

§55-79.58. Contents of plats and plans.

A. There shall be recorded simultaneously with the declaration one or more plats of survey showing the location and dimensions of the submitted land, the location and dimensions of any convertible lands within the submitted land, the location and dimensions of any existing improvements, the intended location and dimension of any contemplated improvements which are to be located on any portion and dimension of any contemplated improvements which are to be located on any portion of the submitted land other than within the boundaries of any convertible lands, and, to the extent feasible, the location and dimensions of all easements appurtenant to the submitted land or otherwise submitted to this chapter as a part of the common elements. If the submitted land is not contiguous, then the plats shall indicate the distances between the parcels constituting the submitted land. The plats shall label every convertible land as a convertible land, and if there is more than one such land the plats shall label each such land with one or more letters and/or numbers different from those designating any other convertible land differing also from the identifying number of any unit. The plats shall show the location and dimensions of any withdrawable lands, and shall label each land as withdrawable land. The plats shall show the location and dimensions of any additional lands and shall label each land as an additional land. If, with respect to any portion of portions, but less than all, of the submitted land, the unit owners are to own only an estate for years, the plats shall show the location and dimensions of any such portions, and shall label each such portion as a leased land. If there is more than one withdrawable land, or more than one leased land, the plats shall label each such land with one or more letters and/or numbers different from those designating any convertible land or other withdrawable or leased land, and different also from the identifying number of any unit. The plats shall show all easements to which the submitted land or any portion thereof is subject, and shall show the location and dimensions of all such easements to the extent feasible. The plats shall also show all encroachments by or on any portion of the condominium. In the case of any improvements located or to be located on any portion of the submitted land other than within the boundaries of any convertible lands, the plats shall indicate which, if any, have not been begun by the use of the phrase "(NOT YET BEGUN)", and which, if any, have been begun but have not been substantially completed by the use of the phrase "(NOT YET COMPLETED)". In the case of any units the vertical boundaries of which lie wholly or partially outside of structures for which plans pursuant to subsection B are simultaneously recorded, the plats shall show the location and dimensions of such vertical boundaries to the extent that they are not shown on such plats, and the units or portions thereof thus depicted shall bear the identifying numbers. Each plat shall be certified in a recorded document as to its accuracy and compliance with the provisions of this subsection by a licensed land surveyor, and the said surveyor shall certify in such document or on the face of the plat that all units or portions thereof depicted thereon pursuant to the preceding sentence of this subsection have been substantially completed. The specification with this subsection of items that shall be shown on the plats shall not be construed to mean that the plats shall not also show all other items customarily shown or hereafter required for land title surveys.

B. There shall also be recorded, simultaneously with the declaration, plans of every structure which contains or constitutes all or part of any unit or units, and which is located on any portion of the submitted land other than within the boundaries of any convertible lands. The plans shall show the location and dimensions of the vertical boundaries of any convertible lands. The plans shall show the location and dimensions of the vertical boundaries of each unit to the extent that such boundaries lie within or coincide with the boundaries of such structures, and the units or portions thereof thus depicted shall bear their identifying numbers. In addition, each convertible space thus depicted shall be labeled as convertible space. The horizontal boundaries of each unit having horizontal boundaries shall be identified on the plans with reference to established datum. Unless the condominium instruments expressly provide otherwise, it shall be presumed that in the case of any unit not wholly contained within or consisting one or more such structures the horizontal boundaries thus identified extend, in the case of each such unit at the same elevation with regard to any part of such unit, lying outside of such structures, subject to the following exception: In the case of any such unit which does not lie over any other than basement units, it shall be presumed that the lower horizontal boundary if any, of that unit lies at the level of the ground with regard to any part of that unit lying outside of such structures. The plans shall be certified on their face or in another recorded document as to their accuracy and compliance with the provisions of the subsection by a licensed architect, licensed engineer or licensed land surveyor, and the said architect, engineer or land surveyor shall certify on the plans or in the recorded document that all units or portions thereof depicted have been substantially completed.

