

Board of Zoning Appeals
Regular Meeting
Cape Charles Civic Center – 500 Tazewell Avenue
June 13, 2023 @ 10:00 A.M.

1. Call to Order
 - a. Roll call and establish a quorum.
2. Invocation and Pledge of Allegiance
3. Adoption of Agenda
4. Review and Approval of Minutes:
 - A. May 9, 2023
5. Old Business/Matters Deferred from Previous Meetings: Elam Appeal of Zoning Administrator's Decision regarding denial of a fence application at 214 Washington Avenue
6. New Business – Public Hearing: NONE
7. Other Matters
8. Next Meeting – Tuesday, July 11, 2023 @ 10:00 am
9. Adjourn



**Board of Zoning Appeals
Public Hearing & Meeting
Cape Charles Civic Center
May 9, 2023
10:00 a.m.**

At approximately 10:02 a.m. in the Cape Charles Civic Center, Acting Chairman Pete Baumann called to order the Board of Zoning Appeals Public Hearing and Meeting. In attendance were Board members Jim Holloway, Laura Weigand, and Dolores Blackburn. Chairman Bill Murphy was not in attendance. Also, present were, Town Clerk Libby Hume, Planning & Zoning Administrator Katie Nunez, and Zoning Compliance Officer Robert James.

Acting Board Chairman Pete Baumann led the recitation of the Pledge of Allegiance.

CONSENT AGENDA

Motion made by Member Holloway was seconded by Member Weigand to accept the agenda as presented. The motion was approved by unanimous vote.

MINUTES

Motion made by Member Weigand to approve the minutes from the April 11, 2023 meeting, seconded by Member Holloway. The motion was approved by majority vote with Member Blackburn abstaining.

OLD BUSINESS/MATTERS DEFERRED FROM PREVIOUS MEETINGS

There was no old business to discuss.

NEW BUSINESS - PUBLIC HEARING

A. An application from Donald & Claire Neubert for a variance from Cape Charles Zoning Ordinance (CCZO), Section 4.5, (B)(3)(a)(5)-Accessory Dwelling requirement of 1 parking space per bedroom, for an accessory dwelling unit at 413 Jefferson Avenue (Tax Map #83A1-1-063) located in zoning district Residential-1.

Zoning Compliance Officer and Secretary to the Board of Zoning Appeals Robert James presented to the board members a brief synopsis of the Zoning Variance Application filed by Donald and Claire Neubert for relief from the 1 parking space per bedroom of an accessory dwelling unit zoning requirement of Section 4.5 (B) (3)(a)(5) of the Cape Charles Zoning Ordinance, and Staff Report completed by Planning and Zoning Administrator Katie Nunez. The Neuberts application stated that if the the required parking space was provided, it would none the less be inaccessible by any road or alley.

Planning and Zoning Administrator Katie Nunez highlighted points from her staff report.

Planning and Zoning Administrator Katie Nunez read the Public Comment email received by the Town as listed below:

Adjacent Property Owner Vivian Scott

(Said document is attached).

The Acting Chairman invited the applicant, Claire Neubert, to comment if she wished. Ms. Neubert briefly restated the variance request reasons from her application.

A sign in sheet for anyone wishing to comment on the matter was available at the entry of the Civic Center. No one signed the document. No one spoke to the Acting Chairman asking for time to comment.

Motion was made at 10:18a.m. by Member Weigand to close the public hearing, seconded by Member Holloway. The motion was approved unanimously.

Acting Chairman Pete Baumann opened the matter for Board discussion. He reviewed the zoning code and commented that all was in order. He noted that only one comment was received and it, although seeming contradictory, was in favor of granting the variance. Mr. Baumann stated that the six State criteria for granting a variance as listed in the Staff Report were met.

Member Blackburn mentioned that there is no way to access the garage.

Member Holloway asked if part of the set back can be used for a driveway. Ms. Nunez answered by explaining the setback and the space required for HVAC and other house equipment.

Member Weigand found no reason to deny the application.

Motion was made by Member Holloway to approve the Variance Application from Donald and Claire Neubert of 413 Jefferson Avenue(Tax Map #83A1-1-63) for a variance to the parking requirements for an Accessory Dwelling Unit, pursuant to Cape Charles Zoning Ordinance Section 4.5 (B)(3)(a)(5) based upon the reasons outlined in the Staff Report “Ordinance Requirements to be Considered”. and was seconded by Member Blackburn. The motion passed unanimously.

OTHER MATTERS

Planning and Zoning Administrator Katie Nunez updated the board members with the Town of Cape Charles budget process. The proposal to pay sitting board members of regularly meeting boards the amount of \$25 will be considered at public meetings. Ms. Nunez distributed paperwork to each of the four members present.

Ms. Nunez informed the board that the June Board of Zoning Appeals June meeting will hear the appeal that was tabled at the April meeting, and no other applications were received.

The Board recessed at ? p.m.

NEXT MEETING

June 13, 2023 at 10:00 a.m.

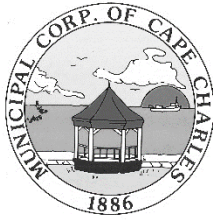
Motion made by Member Holloway, seconded by Member Weigand, to adjourn the Board of Zoning Appeals Public Hearing and Meeting at 10:25 a.m. The motion was approved by unanimous vote.

TOWN OF CAPE CHARLES
Notice of Public Hearing
Appeal of Zoning Administrator Decision

The Cape Charles Board of Zoning Appeals will continue the public hearing on Tuesday, June 13, 2023, at 10:00 a.m. in the Cape Charles Civic Center, 500 Tazewell Avenue, regarding the following:

A. An application from Harvey Elam appealing the decision from the Zoning Administrator dated January 24, 2023, which affirmed that an alley exists from Pine Street to Strawberry Street for the lots located between Washington Avenue and Jefferson Avenue which led to the denial of the zoning clearance application at 214 Washington Avenue to locate a fence in the rear yard one inch from the rear property line as being in violation of Cape Charles Zoning Ordinance Section 4.2 (G) which states that fence or wall must be 2 feet from any sidewalk, alley or public right of way. Said appeal application is authorized pursuant to Cape Charles Zoning Ordinance Section 2.6.2 (C) & 2.6.4. The property is located in the Residential-1 (R-1) Zoning District.

The application and supporting documentation is available for public review on our website at tinyurl.com/4sju6xc9 Please contact Town Planner & Zoning Administrator Katie Nunez at 757-331-2036, or by emailing planner@capecharles.org if you have any questions or require additional information. Anyone interested in attending and needing special assistance please contact the Town at least 48 hours before the hearing.



BOARD OF ZONING APPEALS STAFF REPORT

Meeting Date: June 13, 2023

Item #5A: – Appeal of Zoning Administrator Determination

Prepared by: Katie H. Nunez, Planning/Zoning Administrator

TYPE OF APPLICATION: Appeal of Zoning Administrator Determination issued on 1/24/2023

APPELLANT: Harvey & Angela Elam

SITE ADDRESS: 214 Washington Ave.
Tax Map #83A1-1-97

COUNSEL FOR APPELLANTS:

Patrice Drake, Esq
Bischoff Martingayle, P.C.
3704 Pacific Avenue, Suite 300
Virginia Beach, VA 23451

LOT SIZE : 5,600 sq. ft.

CURRENT ZONING : Residential-1
With an Overlay District of Historic District

ZONING ORDINANCE : Section 4.2 (G)

DATE RECEIVED : February 23, 2023

DATE DEEMED COMPLETE : February 27, 2023

LEGAL DEADLINE (90 Days from Complete Application – Directory, not Mandatory): May 28, 2023

Following the public hearing on April 11, 2023, the Board tabled this matter to allow for additional research and Town consultation with legal counsel, as needed, and consideration of the testimony and documentation submitted during the public hearing.

Just to restate the matter before the Board of Zoning Appeals:

- an appeal was filed by Harvey and Angela Elam regarding the January 24, 2023 Zoning Administrator determination letter which found that an alley exists from Pine Street to Strawberry Street between Washington Avenue and Jefferson Avenue which triggered imposing Cape Charles Zoning Ordinance Section 4.2 (G) which requires that a fence or wall must be two feet from any sidewalk, alley or public right of way and that the zoning clearance application filed by Harvey & Angela Elam to install a 4-ft tall fence in their backyard within one-inch of their rear property line could not and would not be approved due to not complying with CCZO Section 4.2 (G).

If there was no alley, then Section 4.2 (G) (1) does allow in residential areas for the placement of fences and walls no closer than one inch from adjacent property boundaries.

- The Code of Virginia Section 15.2-2309 outlines the powers and duties of the boards of zoning appeals, which are as follows (highlighting of specific section done by author of this staff report):
 1. *To hear and decide appeals from any order, requirement, decision, or determination made by an administrative officer in the administration or enforcement of this article or of any ordinance adopted pursuant thereto. The decision on such appeal shall be based on the board's judgment of whether the administrative officer was correct. The determination of*

the administrative officer shall be presumed to be correct. At a hearing on an appeal, the administrative officer shall explain the basis for his determination after which the appellant has the burden of proof to rebut such presumption of correctness by a preponderance of the evidence. The board shall consider any applicable ordinances, laws, and regulations in making its decision. For purposes of this section, determination means any order, requirement, decision or determination made by an administrative officer. Any appeal of a determination to the board shall be in compliance with this section, notwithstanding any other provision of law, general or specific.

- It was raised and submitted as evidence during the public hearing that there is a Town Code regarding Acceptance of Public Alleys (Section 62.3) which states the following:

(a) Findings of fact.

(1) There are throughout the town several alleyways which have been used by the town for providing services to the citizens of the town.

(2) These several alleyways are platted and dedicated as public on certain plats recorded among the land records.

(3) The town has never formally accepted such dedication.

(b) Acceptance. Therefore, the town does hereby accept the platted and dedicated public alleyways as public alleys.

Said ordinance was adopted on June 15, 1987 by Cape Charles Town Council.

Zoning Administrator Update:

Ms. Nunez affirms that she was not aware of the Town Code regarding alleys when she reviewed the application for the Elams and she only focused on the Zoning Ordinance. After discussion with the Town Attorney, she acknowledges that there is confusion in the zoning ordinance regarding alleys and a lack of clarity in the Town Code regarding alleys, particularly the “private” alleys that may be utilized by the Town in the provision of certain town services, such as trash pickup. Regardless, the Town Code provision regarding alleys must be part of the evaluation in reaching the initial determination if there is a “public alley” relative to any application under the zoning ordinance.

Through the office of the Town Clerk, research was conducted if there is any supporting documentation regarding the adoption of this section to the Town Code, such as a list or map of “public alleys” and none was located. Therefore, the plain face of the ordinance language is what must be applied which states that “the town does hereby accept the platted and dedicated public alleyways as public alley”. So, if an alley is shown on a plat but does not contain the clear language that is a dedicated public alley, then it is not a public alley.

When examining the zoning ordinance, then all references to alley should be preceded by the word “public” and applied in full context with the Town Code and the Zoning Ordinance.

It is important to note that there are private alleys throughout the Town that have been created and established through the deeds associated with the land parcels that abut those areas identified as private alleys. However, the Town is not the enforcement agent for the private alleys, especially regarding land development which has been demonstrated in this particular matter that the Town has done this in a haphazard and inconsistent manner over the years.

BOARD CONSIDERATION:

The Board has received briefs or additional submittals from the Appellant's Attorney, Patrice Drake, and from an adjacent property owner's attorney, Carl Eason which are included as attachments to this staff report. Much work was undertaken, particularly the full title work, in the production of these briefs for the Board's consideration.

Based upon the information provided by the Zoning Administrator, the Board should consider overturning the Zoning Administrator dated January 24, 2023 based upon the fact that the Zoning Administrator did not factor in the Town Code Section 62.3 which defines public alleys as the *acceptance of the platted and dedicated public alleyways as public alleys* and there is no evidence that the alley from Pine Street to Strawberry Street between Washington and Jefferson Avenue has been platted and dedicated as a public alley and the information provided in the briefs from Attorney Drake and Eason do not show that this is a public alley.

Please note that there were additional legal questions raised by both attorneys in their briefs regarding this specific alley; however, those are issues that are not the purview of this Board and are not relevant in determining if the decision of the Zoning Administrator was correct or not in the issuance of her determination letter.

PROPOSED BOARD MOTION FOR CONSIDERATION:

I proposed the following motion for the Board's consideration: Motion to overturn the Zoning Administrator zoning clearance decision dated January 24, 2023 regarding 214 Washington Avenue and require a reconsideration of the zoning clearance application filed by Harvey & Angela Elam the placement of fence in the rear yard to be done only through the application of Cape Charles Zoning Ordinance Section 4.2 (G) (1) which does allow in residential areas for the placement of fences and walls no closer than one inch from adjacent property boundaries since there is no public alley to be taken into consideration in this zoning review. Said motion is based upon the fact that the Zoning Administrator did not factor in the Town Code Section 62.3 which defines public alleys as the *acceptance of the platted and dedicated public alleyways as public alleys* and there is no evidence that the alley from Pine Street to Strawberry Street between Washington and Jefferson Avenue has been platted and dedicated as a public alley and the information provided in the briefs from Attorney Drake and Eason do not show that this is a public alley.

Attachments:

EXHIBIT A: Letter from Attorney Drake re Elam ltr to BZA re Appeal 6-5-23 with Exhibits (total 8 pages)

EXHIBIT B: Letter from Attorney Eason re Elam Appeal – 2023-05-26 (cover letter is 5 pages and referenced exhibits total 165 pages)

EXHIBIT C: Link to April 11, 2023 BZA Agenda packet: [BoardofZoningAppealsPacket04-11-23103042040423AM1705.pdf](https://www.capecharles.org/BoardofZoningAppealsPacket04-11-23103042040423AM1705.pdf) ([capecharles.org](https://www.capecharles.org))



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June 5, 2023

VIA E-MAIL

Katie H. Nunez
Planning & Zoning Administrator
Town of Cape Charles
2 Plum Street Cape Charles, VA 2310
e-mail: knunez@capecharles.org

**RE: Harvey Elam Zoning Board of Appeals Application for Appeal Hearing II
Scheduled for July 13, 2023**

Dear Katie and Board Members,

Following the initial hearing with the Zoning Board of Appeals ("ZBA"), the ZBA tabled their decision because there were outstanding questions that the ZBA asked me to address in support of Mr. Elam's appeal. In addition to the arguments and exhibits previously submitted, please accept this letter and supplemental information for consideration of the ZBA in deciding the appeal of Mr. Elam.

