

This instrument prepared by  
and return to:  
Michelle Foy, Esq.  
City Attorney  
City of Norfolk  
810 Union Street  
900 City Hall Building  
Norfolk, VA 23510

## MEMORANDUM OF OPTION TO PURCHASE

THIS MEMORANDUM OF OPTION TO PURCHASE is made this 10th day of January, 2020, by and between **CITY OF NORFOLK** ("City"), a municipal corporation of the Commonwealth of Virginia, **GOLDEN EAGLE CONSULTING II, LLC** ("GEC"), a Delaware limited liability company, and the **PAMUNKEY INDIAN TRIBE** (the "Tribe"), a federally recognized Indian tribe, on the terms and conditions hereinafter set forth.

WHEREAS, pursuant to that certain Option to Purchase dated the same date herewith by and between the City, GEC and the Tribe (the "Option Agreement"), the City has granted to GEC and the Tribe an options to purchase the Land (as defined in the Option Agreement and herein so called) with respect to the tract of land more particularly described on Exhibit A attached hereto and made a part hereof, in accordance with, and subject to, the terms and conditions of the Option Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City, GEC and the Tribe hereby provide public notice of the option to purchase the Land granted by the City to GEC and the Tribe pursuant to the Option Agreement. If the Option Agreement terminates or the option to purchase the Land expires or terminates in accordance with the terms of the Option Agreement this Memorandum shall terminate and be null and void as to the terminated or expired option. The City, GEC and the Tribe shall promptly, after a request made by the City, execute a termination of this Memorandum (in recordable form as agreed to in the Option Agreement) if this Memorandum terminates as described above.

(signature pages follow)

Effective as of the day and year set forth above.

CITY:

CITY OF NORFOLK

By: [Signature] (SEAL)  
Name: Larry Filer  
Title: City Manager

ATTEST:

[Signature]  
City Clerk

COMMONWEALTH OF VIRGINIA  
CITY OF NORFOLK, to-wit:

Sworn to and subscribed before me, a Notary Public in and for the City and Commonwealth  
aforesaid, by Larry H. Filer, II, City Manager of the City of Norfolk, and by  
Richard A. Bull, Clerk of the City of Norfolk, this 10<sup>th</sup> day of January, 2020.

[Signature]  
Notary Public

My Commission Expires: January 31, 2022

Registration No.: 7522838



Approved as to Form and Correctness:

[Signature]  
Deputy City Attorney

GEC:

GOLDEN EAGLE CONSULTING II, LLC, a Delaware  
limited liability company

By: *Diane Green*  
Name: *Diane Green*  
Title: *Treasurer*

STATE OF   TENNESSEE    
COUNTY OF   WILLIAMSON  

§  
§  
§

This instrument was acknowledged before me on January 13, 2020, by  
DIANE GREEN, TREASURER of the Golden Eagle Consulting II, LLC, a  
limited liability company of the State of Delaware, on behalf of same.



*Melodee B Jamison*  
Notary Public  
Print Name: MELODEE B JAMISON  
My Commission Expires: 04/24/2022

TRIBE:

PAMUNKEY INDIAN TRIBE, a federally recognized  
Indian tribe

By: [Signature]

Name: ROBERT GRAY

Title: CHIEF

COMMONWEALTH OF VIRGINIA     §  
CITY                                     §  
COUNTY OF Richmond         §

This instrument was acknowledged before me on January 12, 2020, by  
Robert + Francis Gray, Chief of the Pamunkey Indian Tribe, a federally  
recognized Indian tribe, on behalf of same.



[Signature]  
Notary Public  
Print Name: Jennifer Davis Mullen  
My Commission Expires: 11/30/2021

## EXHIBIT A -- LEGAL DESCRIPTION OF LAND

### PARCEL A1

Beginning at a point on the southerly right-of-way of Park Avenue a variable width public right-of-way, said point being approximately 443 feet west of the intersection of Park Avenue and Lovitt Avenue.

Thence, departing the southerly right-of-way of Park Avenue and through the property now or formerly owned by the City of Norfolk, the following courses and distances.

S02-30-44W 118.36 feet to a point.

S12-00-27E 217.56 feet to a point.

N77-59-33E 26.76 feet to a point.