C. When converting all or any portion of any convertible land, or adding additional land to an expandable condominium, the declarant shall record, with regard to any structures on the land being converted, or added, either plats of survey conforming to the requirements of subsection A and plans conforming to the requirements of subsection B, or certifications, conforming to the certification requirements of said subsections, of plats and plans previously recorded pursuant to §55-79.59.

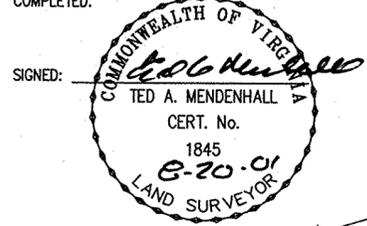
D. When converting all or any portion of any convertible space into one or more units and/or limited common elements, the declarant shall record, with regard to the structure or portion thereof constituting the convertible space, plans showing the location and dimensions of the vertical boundaries of each unit and/or common elements formed out of such space. Such plans shall be certified as their accuracy and compliance with the provisions of this subsection by a licensed architect, licensed engineer or licensed land surveyor.

E. For the purpose of subsections A, B, and C, all provisions and requirements relating to units shall be labeled as such, and each limited common element depicted on the plats and plans shall bear the identifying number of the unit or units to which it is assigned, if it has been assigned, unless the provisions of subsection (e) of §55-79.50 make such designations unnecessary.

NOTES:  
ALL BUILDING DIMENSIONS SHOWN HEREON ARE EXTERIOR DIMENSIONS AND ARE IN FEET.

THE DESIGNATION OF FEE TITLE AREA IS SUPERSEDED BY THE DECLARATION AND IS NOT INTENDED TO IMPLY THAT EXTERIOR WALLS, BEARING WALLS AND OTHER COMMON ELEMENTS ARE FEE TITLE AREA.

I CERTIFY THAT THIS PLAT COMPLIES WITH THE PROVISIONS OF SUBSECTION (C) OF 55-79.58 OF THE CONDOMINIUM ACT AND THAT ALL UNITS DEPICTED HEREON HAVE BEEN SUBSTANTIALLY COMPLETED.

