad Corridor as shown among said Land Records, thence running in said Datum with and binding on a portion of said northerly Railroad Corridor line, the following course and distance:

1. North 86° 23' 25" West, 133.96 feet to a point; thence leaving said line and running in said Datum so as to cross and include a portion of said Tax Map No. Map No. 072.01- 07-01 the following two (2) courses and distances:
2. North 03° 36' 35" East, 8.00 feet to a point; thence
3. South 86° 23' 25" East, 137.56 feet to a point on said easterly line of Tax Map No. 072.01-07-01; thence running in said Datum with and binding on a portion of said line, the following course and distance:
4. South 27° 48' 24" West, 8.77 feet to said Point of Beginning for said Part 1 containing a computed area of 1,086.07 square feet or 0.02493 of an acre of land.

#### **PART 2:**

**BEGINNING** for Part 2 at a point bearing North American Datum of 1983/2011 (NAO 83/2011) Virginia Coordinate System North (Project Datum) Ground Coordinates of: North 6,979,403.0857 feet, East 11,888,758.4583 feet as now established, said lying on the northerly line of the Railroad Corridor, thence leaving said line and running in said Datum so as to cross and include a portion of said Tax Map No. Map No. 072.01-07-01 the following three (3) courses and distances:

1. North 03° 36' 35" East, 8.00 feet to a point; thence
2. South 86° 23' 25" East, 167.13 feet to a point; thence
3. South 03° 36' 35" West, 8.00 feet to a point on said northerly line of the Railroad Corridor; thence in said Datum with and binding on a portion of said northerly Railroad Corridor line the following course and distance:

4. North  $86^{\circ} 23' 25''$  West, 167.13 feet to said Point of Beginning for said Part 2 containing a computed area of 1,337.00 square feet or 0.03069 of an acre of land.

Said parcels of land herein described in Part 1 and Part 2 containing a total computed area of 2,423.07 square feet or 0.05563 of an acre of land.

## **EXHIBIT A-1**

### Temporary Construction Easement Plats

TAX MAP # 061.04-02-26 (Parcel No. 002)

TAX MAP # 073.01-02-10 (Parcel No. 004C)

TAX MAP # 073.01-03-04 (Parcel No. 008A)

TAX MAP # 044.03-09-01 (Parcel No. 009)

TAX MAP # 044.03-08-01 (Parcel No. 010)

TAX MAP # 025.04-01-06 (Parcel No. 014)

TAX MAP # 025.04-01-07 (Parcel No. 015)

TAX MAP # 016.04-01-04 (Parcel 016)

TAX MAP # 008.03-02-02 (Parcel No. 017)

TAX MAP # 061.04-02-25 (Parcel No. 025)

TAX MAP # 072.01-07-01 (Parcel No. 026)

## **EXHIBIT B**

### **Mitigation Requirements**

<b>Easement ID</b>	<b>Easement Intent</b>	<b>City Interest in Easement Area</b>	<b>Mitigation: During Construction</b>	<b>Mitigation: Post Construction</b>
061.04-02-25 061.04-02-26 (Across from DASH building)	Installation of ROW fence with limited access needed in roadway to protect construction site.	Need to ensure minimum usable width of Business Center Drive to maintain ongoing DASH operations.	TES (with concurrence of DASH) to have final approval of a Maintenance of Traffic Plan (MOT) to ensure adequate width of BCD during construction to maintain DASH operations.	Return to pre-construction conditions.
061.04-02-25 061.04-02-26 (Across from DASH building)	Access in roadway to connect to City stormwater system.	Location of connection to stormwater pipe is directly across from main exit of DASH bus facility. Need to ensure DASH can maintain bus operations during construction.	TES (with concurrence of DASH) to have final approval of a Maintenance of Traffic Plan (MOT) to ensure ongoing bus maneuverability for DASH buses existing the bus Depot to maintain operations. <ul style="list-style-type: none"> <li>- Limits on duration of construction</li> </ul>	Return to pre-construction conditions.
072.01-07-01 (At Witter Field)	Needed for construction access	City is installing a sanitary pipe in this location at request of CSX/VPRA to support the 4 <sup>th</sup> track project. Need to ensure that City construction timeline is not impacted by granting of TCE to VPRA	<ul style="list-style-type: none"> <li>- Easement language to ensure that City maintains access to the site to allow for project construction.</li> <li>- Requirement for VPRA (or their contractor) to coordinate on timing with City</li> </ul>	See Post-Construction Activities section below.
073.01-02-10 (Carlyle Dog Park)	Needed for Construction Access and to install drainage pipe	A portion of the dog park will be closed during construction and the fence closest to the railbed will need to be temporarily relocated.  See 4(F) report sent to City for additional detail.	<ul style="list-style-type: none"> <li>- Installation of a new fence to preserve dog park operations</li> <li>- Additional screening at this site to mitigate potential noise/dust/impacts to dog park users</li> <li>- On site signage about project – VPRA point of contact</li> <li>- Prior outreach before impacts to dog park</li> </ul>	See Post-Construction Activities section below.  Replacement of fence Remediation of dog park surface (turf, mulch)