Please note that I have reviewed the letter and supplemental information that Attorney Carl Eason submitted to you on May 26, 2023 on behalf of his client, Mr. Howard, who had previously received an approval to place obstructions into the alleged alley on his property on the same block (the "Subject Block"). To avoid multiplication, I would like to include his submissions and title search exhibits by reference herewith.

In addition, I would like to stress again that the Town has taken an inconsistent position in this matter. The Town has issued other permits for fences or structures blocking the alleged alley prior to denying Mr. Elam's application, as well as **after** Mr. Elam's denial.

Mr. Elam's position is that no mistakes were made when others on the Subject Block received their permits (before him or after him) to block the alleged alley, but rather a mistake was made when Mr. Elam's permit was denied. There has never been an alley or easement, public or private, legally created or opened on the Subject Block between Pine Street to Strawberry Street, despite references in certain deeds to a possible opening of an alley. Consequently, the zoning code section cited in denying Mr. Elam his application is inapplicable, the denial must be reversed, and the corrected set-backs for rear yard fence between adjacent properties must be applied.

To simplify references, please note that the certain lots at the end of Strawberry Street that are specifically identified in certain deeds on the Subject Block as having a right to consent to an opening of an alley are referred to here and in other documentation as the "Consent Lots" or "Control Lots" and they are the four lots identified as 85, 86, 87, and 88.

No Public Alley or Easement.

First, Article II of the General Provisions of the Cape Charles Zoning Ordinance states that “[f]or an alley way to be considered as such by the Town, it must have previously been officially adopted by the Town.” Then, the Town Ordinance §62-3 (Acceptance of public alleys.) officially accepts “the platted and dedicated alleyways as public alleys.” (Ord. No. 148.5, 6-15-87). However, the dispositive language is “platted and dedicated” as public as well as recorded among the land records. (See Eason Exhibit 4).

In the present case, the 1884 original plat of Cape Charles (the “Plat”) to which all of the deeds refer¹, does not create or show or dedicate any alleyways, neither does the deed language to Baumann refer to any such easement or alleyways. Therefore, the alleged alley was not platted or dedicated on record as a public alleyway, and therefore cannot be treated as such by the zoning administrator for purposes of rendering a zoning denial based on set-back from “an alley.”

In addition, it is clear from the remarks of citizens at the prior hearing that the alleged alley is not and has never been maintained by the Town, used for public services, or acknowledged, as evidence by the exactly contrary decisions of the Town that allow blockage of the alleged alley. There are 30-40 year fences and trees and bushes growing in the alleged alley and a curb is not cut for access at the Strawberry Street end.

Arguably, for the purposes of the zoning administrator’s decision, we could end the analysis here, but in order to be thorough, we look to the rest of the chain of title in Mr. Eason’s exhibits to find that there is no recorded consent to an opening of an alley in the chain of the Consent Lots. The record clearly contradicts any existence of a public platted and dedicated public alley or its acknowledgement by the Town.

No Private Alley or Easement.

One of the cardinal rules of property law is that one can only convey, grant, transfer, encumber that which one owns. In the present case, at the time when the Scott Trust first began including the “conditional alley language” in the deeds of the lots on the Subject Block (starting in 1920), the Scott Trust no longer owned all of the lots across which the deed language would supposedly create an alley easement, which according to the express language would extend from Pine Street to Strawberry Street. Therefore, the Scott Trust could not legally create/grant/reserve such an alley easement as expressly stated by the language in the various deeds.

The first lots on the Subject Block to leave the Scott Trust ownership in 1904 and 1905², as shown in Mr. Eason’s letter and title search, were in fact the Consent Lots. These conveyances from Scott Trust to Mr. Deacon explain the *conditional* language in the rest of the deeds and make it clear that no easement or alley could have possibly been legally created as stated in the subsequent deeds. The conveyances to Deacon transfer all of the Consent Lots without any reservation or express grant of any alley or easement away from the Scott Trust to

¹ See Elam Exhibit 1. Copy of the deed and plat recorded in Deed Book 41, pages 483-485, from W. Scott and his wife to Baumann conveying a couple of lots on a separate block and enclosing. The original plat at the root of the title of all the deeds is at page 484 (*also see* Eason Exhibit 1). Mr. W. Scott died in 1891, having created the Scott Trust to which his real property holdings were poured over. Any later conveyances are from the Scott Trust to individual subsequent lot owners. As a point of interest, Baumann was the engineer and drafter of that Town of Cape Charles Map that is now laminated in the Deed Book 41 of the Northampton County records room.

² See Eason Exhibits 6 and 7, showing deeds from Scott Trust to Deacon in Deed Book 42 pages 47-50 and Deed Book 57 pages 44-47, selling lots 85-88).

Deacon. It is not until many years later, in 1920, that the Scott Trust seems to begin a large sell-off of the Subject Block lots away from the Scott Trust to various third parties. This is when the conditional language first begins to be inserted by the Scott Trust into the deeds for the other lots (starting with lot 111 to Richardson). Deacon owns the Consent Lots until 1921 when he transfers all of the Consent Lots to Mr. Fletcher³, again without any alley or easement being mentioned or platted. The Consent Lots remain in Fletcher ownership until 1937.

Therefore, it is evident from the Plat and the chain of title of the Consent Lots as documented by Mr. Eason, that the Scott Trust lacked the power and obviously the requisite present intent to convey an interest in the land that would create or dedicate the expressly defined easement that was inserted into the deeds starting in 1920. The conditional language is thus explained and makes it clear that the Scott Trust was aware that it lacked the legal authority to create or reserve such an easement. Because one cannot convey what one does not own, the language in the subsequent deeds fails to give rise the alleged property interest or right.

Additionally, the language in the 1920 and later deeds of non-Consent Lots refers to a **conditional opening** of an alley that depends on consent from parties that are not party to the deeds, which in itself is insufficient to create an express easement. There is no present intent or unity of ownership by the grantor. Finally, the deed language also states that it is for the "joint use of the parties hereto." This further supports the finding that the deed language does not support any creation, conveyance, or dedication of a *public* alley, but also the parties to those deeds do not include the other lots and lot owners across whose lots the alley would supposedly extend, and therefore, the supposed grant or reservation must fail.

In Summary.

In summary, the record Plat, the language in the deeds, and combined record evidence firmly establish that no legal alley or easement, public or private, could have been created as written. Because express easements are construed strictly, the express language in the deeds would be determinative of the extent of the alleged alley from Pine to Strawberry Streets, which is evidently an impossibility. Therefore, the Town lacks authority to change the extent of an express easement (i.e., to decide that the easement will be enforced against some lots but not all along the entire length). The Town also lacks the authority to unilaterally bring into existence an easement that is not of record, because that would amount to unconstitutional taking.

Therefore, we ask that you reverse the earlier erroneous decision on the application of Mr. Elam and grant him his permit at the next public meeting on June 13, 2023.

Sincerely,



Patricie Drake, Esq.

³ See Elam Exhibit 2, copy of the 1921 deed from Deacon to Fletcher, conveying all the Consent Lots with no alley extending across (Deed Book 78 page 450).

ELAM EXHIBIT LIST

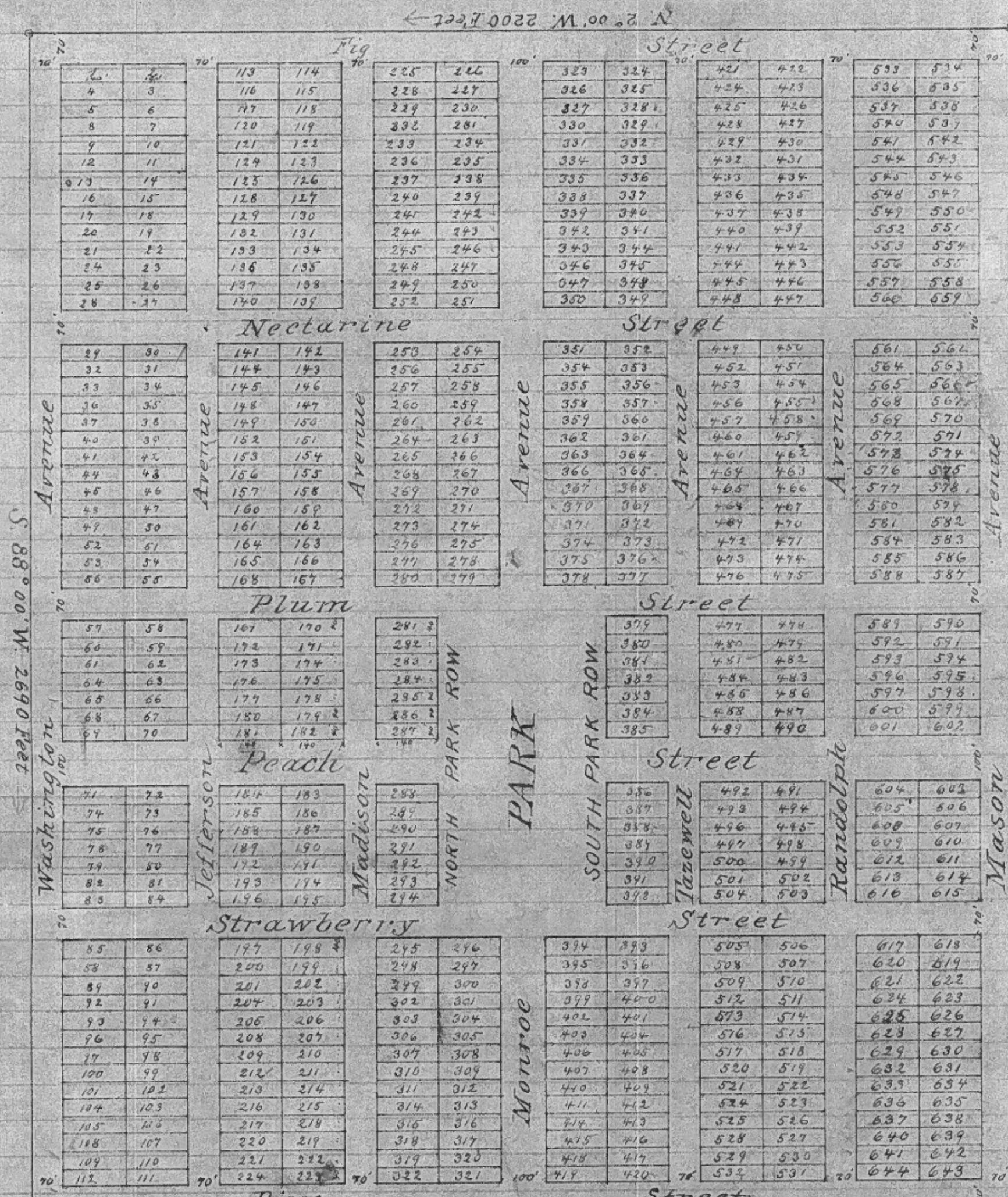
Exhibit 1 – The 1884 Deed with Original Town Plat

Exhibit 2 – The 1921 Deed from Deacon to Fletcher

Exhibit 3 – Eason letter and exhibits submitted on May 26, 2023 for consideration by the BZA to be included by reference.

His Ordinance this Twenty sixth day of June A.D. 1884, when
 William L. Scott and Mary M. his wife of the city of E.
 and State of Pennsylvania of the first part, and William Ransom
 (Civil Engineer) of the city of Washington and District of Columbia
 of the second part, Witnesseth that for and in complete payment
 of the sum of One Hundred Dollars paid by the parties of the second part to the
 parties of the first part, before the executing and delivery of this deed,
 the receipt whereof is hereby acknowledged, the said William L. Scott and
 Mary M. his wife, have given granted bargained and sold and conveyed and
 by these presents do give grant, bargain and sell and convey unto the said
 William Ransom, that certain piece or parcel of land, situated, lying
 and being in the county of Northampton in the State of Virginia, and
 described as follows, to wit: the lots numbered with the numbers, Three
 Hundred and Seventy Nine (379) and Three Hundred and Eighty
 (380) in the town of Cape Charles in said county of Northampton, and
 being each Forty (40) feet in width fronting on South Park Lane in said town
 of Cape Charles, and in depth one Hundred and Forty (140) feet containing
 a Tugwell Avenue, and at right angles to said South Park Lane, the said
 town of "Cape Charles" having been located and laid out by the said
 William L. Scott on a part of the lands known as the "Hinge Creek Farm"
 and which said "Hinge Creek Farm" with other lands was conveyed to the
 said William L. Scott by Sally and Ella C. Tugwell, to and was recorded
 in the office of the Clerk of the Court of said Northampton County, the
 said town of "Cape Charles" being described and bounded as follows to wit: Beginning
 in the North line of the land lately conveyed by the said William L. Scott
 and to the New York Philadelphia and Norfolk Railroad Company,
 eleven Hundred and Thirty (1130) feet eastwardly from
 low water mark of Chesapeake Bay, thence North Eighty Eight
 degrees East along the said land of the said Railroad Company, and
 of said William L. Scott, Twenty Six Hundred and Ninety (2690) feet to the
 North Two (2) degrees West Twenty Two Hundred (2200) feet thence South Eighty Eight
 (88) degrees West Twenty Six Hundred and Ninety (2690) feet and thence
 South Two (2) degrees East Twenty Two Hundred (2200) feet to the place of
 beginning, and containing One Hundred Thirty five (135) acres of land or
 more, and divided into Six Hundred and Forty Four (644) Town Lots, each
 lot being Forty (40) feet by One Hundred and Forty (140) feet, and numbered with
 the numbers one (1) to Six Hundred and Forty Four (644) inclusive, with streets,
 Park or Avenue fronting said Town Lots, and which said Town Lots and streets and
 Park or Avenue are more particularly and fully shown and laid out and
 shown in the following map or plat of the said town of Cape Charles.

Map or Plat of the Town of Cape Charles



Map
of the Town of "Cape Charles".