S87-54-49E E 10.43 feet to a point.

Along a curve to right, having a radius of 10.00 feet, an arc of 13.24 feet, the chord of said arc running S49-58-28E 12.30 feet to a point.

S12-02-06E 332.10 feet to a point.

Along a curve to right, having a radius of 20.00 feet, an arc of 31.39 feet, the chord of said arc running S32-55-29W 28.26 feet to a point.

S11-29-02E 123.96 feet to a point.

S66-29-10E 39.07 feet to a point.

S48-53-46E 23.21 feet to a point.

S27-26-36E 134.72 feet to a point on the westerly right-of-way of the now or formerly Norfolk and Western Railway Company.

Thence, with the westerly right-of-way of the now or formerly Norfolk and Western Railway Company the following courses and distances.

S75-50-25W 3.43 feet to point.

S14-09-35E 115.98 feet to a point.

Along a curve to right, having a radius of 4,463.44 feet, an arc of 220.57 feet, the chord of said arc running S12-44-38E 220.55 feet to a point.

Thence, departing the westerly right-of-way of the now or formerly Norfolk and Western Railway Company and continuing through and with the property now or formerly owned by the City of Norfolk, the following courses and distances.

N77-05-14W 114.21 feet to a point.

N12-06-44W 381.65 feet to a point.

N42-26-56W 72.52 feet to a point.

N59-31-15W 130.86 feet to a point.

S11-23-14E 461.19 feet to a point.

N80-15-07W 126.03 feet to a point.

N11-19-06W 447.43 feet to a point.

S79-06-06W 135.05 feet to a point.

S11-29-13E 380.00 feet to a point.

N77-12-21W 141.52 feet to a point.

N11-49-33W 221.13 feet to a point.

N50-47-18W 27.88 feet to a point.

S78-35-01W 474.79 feet to a point.

N13-01-09W 124.14 feet to a point.

Thence, continuing through the City and Norfolk property and along the approximate lease line for the Harbor Park Baseball Stadium, the following courses and distances.

N76-58-51E 649.92 feet to a point.

N12-26-31W 248.19 feet to a point.

N82-52-31E 16.80 feet to a point.

N32-00-07E 6.55 feet to a point.

N11-48-48W 108.55 feet to a point.

N11-54-53W 77.36 feet to a point.

N11-58-00W 240.79 feet to a point.

N76-26-20E 66.19 feet to a point.

Along a curve to left, having a radius of 158.78 feet, an arc of 84.94 feet, the chord of said arc running N60-25-16E 83.88 feet to a point on southerly right-of-way of Park Avenue.

Thence, with the southerly right-of-way of Park Avenue, the following courses and distances.

Along a curve to right, having a radius of 1,407.39 feet, an arc of 90.94 feet, the chord of said arc running S89-20-20E 90.92 feet to a point.

S87-29-16E 158.29 feet to the point of beginning and containing 526,862 square feet or 12.0951 acres of land.

## **PARCEL A2**

Beginning at a point at the intersection of the southerly right-of-way of Park Avenue, a variable width public right-of-way and the westerly right-of-way of Lovitt Avenue, a 60' foot public right-of-way.

Thence S37-05-54E 173.77 feet, with the westerly right-of-way of Lovitt Avenue, to a point being a northeasterly property corner of the now or formerly Lawrence A. Patich, Trustee property.

Thence S52-54-06W 225.10 feet, departing the westerly right-of-way of Lovitt Avenue and with the northerly property line of the now or formerly Lawrence A. Patich, Trustee property, to a point on the now or formerly City of Norfolk property.

Thence N37-02-31W 266.84 feet, with the easterly property line of the now or formerly City of Norfolk property, to a point on the easterly right-of-way of the now or formerly Norfolk and Western Railway Company.

Thence Along a curve to right, having a radius of 1,081.28 feet, an arc of 135.04 feet, the chord of said arc running N00-59-54W 13.96 feet, with the easterly right-of-way of the now or formerly Norfolk and Western Railway Company to a point on the southerly right-of-way of Park Avenue.

Thence S87-29-16E 234.85 feet, with the southerly right-of-way of Park Avenue, to the point of beginning and containing 58,010 square feet or 1.3317 acres of land.