073.01-03-04 (Union Station Parking Lot)	Construction laydown area	Existing employee parking to be relocated during duration of construction to allow for construction laydown areas.	-Identification of offsite parking for city employees – execution of parking lease or agreement to reimburse city for parking costs - easement to be held until parking is resolved	See Post-Construction Activities section below.
044.03-09-01 (Near GW Middle school)	Needed for grading on City property to allow for creation of a turn around area within CSX/VPRA ROW	No known conflicts	- Signage along trail identifying the project and that temporary changes are due to VPRA – include POC information of VPRA PM for questions	See Post-Construction Activities section below.  Any damage to the irrigation system shall be remedied/restored.
044.03-09-01	Needed for grading on City property to allow for creation of a turn around area within CSX/VPRA property and drainage structure	No known conflicts	- Signage along trail identifying the project and that temporary changes are due to VPRA – include POC information of VPRA PM for questions	See Post-Construction Activities section below.  Any damage to the irrigation system shall be remedied/restored.
044.03-08-01 (just south of Slaters Lane/Rt 1 overpass)	Grading and cut for drainage to be installed on CSX/VPRA prop	No known conflicts	- Signage along trail identifying the project and that temporary changes are due to VPRA – include POC information of VPRA PM for questions	See Post-Construction Activities section below.
025.04-01-06 (area btwn WMATA & CSX Tracks)	Grading and cut for drainage to be installed on CSX/VPRA prop	No known conflicts	-	See Post-Construction Activities section below.
025.04-01-07 (area btwn WMATA & CSX Tracks)	Grading and cut for drainage to be installed on CSX/VPRA prop	No known conflicts	-	See Post-Construction Activities section below.
016.04-01-04 (WMATA station in PY)	Grading to allow for turnaround area	Property is being transferred to WMATA. Unsure of	- If still held by City, VPRA to provide proof of coordination	See Post-Construction

	within CSX prop	timing of that transfer and if easement needs to be granted by COA or WMATA	and permission from WMATA for completing work in proximity to WMATA building	Activities section below.
025.04-01-07 (area btwn WMATA & CSX Tracks)		No known conflicts		See Post-Construction Activities section below.
008.03-02-02	Widening of existing CSX easement to allow for larger construction vehicles to enter rail bed	Location of future park <ul style="list-style-type: none"> <li>- Ensure no damage to area of paving for AlexRenew turnaround area</li> <li>- Ensure AlexRenew maintains access during construction</li> </ul>	AlexRenew to maintain access and use of their facility	Post construction inspection of driveway to ensure no damage  Grade returned to pre-construction conditions with permanent land cover

### Pre-Construction Activities

Within [period of time after easement execution or prior to construction] VPRA shall provide to the City of Alexandria detailed survey of areas within boundaries of Temporary Construction Easements to document existing conditions, applicant shall provide a topographic survey and with areas of the Temporary Construction Easements with subsurface utilities shall include information on the location and ownership of subsurface utilities found within the area of the easement.

- When documenting the status of vegetation, ensure the survey information follows the City's 2019 Landscape guidelines for survey requirements of vegetation and existing trees.

A pre-construction site walk, a minimum of two-weeks prior to any land disturbing activities with City staff and representatives from VPRA shall be held to review the survey information and confirm the information in the survey between the City and VPRA. Additional documentation, such as photos can be utilized to document additional nuance of the site area. Copies of the existing conditions survey shall be provided to the City at least two-weeks prior to the requested pre-construction site walk date for review by City staff.

VPRA shall provide a video inspection (and recording) of the conditions of underground utilities (storm and sanitary pipes) within the project limits of disturbance and shall be provided to the City of Alexandria at least two weeks prior to the start of construction.

VPRA shall develop and provide a construction phasing plan to the City of Alexandria which indicates the general areas of construction activity and timing for work. A VPRA point of contact shall be provided for questions related to construction impacts and project details. Monthly updates to the phasing plan shall be provided to the City.

Two-weeks prior to commencing work within the requested temporary construction easements, VPRA shall develop and post temporary signage, within a location agreed upon by the City, that provides information to the general public about the nature of the work, hours of activity, expected duration and a point of contact for questions. Display the sign until construction finishes.

#### **Ongoing Responsibility**

- VPRA shall maintain a period of responsibility for damages to trees after the conclusion of construction (one year)
- Warrantee on replacement of plantings for one year after the conclusion of work within the TCE

#### **Post Construction Activities**

At the conclusion of work within the area of the Temporary Construction Easements, the site shall be brought back to pre-construction conditions by performance of the following work.

- Replacement of trees and vegetation within the area of the Temporary Construction Easements shall follow the City's Landscape Guidelines
- Any repairs to the City's existing public infrastructure that construction damages shall be made in accordance with the most recent version of the T&ES Design and Construction Standards Memo to Industry 23-01, or to the satisfaction of Director of T&ES.
- Any repairs to the City's roadways will be full curb to curb restoration for any asphalt patches larger than 20 percent of the total asphalt surface, measured along the length of the road adjacent to the property frontage and/or extending to the centerline of the street

Responsibility for restoration shall not be released until final acceptance of the project and a written approval from the City is obtained.