Northampton County, Virginia

Low Water Line
Cherrystone Inlet

To have and to hold the said Lots Numbered with the numbers, Three Hundred and Seventy Nine (379) and Three Hundred and Eighty (380) in the said Town of "Cape Charles" herein conveyed, to the said William Bauman his heirs and assigns forever. And the said William L. Scott for himself and his heirs, and on behalf of his said wife, covenants that he will warrant generally the title to the land herein conveyed. Witness the following signatures and seals

William L. Scott

WLS

Mary M. Scott

MMS

State of Pennsylvania

City and County of Erie to wit



I William S. Brown a Notary Public for the city and county of Erie, aforesaid, in the State of Pennsylvania, do certify that William L. Scott, whose name is signed to the writing above bearing date the 26th day of June A.D. 1884, has acknowledged the same before me in my city and county aforesaid. Given under my hand and Notarial Seal this 26th day of June A.D. 1884

William S. Brown

Notary Public

State of Pennsylvania

City and County of Erie to wit



I William S. Brown a Notary Public for the city and county aforesaid in the state aforesaid, do certify that Mary M. Scott, the wife of William L. Scott, whose names are signed to the writing above, bearing date the 26th day of June A.D. 1884, personally appeared before me in the city and county aforesaid, and being examined by me privily and apart from her said husband and having the writing aforesaid fully explained to her, she, the said Mary M. Scott acknowledged the said writing to be her act, and declared that she had willingly executed the same, and does not wish to retract it.

Given under my hand and Notarial Seal this 26th day of June 1884

William S. Brown

Notary Public

Virginia

In the Clerk's Office of Northampton County Court on the 7th day of July A.D. 1884 this deed of bargain and sale from William L. Scott and Mary M. his wife, to William Bauman, dated the 26th day of June A.D. 1884 was received by me, and together with the certificate of acknowledgment of the said William L. Scott, thereto annexed, and the certificate of the private examination, acknowledgment and declaration of the said Mary M. Scott, thereto annexed, was admitted to record.

Teste

John S. Kendall Clerk.

450

nowledged the same before me in my said County and State. Given under my hand this 28th day of October, A. D. 1921.

Loris v. Mills, Notary Public.

Commission expires August 17th, 1924.

Virginia:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 17th day of November, A. D. 1921. This deed from William M. Thomas, et ux, to R. D. L. Fletcher, et al, was, with the certificate of acknowledgments thereof thereto annexed, received by me in my said office this day and admitted to record.

Weste: Geo. S. T. fur, Clerk.

Howard R. Deacon, et ux,) This deed, made this 18th day of October, A. D. 1921,
To - B. & S.) between Howard R. Deacon and Elizabeth T. Deacon, his wife, now
R. D. L. Fletcher, et al, of the City of Ocean City and State of New Jersey, parties of the first part, and R. D. L. Fletcher and J. Warren Topping, of the Town of Cape Charles, County of Northampton and State of Virginia, parties of the second part.

U.S. Revenue Stamps
Canceled - \$2.50
Comm'r. 1.00

Witnesseth: That for and in consideration of the sum of Twenty Four Hundred (\$2400.00) Dollars, lawful money of the United States, unto them in hand paid at and before the ensealing and delivery of these presents, receipt whereof is hereby acknowledged, the said parties of the first part do grant, bargain, sell and convey unto the said parties of the second part, with general warranty of title all of those certain lots, pieces or parcels of land and appurtenances thereto, situate and being in the said Town of Cape Charles and numbered with the numbers eighty five (85), eighty six (86), eighty seven (87) and eighty eight (88) according to a map or plat of the said Town of Cape Charles now of record in the Clerk's Office of said Northampton County with a deed of bargain and sale from William L. Scott and wife to William Bauman in deed book forty one, pages 483, 484 and 485, to which said map or plat reference is hereby expressly made, the said property hereby conveyed being the same granted unto the said Howard R. Deacon by those two certain deeds of bargain and sale dated the 28th day of September, A. D. 1904 and the 9th day of April, A. D. 1905, and recorded respectively in said Clerk's Office in deed book 57 page 47 and deed book 57, page 44, to which said deeds reference is hereunto expressly made.

Veri
11/27/21

Mailed to
J. H. H. H. H. H.
11/27/21

witness the following signatures and seals the day and year first herein mentioned.

Witnesses: John J. Foster -
Harold S. Paris-

Howard R. Deacon (SEAL)
Elizabeth T. Deacon (SEAL)

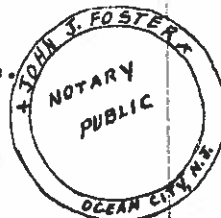
City of Ocean City,

State of New Jersey, to-wit:

I, John J. Foster, a Notary Public, in and for the aforesaid City and State, do hereby certify that Howard R. Deacon and Elizabeth T. Deacon, his wife, whose names are signed to the foregoing deed of bargain and sale bearing date on the 18th day of October, A. D. 1921, have this day acknowledged the same before me in my said City and State. Given under my hand this 20th day of October, A. D. 1921.

John J. Foster, Notary Public.

My commission expires 8/14/1923.



Virginia:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 17th day of November, A. D. 1921. This deed from Howard R. Deacon, et ux, to R. D. L. Fletcher,

Wolcott | Rivers | Gates
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May 26, 2023

Direct Dial: (757) 554-0223

Via electronic mail

Katie H. Nunez
Planning & Zoning Administrator
Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
e-mail: knunez@capecharles.org

RE: Harvey Elam Application

Dear Katie:

This letter is provided to you to augment the work which you have already done on the zoning determination on the Harvey Elam ("Elam") application. I would like to share with you my observations, analysis, and conclusion. In sum, an alley does not legally exist in the area which is the subject of debate to wit: 16 and feet in width equidistant upon the center-line of the block between Strawberry Street and Pine Street.

The starting point was the original plat recorded in the late 1800s reflecting the layout of Cape Charles. I have attached an excerpt of that plat hereto as Exhibit 1. The block at issue is highlighted in blue. What will later be referred to as the "control lots" or "consent lots" are the four adjacent to Strawberry Street designated as 85, 86, 87, and 88.

An alley according to Article II of the General Provisions of the Cape Charles Zoning Ordinance means the "minor way used primarily for vehicular access to the rear or side of properties otherwise abutting a street. For an alley way to be recognized as such by the Town, it must have previously been officially adopted by the Town."

I had Shore Title, First Settlement Title, and others conduct a record search for me in the Circuit Court. I include in the enclosed binder only the relevant searches which are dispositive. I have shared the exhibits with Jeff Hammaker, an attorney hired by Jeff and Beth Howard to render a formal opinion of title. His reference to exhibits will be to those in the accompanying binder. Mr. Hammaker has qualified in numerous Circuit Courts as an expert on titles and real estate law.

I investigated whether there was a subdivision plat recorded in the Circuit Court which reflects the existence of the alley regardless of whether it had been accepted by the Town or not. The original Town plat does **not** show the alley on it. I did find that there was a resubdivision of Lots 101 and 111 done in July of 2014, which shows no alley on the resubdivision plat, which was approved by the Town. (See Exhibit 2.) I also found in 1994 there was a resubdivision of Lots 109 and 112. Once again, the Town approved that plat, it was signed off by the Town Manager on July 6, 1994, and reflected the existence of no alley. (See Exhibit 3.)

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Section 62-3 of the Town Ordinance, attached as Exhibit 4, provides that throughout the Town, there are several alleyways that have been used by the Town for providing services. While the record is devoid that the instant area in contention is utilized for the provision of services by the Town, the statute requires that these alleyways be platted, dedicated as public on certain plats recorded upon the land records, 'in order to be treated as "public alleys"'. The area of concern in the Elam matter was never platted as an alley and was never dedicated as public in any recorded plat found among the land records from inception of the Cape Charles plat to date.

All lots within the block at issue by the year 1900 were owned by the Estate of William Scott ("Scott"). A copy of the table of Town lots for 1900 is attached hereto as Exhibit 5. Scott conveyed out to Deacon lots 85, 86, 87, and 88. The conveyance of Lots 85 and 86 are in Exhibit 6. The conveyance of Lots 87 and 88 are in Exhibit 7. These will periodically be referred to as the "consent lots", because the language referencing the opening of an alley which started showing up in the deeds in 1920 required the consent of all of the owners of those lots. See 1920 table of Town lots which is attached hereto as Exhibit 8. Full title chains for Lots 85, 86, 87, 88, 89 and 96 are attached hereto as Exhibit 9A – 9F with summary. No language regarding the alley is found in the initial conveyances from Scott to Deacon. My clients, Jeff & Beth Howard own Lot 96.

After the initial Town plat was put to record, the Scott Estate conveyed out through its trustees (Strong, Little, and Taylor) as grantors to Howard R. Deacon in 1905. Significantly, these deeds have no language relative to an alley in any manner whatsoever - no reservation, no conveyance, no possibility of one. The grantor, Scott, would later convey out many other lots throughout this block with that language referencing the possibility of an alley, but it never reserved the right to cross over Lots 85, 86, 87, and 88 when it conveyed out in fee simple the entirety to Howard R. Deacon. Obviously, if it did not retain any portion of the disputed areas as an alley, it would have nothing to convey to the subsequent transferees and grantees later.

Very few conveyances existed subsequent to the 1905 Scott to Deacon deed until we get to the early 1920s. In the early 20s, there was a flurry of conveyances by the Estate of William Scott in this block. In Exhibit 10, will be deeds reflecting a conveyance of Lots 102 and 103 to Richardson in 1920 and Lot 98 to Lynn in 1920. It is through these series of deeds (mostly in the 1920s) and subsequent conveyances that we find the language "subject to the opening of an alley sixteen feet in width, and in length extending from the west line of Strawberry Street to the east line of Pine Street, the centre [*sic*] line of which said alley shall be parallel with, and equally distant from Washington and Jefferson Avenues, and which said alley shall be for the joint use of the parties hereto, and their heirs and assigns; the opening of said alley being conditioned upon the consent of owners of lots 85, 86, 87, and 88." While perhaps aspirationally driven, the conveyance of the possibility of the opening of an alley was impossible for the Estate of Scott to accomplish. It reserved no rights to go across the four lots or, for that matter, rights to other grantees who also abutted the center-line of the block. Thus, by virtue of putting in the language in the deed requiring the consent of those four lots, presumably the drafter of the deeds believed that an alley was at least 'possible' to be opened. That, however, was not the only flaw in these deeds.

The Consents

The deed language cited above requires the consent of all four "control lots" over which the Scott Estate made no reservation for an alley, road, easement, passageway, or otherwise.

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Presumably then, only by virtue of the then-owners consent could such an alleyway ever come into existence. The alleyway is also defined as running from Strawberry Street to Pine Street. Without traversing the four control lots, there is no way that the alley could span between the two streets named. The deed does not reference a partial alley.

The Board of Zoning Appeals ("BZA") has already received into the record an affidavit from one of the current owners of the four "consent lots", Dan Coffey that he has not given consent, has never given consent during his ownership, and will not give consent now. He also opined that, to the best of his knowledge, no predecessors had either.

When conducting a title search, the examiner was instructed to look for any recorded "consents" because Virginia is a race/notice state. No such "consents" were found. Without that condition precedent being satisfied, an alleyway could never be opened in any event. This is true whether the deed provisions emanated from the 1920s or later. In the 1941 deed, the Scott Estate conveyed away to Dunton Lots 96 and 97. The alley language was still present then. The Dunton Deed is attached hereto as Exhibit 11. Virtually every one of the successive deeds contains the alley language. Moreover, it is important to note that the express language contained in all of these deeds is the same, and they require the consent of ALL four lots, which has not been demonstrated in the record whatsoever. Without the consents, the Estate of Scott and all subsequent takers, as grantees under their chains, had no rights to an alleyway extending from Pine Street to Strawberry Street. The fee had already been conveyed away under four of the "control lots" – Lots 85, 86, 87, and 88.

For the "benefit of the parties hereto"; the deed language is to be narrowly construed.

The deed says that the alley would possibly extend the entire length from Strawberry Street to Pine Street. To argue that the reservations can be construed to mean an alley of lesser proportion is specifically not provided for in the deeds. More importantly, however, the deeds indicate that the "opening of the alley" was for the "joint use of the parties hereto". That language is used in each specific deed along the chain. Who are the parties hereto? The parties to the deed are only the grantor and the grantee. They are not the other owners of the lot along the center-line of the alley, which would also have to be joined such that each and every lot had the right to traverse over the other lots adjacent to the center-line as well. By the limitation of the language that it runs only to the benefit of the "parties hereto", there is no right of owners abutting the alley to traverse each other's properties that also abuts the alley, *even if* the owners of the four consent lots did, in fact, agree. Perhaps the Scrivener of the deeds intended it for the benefit of all owners abutting the center-line of the block, but that is not what they drafted. It is not for BZA or a court to reform.

The terminology is vague.

Reference to the opening or the possible opening of an alley does not constitute the grant or conveyance of any interest, nor does it reflect a reservation, current or future. It defines an area of eighteen feet in width centered upon the center-line of the block running from one street completely through to the other. The deed does not define the area as an easement. It does not define whether the area is for ingress and egress, for utilities, for services, or for any other purpose. We do not know if the alley was for pedestrian usage or for vehicular usage. The poor

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drafting and terminology resulted in language likely to be construed by a court of competent jurisdiction as a nullity, but that is not within the purview of the BZA to decide either.

From the foregoing, it is apparent that this is not a public alley, as it has never been platted or accepted by the Town of Cape Charles. Thus, it is a legal analysis alone by operation of the deeds as to whether it constitutes a lawful conveyance as described in each of the deeds, and it does not. Even if the description of the alley was appropriate and the rights conveyed to all adjacent owners rather than merely to the parties to each separate deed, that still does not obviate the necessity of having the consent of all owners of the four lots. That consent is not present in the land records, and it is refuted by at least one of the four lot owners, who has filed an affidavit with the BZA. It is not the position of staff to assume the existence of the street and turn to Elam to refute its existence. The burden is reversed.

A decision by the zoning administrator that the alley does not exist is entirely consistent with the manner in which this area has previously been acknowledged by the Town of Cape Charles and in previous decisions.