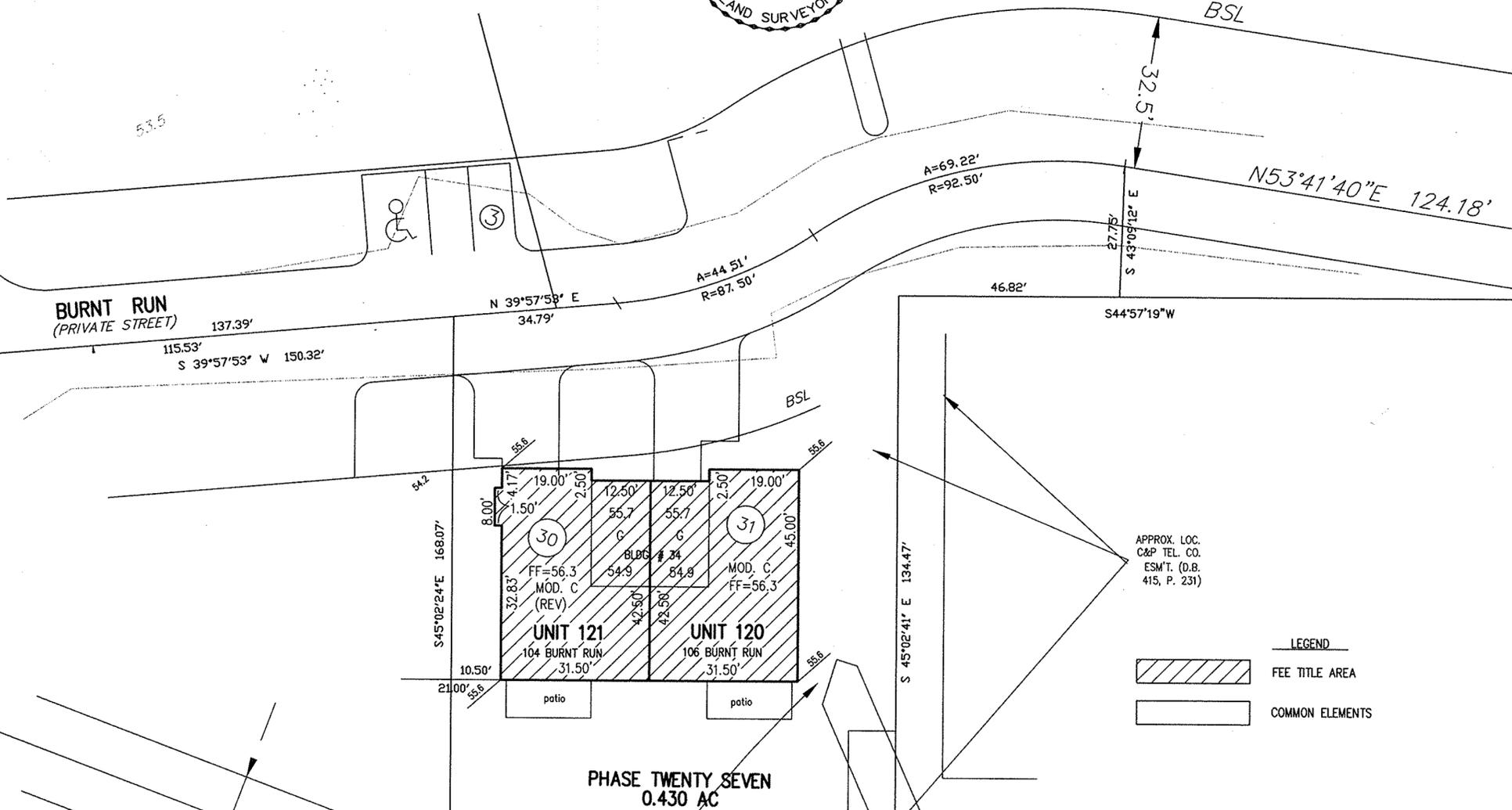


**EXHIBIT 106**  
**SHEET 2 OF 2**  
**PLAT OF**  
**BURNT BRIDGE RUN CONDOMINIUM**  
**PHASE TWENTY SEVEN**

GRAFTON DISTRICT - COUNTY OF YORK, VIRGINIA  
SCALE: 1"=20'  
JULY 2, 2001



NDI, L.L.C.  
BASGIER AND ASSOCIATES DIVISION  
ENGINEERS-SURVEYORS-PLANNERS  
572 CENTRAL DRIVE, SUITE 103, VIRGINIA BEACH, VIRGINIA 23454



APPROX. LOC. C&P TEL. CO. ESM'T. (D.B. 415, P. 231)

**LEGEND**  
 FEE TITLE AREA  
 COMMON ELEMENTS

APPROVED:  
YORK COUNTY BOARD OF SUPERVISORS  
BY: *Al Maddalena*  
PLAT APPROVING AGENT  
DATE: 8/21/01

STATE OF VIRGINIA  
COUNTY OF YORK  
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE COUNTY OF YORK, THE 21 DAY OF August, 2001  
THIS MAP WAS PRESENTED AND ADMITTED TO RECORD AS THE LAW DIRECTS IN PLAT BOOK 13, PAGE 351.

30' V.D.O.T. SCENIC ESM'T. (D.B. 265, P. 391) 190.36'

20' YORK COUNTY DRAINAGE & UTILITY ESM'T. (P.B. 10, P. 83)

HOMEOWNER'S ASSOCIATION 10' PRIVATE DRAINAGE EASEMENT (P.B. 10, P. 24R)

YORK COUNTY 20' DRAINAGE & UTILITY ESM'T. (P.B. 10, P. 83)

10' VEPCO ESM'T. (D.B. 418, P. 716)