ACKNOWLEDGMENT OF THE ABSENCE OF AN ALLEY BY THE TOWN AND ZONING ADMINISTRATORS.

Many examples exist of actions and approvals by the Town and the Zoning administrator to confirm the absence of the alley. Our client Jeff and Beth Howard are a case in point where the Town approved the placement of a fence and shed 8 x 10 within the area now termed an alley subsequent to their purchase of Lot 96 a/k/a 216 Washington Avenue. Following the purchase of their home, the Howards hired Michael Starling in 2019 to perform a survey of their lot. The survey is attached hereto as Exhibit 12. Jeffrey and Beth Howard, as owners of Lot 96, were not advised of an alley, nor does any alley show on the survey completed in 2019. This approval was granted in December 2020. A decision to the contrary would be in stark contrast, which is why they participate herein as a potentially aggrieved party.

Pending the appeal by Mr. Elam of the current opinion of the zoning administrator, approval for an accessory structure (a 12' x 18' shed) to exist within the alley area to Daniel and Mary Coffey at 615 Strawberry Street (Lot 83A1-1-88) was granted on February 21, 2023.

On October 18, 2022, an application of Spencer Custis pertaining to tax map 83A1-1-108 was granted for installation of an accessory structure 12' x 16' in the disputed area termed an alley.

In June of 2020, Tom & Jacquie Heller were granted permission to construct a 10 x 12' accessory structure (with an overhang of 8 x 10 for a golf cart) on Lot 83A1-1-92 (220 Washington Avenue) incident to a newly constructed single family home in the dispute area at issue.

Many subdivision plats have been submitted for approval and signed off on by the Town and the County evidencing no such alley. One such example, attached hereto is a subdivision of the Lots on the corner of Pine Street and Jefferson Avenue (Lots 110 & 111) put to record over twenty years ago on September 27, 2000 (Instrument Number 000001869) and executed by then Town Manager Cela Burge at the County. Another shed approval was for Dan and Mary Coffey.

Katherine Kidd has owned 83A1-1-194 (216 Washington Street) since the 70's. Her Lot is enclosed by a fence to the centerline of the alley to which the Town has never taken exception as an alleged encroachment upon any alley.

The determination of the zoning administrator that an alley exists is contrary to the myriad of recorded surveys and approvals granted by the Town for structures in the same disputed area.

Conclusion

In conclusion, the BZA should reverse the determination of the administrator maintaining that there exists an alley not only behind Elam's residence but for any and all other residences along this block. It does not exist within the deed chains even assuming the intent was there in 1920 to afford the future possibility of one coming into existence.

To the extent that the land has been used by others who urged the administrators' determination to continue using the "alley", they are not necessarily without recourse. If they believe that they have established rights to use this disputed area, they have the right to assert those claims in civil court. They may be able to bring a declaratory judgment action, a suit to quiet title, a suit asserting a prescriptive easement of ingress and egress, or even potentially an adverse possession suit, but the BZA is not an adjudicatory body for any of these purposes. The BZA is charged with maintaining compliance with the zoning laws, setbacks, and its regulations of structures and fences within this area and is predicated wholly upon proof of a lawfully existing alley. Having demonstrated that it does not lawfully exist as a public alley or a private alley, the initial determination should be reversed.

Very truly yours,



Carl A. Eason

CAE/stb

cc: Jeffrey & Beth Howard

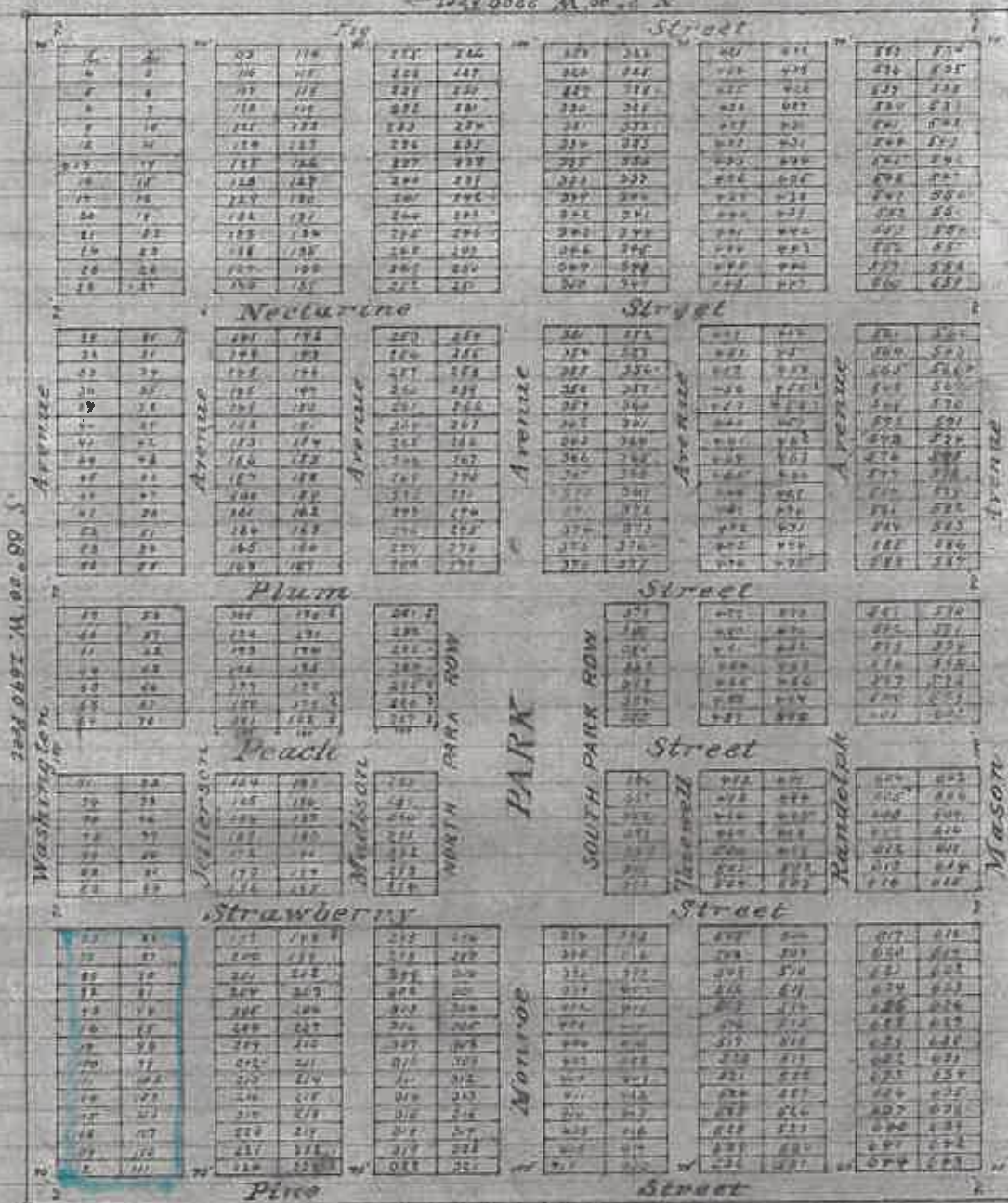
Jeffrey & Beth Howard

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11	Dunton Deed, Lots 96 & 97
12	Howard Survey Map

Exhibit 1

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Map of the Town of Cape Charles

Northampton County, Virginia.

Long Water Lute
Cherry Stone Inlet

Fig. 1000 0022 N. 00 2 N

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S. 2° W. E. 2200 Street

Map
of the Town of "Cape Charles".
Northampton County, Virginia

Low Water Line
Cherrystone Inlet

Exhibit 2

THIS DEED, made this 18th day of June, 1994, by and between Paul L. TICKLE and Sandra J. TICKLE, husband and wife, parties of the first part, hereinafter referred to as Grantors, and Susan M. EVELAN and Marsha M. MOORE, parties of the second part, hereinafter referred to as Grantees, whose address is 8778 W. Huguenot Road, Richmond, Virginia 23235.

W I T N E S S E T H :

That the Grantors, for and in consideration of the sum of Seventy-Two Thousand Dollars (\$72,000.00) cash in hand paid at and before the sealing and delivery of this Deed, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey, with General Warranty of Title and English Covenants of Title, unto the said Grantees, their heirs and assigns forever, the following lot or parcel of land, to-wit:

All that certain lot or parcel of land, together with the buildings and improvements thereon, situate on the West side of Pine Street, in the Town of Cape Charles, Northampton County, Virginia, containing 3,600 square feet, more or less, and more particularly shown and described on that certain plat of survey entitled "Physical Survey, Part of Lots 109 & 112 Plat of Town of Cape Charles D.B. 41 P. 484 (Plat) Capeville District, Northampton County, VA.," prepared by Eastern Shore Surveyors, Ltd., dated 20 June 1994, which said plat is attached hereto and incorporated herein.

Said property is a portion of that certain real estate conveyed to Paul L. Tickle and Sandra J. Tickle, husband and wife, by deed dated July 6, 1989, from Russell P. Whitehurst, Sr., unmarried, which said deed is recorded in the aforesaid Clerk's Office in Deed Book 239 at page 416.

Grantors do further assign and transfer unto Grantees all of their right, title and interest, if any, in and to that certain underground oil tank shown on the aforesaid plat of survey. Grantors do grant unto Grantees the right, privilege and license to cause said tank to remain partly on the remaining portion of their real property not transferred by this instrument either for its useful life or for so long as it is permitted to remain there by applicable regulations.

The said Grantees, by their execution hereof, agree to indemnify, save, and hold harmless Grantors, their successors, assigns, and/or heirs from any and all claims for any and all damage or loss whatsoever to any person, corporation, association, partnership, or other entity and to any property of whatsoever kind and wheresoever situate, in any way and at any time arising out of said oil tank occurring subsequent to the transfer of this property to Grantees.

This conveyance is made expressly subject to the unexpired covenants, conditions, easements, restrictions, and reservations, if any, lawfully affecting the above described property duly of record and constituting constructive notice.

Together with all the privileges and appurtenances to said lot or parcel of land belonging or in anywise appertaining. TO HAVE AND TO HOLD said lot or parcel of land with its appurtenances aforesaid unto the said Grantees, their heirs and assigns forever.

Possession of the said lot or parcel of land is to be given to the parties of the second part immediately upon the execution and delivery of this Deed.

WITNESS the following signatures and seals:

[SIGNATURE PAGES TO FOLLOW]

SIGNATURE PAGE

DEED FOR LOT OR PARCEL OF LAND
SITUATE IN THE TOWN OF CAPE CHARLES,
NORTHAMPTON COUNTY, VIRGINIA

Paul L. Tickle (SEAL)
Paul L. Tickle

Sandra J. Tickle (SEAL)
Sandra J. Tickle

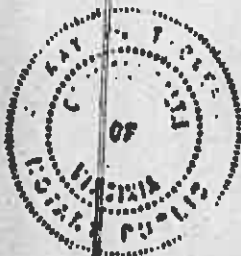
STATE OF Virginia
CITY/COUNTY OF Northampton

*
*
*

TO-WIT:

The foregoing instrument was acknowledged before me this 16 day of July, 1994, by Paul L. Tickle and Sandra J. Tickle, husband and wife.

My Commission expires: 1/31/96



Kay P. Howe
Notary Public

SIGNATURE PAGE

DEED FOR LOT OR PARCEL OF LAND
SITUATE IN THE TOWN OF CAPE CHARLES,
NORTHAMPTON COUNTY, VIRGINIA

Susan M. Durlak (SEAL)
Susan M. Durlak

Marsha M. Moore (SEAL)
Marsha M. Moore

STATE OF Virginia

CITY/COUNTY OF Chestfield

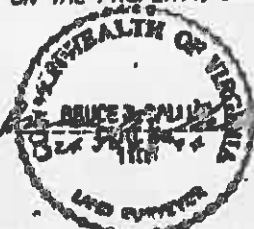
TO-WIT:

The foregoing instrument was acknowledged before me this 8th
day of July, 1994, by Susan M. Durlak and Marsha M.
Moore.

My Commission expires: 12/31/96

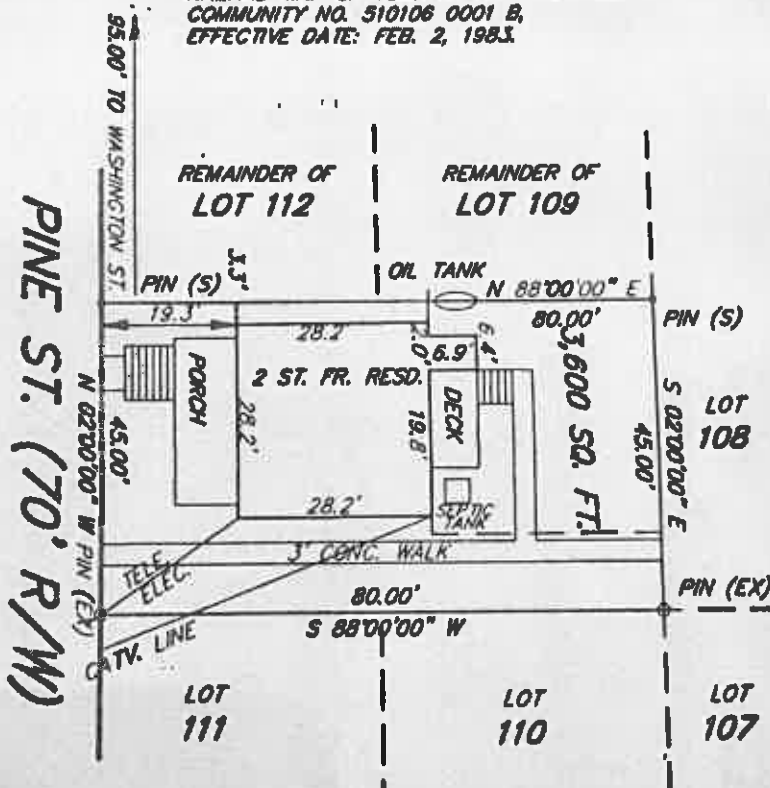
Wendy S. Sneed
Notary Public

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY:

SIGNED

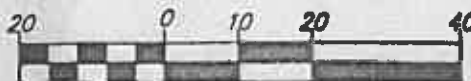
L.S.

THE PROPERTY SHOWN HEREON APPEARS TO FALL
INSIDE ZONE "A5" AS SHOWN ON H.U.D. FLOOD
HAZARD MAP OF TOWN OF CAPE CHARLES,
COMMUNITY NO. 510106 0001 B,
EFFECTIVE DATE: FEB. 2, 1983.



7-6-74
Approved for
recording
Richard Patton
Town Manager

PHYSICAL SURVEY
PART OF LOTS
109 & 112
PLAT OF TOWN OF
CAPE CHARLES
D.B. 41 P. 484 (PLAT)
CAPEVILLE DISTRICT
NORTHAMPTON COUNTY, VA.
SCALE: 1" = 20' 20 JUNE 1994
MADE FOR
PAUL TICKLE



GRAPHIC SCALE IN FEET

EASTERN SHORE SURVEYORS, LTD.
P.O. BOX 456
BELLE HAVEN, VA. 23306
(804) 442-4418

4325-94

COMPUTED BY:

CHECKED BY:

BACK TRAV. BY:

APPROVED BY:

C.G. 47-125

F.B. 69 P. 23

Exhibit 3

Lot 1
608
2014

Return to when recorded:
A & N Title & Settlement
P.O. Box 668
Cape Charles, VA 23150

GPIN or Tax ID No. 083A1-10-00-060Y

CONSIDERATION: \$89,000.00

Pursuant to §17.1-222 (B), of the Code of Virginia, the existence of title insurance is Chicago Title.

DEED OF BARGAIN AND SALE

THIS DEED, made this 10th day of July, 2014, by and between
CARYN MELNIKOFF, formerly known as **CARYN D. BREEDEN**, Grantor, and
WILLIAM A. BAGOT and **KATHLEEN L. BAGOT**, husband and wife, Grantees,
whose tax mailing address is 5641 Ravenel Lane, Springfield, VA 22151.

WITNESSETH:

That for and in consideration of Ten Dollars (\$10.00), and other good and
valuable consideration, the receipt and or acceptance of which is hereby acknowledged,
the said Grantor(s) hereby grant, bargain, sell and convey, with **GENERAL**
WARRANTY AND ENGLISH COVENANTS OF TITLE, unto the said Grantee(s), as
tenants by the entirety with the right of survivorship as at Common Law, the following
described property, to-wit:

For property description, See attached Schedule "A"

This conveyance is made expressly subject to the easements, conditions,
restrictions, and rights of way of record contained in the deeds forming the chain of title
to said property.

Property Address: 608 Pine Street, Cape Charles, VA 23310

Prepared by: Scott N. Alperin, P.C., VSB.#39500 4605 Pembroke Lakes, #300, Virginia
Beach, VA 23455, 757-490-3500. The attorney(ies) who prepared this instrument
has/have not performed a title examination of the subject property and therefore makes
no opinion or warranty as to the quality of title.

SCHEDULE A

All that certain lot, piece or parcel of land, with the buildings and improvements thereon, situate, lying and being in the Town of Cape Charles, Northampton County, Virginia, and being known, numbered and designated as Lot Y, as shown on that certain plat entitled "SUBDIVISION OF LOTS 110 & 111 MAP OF THE TOWN OF 'CAPE CHARLES' (DB 41, PG 484) TOWN OF CAPE CHARLES, CAPEVILLE DISTRICT, NORTHAMPTON COUNTY, VIRGINIA," dated July 20, 2000, prepared by Lee S. Rood, P.C., which said plat is duly recorded in the Clerk's Office of the Circuit Court of Northampton County, Virginia, in Plat Book 28, page(s) 88.

It being the same property conveyed to CARYN D. BREEDEN from Thomas J. Wise and Sharon J. Wise by deed dated May 2, 2006 and recorded in the aforesaid Clerk's Office as Instrument Number 060001407.

Exhibit 4

- **Sec. 62-3. - Acceptance of public alleys.**

[SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD \(DOCX\) OF SECTIONSEMAIL SECTIONCOMPARE VERSIONS](#)

(a) *Findings of fact.*

(1)

There are throughout the town several alleyways which have been used by the town for providing services to the citizens of the town.

(2)

These several alleyways are platted and dedicated as public on certain plats recorded among the land records.

(3)

The town has never formally accepted such dedication.

(b)

Acceptance. Therefore, the town does hereby accept the platted and dedicated public alleyways as public alleys.

(Ord. No. 248.5, 6-15-87)

NOTE:: Only if shown on plat and dedicated as public.

Carl A. Eason, Esq.

WOLCOTT | RIVERS | GATES

O: (757) 497-6633 | D: (757) 554-0223 | ceason@wolviv.com

www.wolcottiversgates.com

200 Bendix Road, Suite 300

Exhibit 5

Exhibit 6

Dead out of
William Scott Estate
Howard R Deacon

Northampton, Virginia, All place of Virginia, to
the county of Stafford, in the State of Virginia, his wife
Elizabeth M. Rice, his wife
and James B. Rice, whose names are signed to
the foregoing will, bearing date 31st day of
August, 1901, have acknowledged the same before
me in my capacity as a Justice of the Peace, and
I have this day of Sept, 1901, J. H. Nicholson, J. P.

Virginia, J. H. Nicholson, J. P. of the Circuit Court of
Northampton county, on the 11th day of Septem-
ber, A.D. 1901, this deed of James M. Rice and
Elizabeth M. Rice, his wife, to S. B. Rice, was this day
acknowledged by me and together with the certificate of
the said Northampton Sheriff, thereof annexed, ad-
mitted to record, at 11 o'clock, A.M.

Test W. H. Northampton, J. P.
J. H. Nicholson, J. P.

W. L. Scott
to (Robert H. S.)
H. B. Deacon

This Indenture, made the twenty eighth day of Sep-
tember, A.D. one thousand nine hundred and four
between Matthew H. Taylor, John W. Little, and
Charles H. Strong, surviving Trustees under the
last will and testament of William D. Scott, decedent,
late of the City of Erie, and State of Pennsylvania,
parties of the first part, and Howard R. Deacon,
of the Town of Cape Charles, county
of Northampton and State of Virginia, party
of the second part, Whereas, the said William
D. Scott by virtue of power, good con-
sideration, and assurances in law duly had and exer-
cised, because in his life time seized in fee
simple in the lot piece or parcel of land hereinafter
described, and being in thereof seized under
his last will and testament by writing bearing
date the third day of October A.D. 1889 wherein
whereby amongst other things he devised all the
residue and remainder of his real estate
to a part, to the said Matthew H. Taylor,
John W. Little, Richard H. Townsley, and

Lets
85486

Charles H. Strong, in trust for his daughters as there-
 in before mentioned, with full power to the said
 trustees to sell, all or only part thereof, at any
 time it may seem to them advisable so to do,
 to such persons and upon such terms, as may
 to them seem proper, first obtaining however,
 during the lives of his said daughters or during
 the life of the survivor of them, their written
 approval to any sale of real property, as in
 and by the said recited will, since his de-
 cease, duly proved on the 26th day of Decem-
 ber A.D. 1891, and, ^{as required by law} in the Recorder's
 Office in the City of Erie aforesaid, recourse
 being thereto had, appears and,
 Whereas, the said William D. Scott died leav-
 ing him surviving two children only, to wit,
 Mary Scott Townsend and Jennie W. S. Strong, and
 Whereas, a duly authenticated copy of said last
 will and Testament of the said William D.
 Scott, deceased, is now of record in the
 clerk's office of said Northampton County, Vir-
 ginia, on Page 309 etc., in "the book of Janu-
 ary, 1854" to which said records reference is
 here made, and Whereas Section Eleven of
 Article Six of said will provides that a ma-
 jority of said trustees or their successors shall
 have full power to execute or exercise any
 trust power or discretion under said will and
 Whereas the said Richard H. Townsend, Jr. is now
 deceased

Now this Certificate Witnesseth that the said
 Matthew H. Taylor, John W. Little and Charles H. Strong,
 surviving trustees, under the last will and
 Testament of said William D. Scott, deceased, for
 and in consideration of the sum of (\$564.25) Five
 hundred sixty four and 25/100 Dollars lawful mon-
 ey of the United States, to them in hand paid
 by the said Howard R. Deacon at and before
 the sealing and delivery hereof, the receipt where-
 of is hereby acknowledged, have granted, bargained
 sold, released, conveyed and covenanted, and by
 these presents by virtue of the power, and au-
 thority aforesaid in said will contained do
 grant, bargain, sell, convey, release and con-
 vey unto the said Howard R. Deacon, his
 heirs and assigns forever, all that certain piece
 or parcel of land, situate in the Town of Cape
 Charles, County of Northampton and State of Vir-
 ginia, bounded and described as follows, to wit:
 the lots numbered with the numbers eighty five

(16) and Eighty sixth) in the said Town of Cape Charles
a map or plat of which said Town of Cape Charles
is of record in the Clerk's office of Northampton
County with a deed from the said William
Scott and wife to William Bauman, per deed
book No 44, pages 483, 484 and 485, to which map
or plat reference is here made -
Together with all and singular the rights,
liberties, privileges, hereditaments, goods, appur-
tenances whatsoever thereunto belonging,
or in any wise appertaining, and the rents,
issues and remainders, rents, issues and profits
thereof, and all the estate right, title, interest
property, claim and demand whatsoever
of the said William R. Scott at and imme-
diately before the time of his decease and
now of the said Trustees aforesaid, in law or
equity, as otherwise howsoever of, in, to or
out of the same, To have and to hold the said
described hereditaments and premises hereby
granted and released or mentioned or in-
tended to be with the appurtenances un-
to the said Howard R. Deacon, his heirs and
assigns, to and for the only proper use and
behalf of the said Howard R. Deacon his heirs
and assigns forever And the said Matthew
Taylor, John W. Little and Charles H. Strong,
Surviving Trustees as aforesaid, for themselves,
their successors or assigns, do covenant, prom-
ise and agree with the said Howard R. Deacon,
his heirs and assigns, by these presents that they,
the said Trustees as aforesaid, have not done,
committed, or knowingly or willingly suffered
to be done or committed, any act, matter or thing
or any part thereof, or are, or shall or may be
or otherwise howsoever

Exhibit 7

are signed to the writing, bearing date as above on the 28th day of September A.D., 1904, have as said Trustees acknowledged the same before me in my City aforesaid - In Witness Whereof, I have hereunto set my hand and Natural Seal this 27th day of October A.D., 1904.

John O. Kelly
Notary Public
Erie, Pa.

Virginia and Ontario, Ontario, Public-
commission expires January 28, 1907.

In the Clerk's office of the Circuit Court of Northampton County, on the 11th day of September A.D., 1904 this Deed from William L. Scott Trustee to H. R. Deacon was this day received by me and together with the certificate of the acknowledgment thereof thereto annexed, admitted to record at 11.20 o'clock A.M.

John W. F. Northampton, Dyer
R.M. Northampton, Clerk

of Scott's this Indenture, made the seventh day of April, A.D., one
thousand and five hundred and five, between William L. Scott
R. Deacon Taylor, John W. Little, and Charles H. Strong, surviving Trust-
tees under the last will and testament of William
L. Scott, late of the City of Erie and State of Penn-
sylvania, deceased, parties of the first part, and H. R.
Deacon a the Town of Cape Charles, County
of Northampton and State of Virginia, party of the
second part Whereas the said William L. Scott by
virtue of several good conveyances and personal
acts in and by him duly had and executed, became and
his life time seized in his denudation of fee
(amongst other lands) of and in the lot, parcel or
parcel of land hereinafter described; and being so
thereof seized made his last will and testa-
ment in writing bearing date the third day
of October A.D., 1884, wherein and whereby amongst
other things he devised and the rest, residue and
remainders of his real estate (of which said rest
residue and remainder of his real estate the
land hereinafter described is a part) to the said
Matthew H. Taylor, John W. Little, Richard H. Leonard,
Jr., and Charles H. Strong, in trust for his de-
visees as therein are mentioned with full pow-
er to the said trustees to sell all or any part
thereof at any time it may seem to them
advisable so to do, to such persons and upon
such terms as may to them seem proper, but
notwithstanding the lives of his said
daughters, or during the life of the survivor of
them, their joint and several approval to any sale of
real property, as in and by the said will

1905
Scott &
Deacon
nots.
87 &
88

well, since his decease, duly proved on the 26th day of December, 4. D., 1891, and remaining in the Register's Office in the City of Erie aforesaid, recovers being therewith said, appears, and whereas, the said William L. Scott died leaving for surviving two children only, to wit; Mary Scott Townsend and Anne W. S. Strong, and whereas a duly authenticated copy of said last will and testament of the said William L. Scott deceased is now of record in the Clerk's office of said Northampton County, Virginia, on Page 309 etc. in Will Book of January, 1894 to which said record reference is here made, and whereas, Section eleven of Article Sixth of said will provides that a majority of said Trustees or their successors shall have full power to execute or exercise any trust upon or discretion under said will, and whereas, the said Richard H. Dawson Jr., is now deceased.

Now this Indenture witnesseth that the said Matthew H. Taylor, John W. Little, and Charles H. Strong, surviving Trustees, under the last will and testament of said William L. Scott, deceased, for and in consideration of the sum of Five thousand fourteen and 80/100 (\$514.80) Dollars, lawful money of the United States, to them in hand paid by the said Howard R. Deacon, at and before the signing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, released, and confirmed, and by these presents by virtue of the power and authority aforesaid in said will contained, do grant bargain, sell alien, release, and confirm unto the said Howard R. Deacon, his heirs, assigns forever all that certain piece or parcel of land situate in the County of Cape Charles, County of Northampton and State of Virginia, be it and described as follows, to wit: The lots numbered with the numbers Eighty-seven (87), and eighty-eight (88) in the said Town of Cape Charles, a map or plat of which said Town of Cape Charles is of record in the Clerk's office of said Northampton County, with a deed from the said William L. Scott and wife to William Bowman in Deed Book, to 41, Pages 483, 484, and 485, to which map or plat reference is here made. Together with all and singular the rights, liberties, privileges, hereditaments and appurtenances whatsoever, then

Wts
87
88

ing, and the survivors and remainders, rents, issues and profits thereof; and all the estate right to the, interest, property, claim and demand whatsoever of the said William L. Pratt at and immediately before the time of his decease, and now of the said Trustees aforesaid, in law, equity, or otherwise lawfully or in to or out of the same John and to hold the said described hereditaments and premises hereby granted and released, or incumbered or intended so to be, with the appurtenances, unto the said Howard R Deacon, his heirs and assigns, to and for the only proper use and behoof of the said Howard R Deacon, his heirs and assigns forever. And the said Matthew H Taylor, John W Little, and Charles H Strong, surviving Trustees, as aforesaid, for themselves, their successors or assigns, do covenant, promise and agree with the said Howard R Deacon his heirs and assigns by these presents that they, the said Trustees as aforesaid, have not done, committed, or knowingly or willingly suffered to be done or committed any act matter or thing whatsoever whereby the premises hereby granted, or any part thereof, is, are or shall or may be impeached, charged or incumbered in title charge estate or otherwise lawfully. In Witness Whereof the said parties of the first part to these presents have hereunto set their hands and seals, the year and day first above written.

Witness my hand and seal this 13th day of April A.D. 1908
in the presence of
J. B. Bunn
Matthew H Taylor, Trustee L.S.
Chas. H. Strong, Trustee L.S.
John W Little, Trustee L.S.

John W Little, Trustee
City and County of Erie, Pa.
for the City, County, and State aforesaid, do hereby certify that Matthew H Taylor, Chas. H. Strong, and John W Little, Trustees as aforesaid whose names are signed to the writing above bearing date on the Seventh day of April A.D. 1908 have as said Trustees acknowledged the same before me in my City aforesaid, On Witness Whereof I have hereunto set my hand and Natural Seal this 13th day of April A.D. 1908

John W Little, Trustee
after 20 Feb. Notary Public Erie, Pa.
By Commission expires February 27, 1907.
J. B. Bunn, Notary Public
In the Clerk's office of the Circuit Court of Northampton county, and

To have and to hold the said lots numbered with the number, Three Hundred and Seventy Nine (379) and Three Hundred and Eighty (380) in the said Town of "Safe Charles" hereinafter conveyed to the said William Bauman his heirs and assigns forever. And the said William L. Scott for himself and his heirs, next on behalf of his said wife, covenants that he will warrant generally the title to the land herein conveyed. Witness the following signatures and seals

William L. Scott

Doc

Mary H. Scott

Doc

State of Pennsylvania

City and County of Erie to wit



I, William L. Brown, a Notary Public for the city and county of Erie aforesaid, in the State of Pennsylvania, do certify that the said William L. Scott, whose name is signed to the writing above bearing date the 24th day of June A.D. 1884, has acknowledged the same before me in my city and county aforesaid. Given under my hand and Notarial Seal the 24th day of June A.D. 1884.

William L. Brown

Notary Public

State of Pennsylvania

City and County of Erie to wit



I, William L. Brown, a Notary Public for the city and county of Erie aforesaid, in the State of Pennsylvania, do certify that Mary H. Scott, the wife of William L. Scott, whose name is signed to the writing above bearing date the 24th day of June A.D. 1884, personally appeared before me in the city and county aforesaid and being examined by me privately and apart from her said husband and in the writing aforesaid fully explained to her, she, the said Mary H. Scott, acknowledged the same writing to be her act, and declared that she had willingly executed the same, and does not wish to retract it.

Given under my hand and Notarial Seal the 24th day of June A.D. 1884.

William L. Brown

Notary Public

Virginia

In the Clerk's Office of the Southampton County Court on the 7th day of July, A.D. 1884, this deed of bargain and sale from William L. Scott and Mary H. his wife, to William Bauman, dated the 24th day of June A.D. 1884, was received by me, and together with the certificate of acknowledgment of the said William L. Scott, then deceased, and the certificate of the proper examination, acknowledgment and declaration of the said Mary H. Scott, then deceased, was admitted to record.

Teste

John A. Kendall, Clerk.

Exhibit 8

TABLE OF TOWN LOTS FOR THE YEAR 1920

IN THE TOWN OF CAPE CHARLES, IN NORTHAMPTON COUNTY, IN STATE OF VIRGINIA, ASSESSED WITH TAXES FOR THE SUPPORT OF GOVERNMENT AND PUBLIC FREE SCHOOLS, BY THE COMMISSIONER OF REVENUE.

1920 CITY OF NORTHAMPTON, VA 3754

NAME OF PERSON Who by himself or by his agent has the town- ship in possession of the lot charged.	Residence of the owner of the lot.	Nature of the property, whether land or building, or both.	Number of each lot in the town, or a descrip- tion of the part of the lot or property owned.	Value of the lot.	Value of buildings on the lot.	Value of the lot including build- ings.	The amount of tax on the lot and buildings, as assessed by the Board of Assessors, at the rate of 10 cents per dollar of the assessed value.	The amount of tax on the lot and buildings, as assessed by the Board of Assessors, at the rate of 10 cents per dollar of the assessed value.	TOTAL TAX.
1 Deacon Howard P.		Free	Lot 85	250	710	960	11.52	388	1440
2 " Do		"	" 86	250	710	960	11.52	388	1440
3 " Do		"	" 87	200	200	400	4.80	120	600
4 " Do		"	" 88	200	200	400	4.80	120	600
5 Kivivis Albert L.		"	" 8-6	500		500	6.00	150	750
6 " Do		"	" 9-6	400		400	4.80	120	600
7 Dickerson Frank J.		"	" 352	350	430	780	9.36	234	1170
8 " Larry J.		"	" 358	300	1000	1300	15.60	390	1690
9 Biverty William		"	" 496	300	800	1100	13.20	330	1450
10 " Do		"	" 1-8	400		400	4.80	120	600
11 Dix William H.		"	" C.	300		300	3.60	90	450
12 Dix Andrew F.		"	" 399	300		300	3.60	90	450
13 Doughty John H.		"	" 238	300	1300	1600	19.20	480	2080
14 " Do		"	" 356	300	440	740	8.88	222	1110
15 " Sarah W.		"	" 235	300	1300	1600	19.20	480	2080
16 Dawns Alice A.		"	" 420	300	400	700	8.40	210	1050
17 " Do		"	" 440	300	600	900	10.80	270	1350
18 " Do		"	" 557	300	500	800	9.60	240	1200
19 " Elizabeth W.		"	" 348	300	700	1000	12.00	300	1500
20 " Breunin Mabel L.		"	" 2	250	690	940	11.20	282	1402
21 Dryden Ernest P.		"	" 13-6	400	1500	1900	22.80	570	2450
22 " Do		"	" 14-6	500	1500	2000	24.00	600	2600
23 " Do		"	" 12-6	200		200	2.40	60	300
24 Duntun Ambler J.		"	" 89-2	300	700	1000	12.00	300	1500
25 " Do		"	" 90-2	300	700	1000	12.00	300	1500
26									
27									
28									
29 Chris Charles W.		Free	Lot 570	250	610	860	10.32	258	1290
30 Clamer Andrew		"	" 164	100	400	500	6.00	150	750
31 " Do		"	" 181	250	210	460	5.52	138	690
32 " Do		"	" 405	300	1000	1300	15.60	390	1950
33 " Do		"	" 406	300		300	3.60	90	450
34 " Do		"	" E	200	660	860	10.32	258	1290
35 " Do		"	" F	200	660	860	10.32	258	1290
36									
TOTALS				9400	17920	27320	32784	8196	40980

Exhibit 9

FIRST SETTLEMENT TITLE AND ESCROW

**200 Bendix Road, Suite 220
Virginia Beach, VA 23452
Phone (757)554-0234 Fax (757) 470-5560**

**Our Case#: FN23-077
Prepared for: CARL A. EASON, Esquire
Effective Date: 9/28/1904 through 5/15/2023 at 8:00 A.M.**

1. Consent Lot 85 & Consent Lot 88:

LOT 85 was conveyed to Howard R. Deacon, by Deed of Matthew H. Taylor, John W. Little and Charles H. Strong, surviving Trustees under the Last Will and Testament of William L. Scott, deceased, said Deed dated 9/28/1904 and recorded in Deed Book 55, at page 44.

LOT 88 was conveyed to Howard R. Deacon, by Deed of Matthew H. Taylor, John W. Little and Charles H. Strong, surviving Trustees under the Last Will and Testament of William L. Scott, deceased, said Deed dated 4/7/1905 and recorded in Deed Book 55, at page 47.

LOTS 85, 86, 87 & 88 were conveyed to R.D.L. Fletcher and J. Warren Topping by Deed of Howard R. Deacon and Elizabeth T. Deacon, said Deed dated 10/18/1921 and recorded 11/17/1921 in Deed Book 78, page 450.

LOTS 85, 86, 87 & 88 were conveyed to J.R. Parsons, by Deed of Otto Lowe, Special Commissioner, dated 9/25/1937 and recorded 9/25/1937 in Deed Book 96, page 403. NOTE: Pursuant to Farmers & Merchants Trust Bank of Cape Charles v. Elise L.E. Fletcher et als.

LOTS 82, 83, 85, 86, 87, 88, 192 and part of Lots 617, 620 & 621 were conveyed to Frances Eugenia Parsons by Deed of Gift from Fannie Willis Parsons, dated 2/14/1966 and recorded 2/14/1966 in Deed Book 155, page 492.

LOTS 85 & 88 were devised to Fannie Willis Parsons pursuant to the Last Will and Testament of her husband, John Russell Parsons a/k/a J.R. Parsons, said Will being recorded in Will Book 50, page 15.

LOT 85 was conveyed to Robert Edward Taylor, Jr. and Fairy Louise Taylor, his wife, with right of survivorship, by Deed of Frances E. Parsons, dated 2/3/1971 and recorded 2/11/1971 in Deed Book 167, at page 697.

LOT 88 was conveyed to Robert E. Taylor, Jr. and Fairy L. Taylor, husband and wife, with right of survivorship, by Deed of Frances Eugenia Parsons, dated 2/9/1987 and recorded 2/19/1987 in Deed Book 225, page 463.

William T. Taylor and Virginia Charlotte Swindlehurst were devised the subject property pursuant to the Last Will and Testament of Robert Edward Taylor, Jr., who departed this life on 6/24/2012, his Last Will and Testament recorded at Instrument Number 120000054.

Current Owner: Daniel C. Coffey and Mary B. Coffey, by Deed of William T. Taylor and Virginia Charlotte Swindlehurst, dated 12/12/2012 and recorded 12/17/2012 at Instrument Number 120002222.

2. Consent Lot 86 & Consent Lot 87:

LOT 86 was conveyed to Howard R. Deacon, by Deed of Matthew H. Taylor, John W. Little and Charles H. Strong, surviving Trustees under the Last Will and Testament of William L. Scott, deceased, said Deed dated 9/28/1904 and recorded in Deed Book 55, at page 44.

LOT 87 was conveyed to Howard R. Deacon, by Deed of Matthew H. Taylor, John W. Little and Charles H. Strong, surviving Trustees under the Last Will and Testament of William L. Scott, deceased, said Deed dated 4/7/1905 and recorded in Deed Book 55, at page 47.

LOTS 85, 86, 87 & 88 were conveyed to R.D.L. Fletcher and J. Warren Topping by Deed of Howard R. Deacon and Elizabeth T. Deacon, said Deed dated 10/18/1921 and recorded 11/17/1921 in Deed Book 78, page 450.

LOTS 85, 86, 87 & 88 were conveyed to J.R. Parsons, by Deed of Otto Lowe, Special Commissioner, dated 9/25/1937 and recorded 9/25/1937 in Deed Book 96, page 403. NOTE: Pursuant to Farmers & Merchants Trust Bank of Cape Charles v. Elise L.E. Fletcher et als.

LOTS 82, 83, 85, 86, 87, 88, 192 and part of Lots 617, 620 & 621 were conveyed to Frances Eugenia Parsons by Deed of Gift from Fannie Willis Parsons, dated 2/14/1966 and recorded 2/14/1966 in Deed Book 155, page 492.

LOT 87 being the same property conveyed to Sadie L. Pusey by Deed of Frances E. Parsons, said Deed dated 10/23/1970 and recorded in Deed Book 167, page 234.

LOT 86 was conveyed to William E. Lambertson by Deed of Frances E. Parsons, dated 10/23/1970 and recorded 10/26/1970 in Deed Book 167, page 236. Said William E. Lambertson departed this life on 10/19/1976 and pursuant to his Last Will and Testament he devised the property to his wife, Leonis C. Lambertson. Said Leonis C. Lambertson departed this life on 7/15/1980 and pursuant to her Last Will and Testament recorded in Will Book 63, page 290, she devised all of her property, in equal shares, to her three children, Samuel E. Lambertson, Gloria L. Brown and Sadie L. Pusey.

LOT 86 being the same property wherein Samuel E. Lambertson and wife conveyed his 1/3 interest to Gloria L. Brown and Sadie L. Pusey, by deed dated 11/18/1980 and recorded in Deed Book 202, page 492;

LOT 86 further being the same property wherein Gloria L. Brown did convey her ½ interest to Sadie L. Pusey by Deed dated 3/13/1981 and recorded in Deed Book 203, page 463.

Said Sadie L. Pusey departed this life survived by her children and sole heirs, G. Keith Pusey, Wendy P. May and Donna P. Park. NOTE: Her husband Wendell A. Pusey predeceased his wife Sadie L. Pusey.

LOTS 86, 87, 90 & 91 were conveyed to V. Wayne Downing and Cheryl M. Downing by Deed of G. Keith Pusey and Gail P. Pusey and Wendy P. May and James W. May, Jr. and Donna P. Park and Robert A. Park, (Heirs of the Estate of Sadie L. Pusey, deceased), said Deed dated 10/11/1983 and recorded 10/21/1983 in Deed Book 210, page 393. ****1ST DEED IN CHAIN THAT MENTIONS ALLEY****

Current Owner: Anne W. Stratton by Deed of V. Wayne Downing and Cheryl M. Downing, dated 11/29/2012 and recorded 12/3/2012 at Instrument Number 120002140.

3. LOT 89 & EASTERN (1') OF LOT 88:

LOT 89, 92 & 93 were conveyed to Nettie R. Dutton, by Deed of Bruce Baird and Vera L. List, Successor Trustees under the Will of William L. Scott, said Deed dated 4/4/1946 and recorded 5/27/1946 in Deed Book 109, page 469. ****MENTIONS POSSIBLE ALLEY OPENING CONDITIONED UPON CONSENT OF LOTS 85, 86, 87 & 88****

NOTE: NETTIE R. DUTTON departed this life pursuant to Will Book 53, page 152; Further, Alice Dunton Trower departed this life pursuant to Will Book 65, page 69 and devised the property to her daughters Alice Dunton Trower Rawles and Henrietta S.T. Morris, a ½ interest each in the real estate.

Alice Dunton Trower Rawles did convey her ½ interest unto Henrietta S.T. Morris by Deed of Exchange dated 7/17/1985 and recorded 7/26/1985 in Deed Book 217, page 633.

LOT 89 was conveyed by Henrietta S.T. Morris to Manuel Development Corporation, by Deed dated 5/11/2004 and recorded 5/21/2004 at Instrument Number 040001582.

LOT 89 was conveyed by Manuel Development Corporation to Francis J. Donohue, Jr., by Deed dated 7/2/2004 and recorded 8/4/2004 at Instrument Number 040002521.

LOT 89 was conveyed by Francis J. Donohue, Jr. to Daniel C. Coffey and Mary B. Coffey, by Deed dated 10/17/2013 and recorded 10/18/2013 at Instrument Number 130001981.

LOT 89, as shown on "Physical Survey and Proposed Boundary Line Adjustment for Daniel C & Mary B. Coffey...", which adds the "western one foot of Lot 85A to Lot 89" is recorded at Instrument Number 220002730. Said Lot 89 on Plat #220002730 was conveyed to:

Current Owner: Chance Ventures, LLC, doing business as P.S. Ventures, said Deed dated 11/28/2022 and recorded 12/1/2022 at Instrument Number 220002765.

4. LOT 96 (HOWARD LOT) CHAIN OF TITLE:

Lots 96 & 97 were conveyed to Nettie R. Dunton by Deed of Bruce Baird, Cortland Betts and Vera L. List, Successor Trustees, dated 8/25/1941 and recorded 12/20/1941 in Deed Book 102, page 422.

****MENTIONS POSSIBLE ALLEY OPENING CONDITIONED UPON CONSENT OF LOTS 85, 86, 87 & 88****

NOTE: NETTIE R. DUTTON departed this life pursuant to Will Book 53, page 152; Further, Alice Dunton Trower departed this life pursuant to Will Book 65, page 69 and devised the property to her daughters Alice Dunton Trower Rawles and Henrietta S.T. Morris, a ½ interest each in the real estate.

Alice Dunton Trower Rawles did convey her ½ interest unto Henrietta S.T. Morris by Deed of Exchange dated 7/17/1985 and recorded 7/26/1985 in Deed Book 217, page 633.

LOT 96 was conveyed by Henrietta S.T. Morris to Manuel Development Corporation, by Deed dated 5/11/2004 and recorded 5/21/2004 at Instrument Number 040001582.

LOT 96 was conveyed by Manuel Development Corporation to John C. Miller and Marilyn T. Miller, by Deed dated 7/2/2004 and recorded 7/12/2004 at Instrument Number 040002217.

LOT 96 was conveyed by John C. Miller and Marilyn T. Miller by Deed of Leonel Laguarda and Wendy R. Laguarda, Trustees of the Leonel Laguarda and Wendy R. Laguarda Joint Property Revocable Trust dated June 13, 2013, said Deed dated 7/16/2014 and recorded 7/22/2014 at Instrument Number 140001217.

Current Owner: Jeffrey D. Howard and Beth A. Howard, by Deed of Leonel Laguarda and Wendy R. Laguarda, Trustees of The Leonel Laguarda and Wendy R. Laguarda Joint Property Revocable Trust dated June 13, 2013, said Deed dated 9/18/2017 and recorded 9/29/2017 at Instrument Number 170001587.

Exhibit 9A

SHORE TITLE
25020 Shore Parkway, Suite 1D
Onley VA 23418
Telephone 757-787-7050
Fax 757-787-7130
Serving both Accomack and Northampton Counties

FN23-077

TITLE REPORT

Date: 15 May 2023
Firm: Woolcott Rivers

Property: Lots 85 and 88 as shown on plat recorded as Instrument #220002731, Town of Cape Charles, Northampton County
Tax Map: 083A1-01-00-0000085

Owner: Daniel C. Coffey and Mary B. Coffey, t x e r o s
Instrument #120002222; previously Will #120000054 (Fairy Taylor died in 2000); then for Lot 85 Deed Book 167, Page 697; For Lot 88: Deed Book 225, Page 463; for both lots Deed Book 155/492; Will Book 50/75; Deed Book 96/403; 78/450; 55/44 and 47 (copies of deeds attached; wills not copied)

Searched from 28 September 1904 to 15 May 2023 @9:00 a.m.

Deed of Trust Liens: None found.

Covenants and Restrictions: None found.

Easements: None found.

Judgments: Owner (or predecessor): None found.

Financing Statements: None found.

Taxes:

County taxes paid through 2022. Base amount was \$2,399.32. Taxes are paid annually, with next tax payment due 5 December 2023.

* Town taxes paid through . Base amount was \$.

Land value: \$267,400

Building value: \$141,800

* Not available at this time.

NOTE: Shore Title, L.L.C., assumes no liability hereunder unless a policy or policies of title insurance are issued by Shore Title, L.L.C., and fully paid for and the insured under said policy or policies and party to this report was issued have no knowledge of any defect in title not disclosed.

Charles H Strong in trust for his business as there
is before mentioned, with full power to the said
Trustees to sell, all or only part thereof, at any
time it may seem to them advisable so to do,
to such persons and upon such terms, as may
to them seem proper, first obtaining however
during the lives of his said daughters or during
the life of the survivor of them, their written
approval to any sale of real property, as in
and by the said will will since his de-
cease, duly proved on the 26th day of Decem-
ber A.D. 1891, and in the Register's
Office in the City of Erie aforesaid, records
being thereunto had, appears and,
Whereas, the said William L Scott died leav-
ing him surviving two children only, to wit,
Mary Scott Foreman and Jennie W. L. Strong, and
Whereas, a duly authenticated copy of said last
will and Testament of the said William L
Scott deceased, is now of record in the
clerk's office of said Northampton County, Vir-
ginia, on Page 309, it is well known of Janu-
ary 1, 1854 to which said records reference is
here made, and Whereas Section eleven of
Article six of said will provides that a ma-
jority of said Trustees or their successors shall
have full power to execute or exercise any
trust power or discretion under said will and
Whereas the said Richard H Foreman, Jr is now
deceased.

Now this Indenture Witnesseth that the said
Matthew H Taylor, John W. Little, and Charles H Strong,
surviving Trustees under the last and will and
Testament of said William L Scott, deceased, for
and in consideration of the sum of (\$564.35) five
hundred sixty four and 35/100 Dollars lawful mon-
ey of the United States, to them in hand paid
by the said Howard R. Deacon at and before
the signing and delivery hereof, the receipt where-
of is hereby acknowledged, have granted, bargained
sold, released and conveyed, and by
these presents by virtue of the power, and au-
thority aforesaid in said will contained do
grant, bargain, sell, give, release and con-
vey unto the said Howard R. Deacon, his
heirs and assigns forever, all that certain piece
or parcel of land, situate in the Town of Cape
Charles, County of Northampton and State of Vir-
ginia, bounded and described as follows to wit:
The lots numbered with the numbers eighty-five

(83) and Eighty six (86) in the said Town of Cape Charles
 a map or plat of which said Town of Cape Charles
 is of record in the Clerk's office of Northampton
 County with a deed from the said William
 of Scott and wife to William Bauman, per deed
 Book No. 44, pages 483, 484, and 485, to which map
 or plat reference is here made -
 Together with all and singular the rights,
 liberties, privileges, hereditaments and appur-
 tenances whatsoever thereunto belonging,
 or in any wise appertaining, and the rents,
 issues, and revenues, rents, issues, and profits
 thereof, and all the estate right, title, interest
 in the property, claims, and demands whatsoever
 of the said William of Scott, at and imme-
 diately before the time of his decease, and
 now of the said Trustees aforesaid, in law or
 equity, or otherwise, howsoever, of, in, to, or
 out of the same, to have and to hold the said
 described hereditaments and premises hereby
 granted and released, or mentioned or im-
 plicated so to be with the appurtenances un-
 to the said Howard R. Deacon, his heirs and
 assigns, to and for the only proper use, and
 behalf of the said Howard R. Deacon his heirs
 and assigns, forever and the said Maytham
 Taylor, John W. Little, and Charles H. Strong,
 Surviving Trustees as aforesaid, for themselves,
 their successors or assigns, do covenant, prom-
 ise and agree with the said Howard R. Deacon
 his heirs and assigns, by these presents that they,
 the said Trustees as aforesaid, have not done,
 committed, or knowingly or willingly suffered
 to be done or committed, any act, matter or thing
 or any part thereof, in, at, or shall or maybe
 or otherwise howsoever -
 in, at, or shall or maybe
 or otherwise howsoever -

Witness whereof the said parties of the part
 of the said Trustees have hereunto set their hands
 Sealed and delivered
 in the presence of

Maytham H. Taylor, Trustee (S)
 John W. Little, Trustee (S)
 Charles H. Strong, Trustee (S)

for the said Howard R. Deacon, as aforesaid, do hereby
 certify that Maytham H. Taylor, John W. Little, and
 Charles H. Strong, are all of the said

11. 25. 71
 City of
 of Octa
 day of
 L. Stokes
 received
 copy of

Notar Public for the State of Virginia
 to the said Howard R. Deacon
 Maytham H. Taylor, John W. Little, and
 Charles H. Strong, Trustees of the said
 Howard R. Deacon, as aforesaid, for themselves,
 their successors or assigns, do covenant, prom-
 ise and agree with the said Howard R. Deacon
 his heirs and assigns, by these presents that they,
 the said Trustees as aforesaid, have not done,
 committed, or knowingly or willingly suffered
 to be done or committed, any act, matter or thing
 or any part thereof, in, at, or shall or maybe
 or otherwise howsoever -

well since his decease, duly proved on the 20th day of December, A.D. 1844, and in the Registers Office in the City of Erie, appeared, recourse being thereunto had, appears, and whereas the said Matthew Scott, died leaving surviving two children only, to wit: Matthew, deceased, and Jennie W. Strong, and whereas a duly authenticated copy of said last will and testament of the said William C. Scott, deceased, is now of record in the Clerk's office of said Northampton County, Virginia, on Page 309 of the in local Book of Grants, 1844, to which said reference is here made and Whereas Section eleven of Article Sixth of said will provides that the property of said Trustee or their successors shall have full power to execute or exercise any trust power or discretion under said will, and Whereas the said Richard H. Townsend, Jr. is now deceased -

Now this Indenture, Witnesseth, that the said Matthew C. Taylor, John W. Little, and Charles H. Strong, surviving Trustees, under the last will and testament of said William C. Scott, deceased, for and in consideration of the sum of Five hundred fourteen and 00/100 (\$544.00) Dollars lawful money of the United States to them in hand paid by the said Howard R. Deacon, at and before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained, sold, released and confirmed, and by their presents by virtue of the power and authority granted herein, sell, alien, release and confirm unto the said Howard R. Deacon, his heirs and assigns forever, all that certain piece or parcel of land situate in the Town of Cape Charles, County of Northampton and State of Virginia, and described as follows, to wit: The lots numbered Eighty eight (88) in the said Town of Cape Charles, Va. map or plat of which said Town of Cape Charles is of record in the Clerk's office from the said Northampton County, under a deed William Bauman to David Bauman, dated 1833, 1844, and 1845, to which map or plat reference is here made. Together with all and singular the rights, liberties, privileges, tenements, and appurtenances, whatsoever thereunto in any way annexed or appertaining.

85, 86

DB 78/450

lots 85, 86, 87 & 88

Deacon to Fletcher & Topping

450

acknowledged the same before me in my said County and State. Given under my hand this 28th day of October, A. D. 1921.

Louis V. Mills, Notary Public.

Commission expires August 17th, 1924.

Virginia:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 17th day of November, A. D. 1921. This deed from William M. Thomas, et ux, to R. D. L. Fletcher, et al, was with the certificate of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record.

Teste: *See 22 per*, Clerk.

Howard R. Deacon, et ux, } This deed, made this 18th day of October, A. D. 1921,
To - S. & S. } between Howard R. Deacon and Elizabeth T. Deacon, his wife, now
R. D. L. Fletcher, et al, } of the City of Ocean City and State of New Jersey, parties of the
first part, and R. D. L. Fletcher and J. Warren Topping, of the Town of Cape Charles, County
of Northampton and State of Virginia, parties of the second part.

U.S. Revenue Stamps
Canceled - 52.50
Comm'r. 1.00

Witnesseth: That for and in consideration of the sum of Twenty Four Hundred (\$2400.00) Dollars, lawful money of the United States, unto them in hand paid at and before the enrolling and delivery of these presents, receipt whereof is hereby acknowledged, the said parties of the first part do grant, bargain, sell and convey unto the said parties of the second part, with general warranty of title all of those certain lots, pieces or parcels of land and appurtenances thereto, situate and being in the said Town of Cape Charles and numbered with the numbers eighty five (85), eighty six (86), eighty seven (87) and eighty eight (88) according to a map or plat of the said Town of Cape Charles now of record in the Clerk's Office of said Northampton County with a deed of bargain and sale from William M. Scott and wife to William Bauman in deed book forty one, pages 483, 484 and 485, to which said map or plat reference is hereby expressly made, the said property hereby conveyed being the same granted unto the said Howard R. Deacon by those two certain deeds of bargain and sale dated the 28th day of September, A. D. 1904 and the 9th day of April, A. D. 1905, and recorded respectively in said Clerk's Office in deed book 57 page 47 and deed book 57, page 44, to which said deeds reference is hereunto expressly made.

Verified
11/21/21
Filed to
2 places, copying
11/21/21

witness the following signatures and seals the day and year first herein mentioned.

Witnesses: John J. Foster -	Howard R. Deacon	(SEAL)
Harold M. Paris-	Elizabeth T. Deacon	(SEAL)

City of Ocean City,

State of New Jersey, to-wit:

I, John J. Foster, a Notary Public, in and for the aforesaid City and state, do hereby certify that Howard R. Deacon and Elizabeth T. Deacon, his wife, whose names are signed to the foregoing deed of bargain and sale bearing date on the 18th day of October, A. D. 1921, have this day acknowledged the same before me in my said City and state. Given under my hand this 20th day of October, A. D. 1921.

John J. Foster, Notary Public

My commission expires 8/14/1925.



Virginia:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 17th day of November, A. D. 1921. This deed from Howard R. Deacon, et ux, to R. D. L. Fletcher,

et al, was, with the certificate of acknowledgments thereof thereto annexed, received by me in my said office this day and admitted to record.

Teste: *[Signature]* Clerk.

J. J. Rostein, et ux,
To - Deed of Trust.

J. Warren Topping, Trustee.

This Deed, made this 4th day of November, A. D. 1921, between J. J. Rostein and Ida W. Rostein, his wife, parties of the first part, and J. Warren Topping, trustee, party of the second part, all of the Town of Cape Charles, County of Northampton and State of Virginia.

witnesseth: That the said parties of the first part do grant with general warranty of title unto the said trustee, party of the second part, the following property, to-wit: all of those certain lots, pieces or parcels of land and appurtenances thereto, situate and abutting on the south side of Tanswell Avenue between Harbor and Bay Avenues in the said Town of Cape Charles, County of Northampton and State of Virginia, and numbered with the numbers two (2) and three (3) in block numbered with the number three (3), in the so called sea Cottage addition to the Town of Cape Charles according to a map or plat of the said Sea Cottage Addition of record in the Clerk's Office of said Northampton County with a deed of bargain and sale from Matthew M. Taylor and others, trustees, to the Cape Charles Real Estate Corporation in deed book 68, page 181, et seq., to which said map or plat reference is hereby expressly made.

In Trust to secure unto the Cape Charles Bank Incorporated the payment of the sum of Fourteen Thousand (\$14,000.00) Dollars, evidenced by the bond of the said parties of the first part, payable on demand, accrued interest, however, payable quarterly, and any expenditure rendered necessary by reason of the non payment of the amount hereby secured, when payable as aforesaid, or default in the performance of any covenant herein contained. And it is covenanted by and on the part of the parties hereto, to and with each other, first that the property herein described or such thereof as may be insurable, shall at all times during the existence of the lien hereby created, or any part thereof, be kept insured against loss or damage by fire to an amount equal, at least, to that of the said lien, and that the contract or policy evidencing the same shall contain a provision for the payment of any indemnity which may become due thereunder to the said party of the second part, as his interests as such may appear; that in default in the performance of this covenant, the said party of the second part, or the beneficiary hereunder may so insure the said property and the premium paid therefor shall be deemed a part of the amount hereby secured and may be so collected, and secondly, in default of the payment of the sum hereby secured or any part thereof, the said party of the second part shall be governed by the statutes of the state of Virginia, except that his compensation as such shall be computed after the rate of five per centum of the proceeds of the sale, and that the length of notice, terms and place of such sale shall be subject alone to his regulation and appointment.

witness the following signatures and seals the day and year first herein mentioned.

J. J. Rostein (SEAL)

Ida W. Rostein (SEAL)

State of Virginia,

County of Northampton, to-wit:

I, Doris V. Mills, a Notary Public, in and for the County and State aforesaid, do hereby certify that J. J. Rostein and Ida W. Rostein, whose names are signed to the foregoing deed bearing date on the 4th day of November, A. D. 1921, have this day acknowledged the same before me in my said County and State. Given under my hand this 4th day of November, A. D. 1921.

Doris V. Mills, Notary Public.

2006-12-17
I hereby certify
that the
account
bond
secured by the
aforesaid deed
trust has been
produced before
me and is
correct.
Notary
[Signature]

85-88, also 86-87

DB 96-403

DB 96-403

on the East by a certain roadway separating said lands from the lands of Walter T. Roberts, on the South by the Birds Nest Cross Road and on the West by the lands of Joseph T. Mapp, it being the same lot or parcel of land which was this day conveyed to the said Claude M. Gladden by Benj. W. Mears, Trustee which said deed is of record in the Clerk's Office of Northampton County, Virginia and to which said deed reference is hereby made.

IN TRUST TO SECURE unto the HOLDER, the payment of the sum of SIX HUNDRED DOLLARS (\$600.00), evidenced by bond bearing even date herewith, executed by the said Claude M. Gladden and Daisy D. Gladden and payable on demand with interest from date at 5% unto the holder thereof of order.

And to secure any bond or bonds, note or notes given in renewal of said indebtedness or any part thereof.

The amount secured by this deed of trust represents a part of the purchase price for said lot or parcel of land.

It is hereby covenanted and agreed by and between the parties aforesaid that in the execution of this trust and in the event of sale the said Trustee shall be governed by the Statute Laws of Virginia now in force except that the time, terms and place of sale shall be such as the said Trustee shall deem best for the interest of all parties then concerned. In the event of sale the said Trustee shall be entitled to 5% commission on the gross sales.

Insurance required \$750.00.

WITNESS the following signatures and seals.

CLAUDE R. GLADDEN (SEAL)

DAISY D. GLADDEN (SEAL)

State of Virginia,
County of Northampton, to-wit:

I, Mary Frances Wilson, a Notary Public in and for the County of Northampton, in the State of Virginia, do hereby certify that Claude R. Gladden and Daisy D. Gladden whose names are signed to the writing above, bearing date on the 1st day of August, A. D. 1937, have acknowledged same before me in my County and State aforesaid.

My commission expires, May 18, 1939.

Given under my hand this 23rd day of September, 1937.

MARY FRANCES WILSON
Notary Public.

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 24th day of September, A. D., 1937. This Deed from Claude R. Gladden, et ux to Benj. W. Mears, Tr., was, with the certificate of acknowledgments thereof thereto annexed, received by me in my said office this day and admitted to record at 11:15 o'clock A.M.

Teste: *[Signature]*, Clerk.

Otto Lowe, Spl. Com'r.

To) DEED B. & S.

J. R. Parsons

part, both of the Town of Cape Charles, Northampton County, Virginia:

WITNESSETH, that whereas on the 18th day of July, 1937, it was decreed by the

This DEED made this 23th day of September, A. D., 1937 between Otto Lowe, Special Commissioner, party of the first part, and J. R. Parsons, party of the second

No. 478
Documentary
Stamps, \$1.50
Cancelled.

Verified
mailed to
J. R. Parsons
4-28-38

85-88, 86-87, 88

Circuit Court of Northampton County, Virginia, in a certain chancery suit then depending in said Court under the short style of Farmers & Merchants Trust Bank, of Cape Charles, Virginia, a Banking Corporation v. Miss L. E. Fletcher et als, that the said Otto Lowe, who was thereby appointed Special Commissioner for the purpose, should, at public auction after due advertisement and upon terms set forth in said decree, make sale of the hereinafter described lots, pieces or parcels of land; and,

WHEREAS, the said Otto Lowe, Special Commissioner as aforesaid, in pursuance of said decretal order, did, on the 14th day of August, 1937, offer for sale at public auction the lots, pieces or parcels of land aforesaid, at which sale the said J. R. Parsons, he being the highest bidder for same, to-wit, the sum of Ten Hundred and Twenty-five (\$1025.00) Dollars; and

WHEREAS, the said sale was ratified and confirmed by order of the said Court dated September 15, 1937, and the said Commissioner was authorized and directed to accept payment of all of the said purchase money, and upon the said payment, to execute and deliver to the said J. R. Parsons a special warranty deed for said property; and

WHEREAS, in pursuance of the statute in such cases made and provided, the names of the parties on whose behalf this conveyance is made are set out, to-wit: R. D. L. Fletcher and J. Warren Topping.

NOW, THEREFORE, in consideration of the above premises and the sum of Ten Hundred and Twenty-five Dollars (\$1025.00), cash in hand paid by the said J. R. Parsons, at and before the ensuing and delivery of this deed, the receipt whereof is hereby acknowledged, the said Otto Lowe, Special Commissioner as aforesaid, in pursuance of the said decretal order and in order to carry into effect the said sale, doth grant and convey unto the said J. R. Parsons, with special warranty of title, the following described real estate, to-wit: All those certain lots, pieces or parcels of land numbered with the numbers Eighty-five (85) Eighty-six (86), Eighty-seven (87), Eighty-eight (88), and One Hundred and Ninety-two (192), situate in the Town of Cape Charles, Northampton County, Virginia, in the section of the Town commonly known as "Jersey", according to a map or plat of said town now of record in the Clerk's Office of said County, filed and recorded with a deed of bargain and sale from William L. Scott and wife to William Baumann, in deed book 41, pages 483, 484 and 485, whereunto reference is hereby made. Together with the improvements thereon and the privileges and appurtenances thereunto belonging or in anywise appertaining.

WITNESS the following signature and seal this the 25th day of September, 1937.

OTTO LOWE (SEAL)
Special Commissioner.

STATE OF VIRGINIA,

County of Northampton, to-wit:

I, Doris M. Roberts, a notary public in and for the County of Northampton, in the State of Virginia, do hereby certify that Otto Lowe, Special Commissioner, whose name is signed to the foregoing writing bearing date of September 25, 1937, has this day acknowledged the same before me in my said County and State.

My commission expires April 17, 1941.

Given under my hand this the 25th day of September, 1937.

DORIS M. ROBERTS
Notary Public.

x Not 192
also

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 25th day of September, A. D., 1937. This deed from Otto Lowe, Sp'l. Com'r. to J. R. Parsons, was, with the certificate of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record at 9:00 o'clock A.M.

Teste: *John S. Jones* Clerk.

Otto Lowe, Sp'l. Com'r.

TO) DEED H. & S.

J. R. Parsons

This DEED made this 25th day of September, A. D. 1937, between Otto Lowe, Special Commissioner, party of the first part, and J. R. Parsons, party of the second part, both of the Town of Cape Charles, County of Northampton, Virginia:

WITNESSETH: that whereas on the 18th day of July, 1937, it was decreed by the Circuit Court of Northampton County, Virginia, in a certain chancery suit then depending in said Court under the short style of R. Fulton Powell v. Swift & Company et als, that the said Otto Lowe, who was thereby appointed Special Commissioner for the purpose, should, at public auction, after due advertisement and upon terms set forth in said decree, make sale of the hereinafter described lot, piece or parcel of land; and

WHEREAS, the said Otto Lowe, Special Commissioner as aforesaid, in pursuance of said decretal order, did, on the 14th day of August, 1937, offer for sale at public auction the lot, piece or parcel of land aforesaid, at which sale the said lot, piece or parcel of land was struck off to the said J. R. Parsons, he being the highest bidder for same, to-wit: the sum of Six Hundred and Fifty Dollars (\$650.00); and

WHEREAS, the said sale was ratified and confirmed by order of the said Court dated September 15, 1937, and the said Commissioner was authorized and directed to accept payment of all of the said purchase money, and upon the said payment, to execute and deliver to the said J. R. Parsons a special warranty deed for said property; and

WHEREAS, in pursuance of the statute in such cases made and provided, the names of the parties on whose behalf this conveyance is made are here set out, to-wit: G. D. Horner and T. W. Horner.

NOW, THEREFORE, in consideration of the above premises and the sum of Six Hundred and Fifty Dollars (\$650.00), cash in hand paid by the said J. R. Parsons, at and before the sealing and delivery of this deed, the receipt whereof is hereby acknowledged, the said Otto Lowe, Special Commissioner as aforesaid, in pursuance of the said decretal order and in order to carry into effect the said sale, doth grant and convey unto the said J. R. Parsons, with special warranty of title, the following described real estate situate in the Town of Cape Charles, Northampton County, Virginia, to-wit: All that certain lot known as the "Flour Kill Property", situate in said Town of Cape Charles, Northampton County, Virginia, beginning at a point in the north line of the N. Y. P. & N. Railroad Company's property, said point being north forty-seven degrees, fifty-four minutes east, two hundred and three and sixteen one hundredths feet from the intersection of the east line of Fig Street and the north line of said Railroad Company's property; thence north seventy-seven degrees and fifty-four minutes east, along the north line of said Railroad Company's property, eighty feet; thence

No. 477
Documentary
Stamp, \$1.00
Cancelled.

John S. Jones
9-25-37

*Mailed to
State P. Foster
2-22-66*

No. 166

THIS DEED OF GIFT, made this 14th day of February, 1966,
by and between Fannie Willis Parsons, widow, party of the first
part, and Frances Eugenia Parsons, party of the second part,

WITNESSETH, that the said party of the first part, for
and in consideration of her natural love and affection for her
said daughter Frances Eugenia Parsons, doth give, grant, bargain,
sell and convey unto the said party of the second part, her heirs
and assigns forever, with general warranty of title, the following
described property, to-wit:

(1) All those certain lots with the buildings and im-
provements thereon, located in the Town of Cape Charles, Northampton,
County, Virginia, and being numbered with the Numbers 82, 83, 85,
86, 87, 88, 192, and part of lots No 617, No. 620, and No. 621, and
for a more accurate description of said lots, reference is expressly
made to a Plat of the Town of Cape Charles, Virginia, recorded in
the Clerk's Office of Northampton County, Virginia, in Deed Book
41, at page 484.

(2) All that certain piece or parcel of land situate,
lying and being in the Village of Townsend, Northampton County,
Virginia, abutting thirty-five feet (35 ft.) front on the main
Seaside county road and extending back in parallel straight lines
eighty-five feet (85 ft.), and the same being commonly known as the
"Townsend Bank property", which was conveyed to J. R. Parsons by
Deed dated December 31, 1937, from the Arlington Hotel Corporation,
and being recorded in Deed Book 97, page 29.

All of these said lots having been devised to the said
Fannie Willis Parsons under the Will of John Russell Parsons, her
deceased husband, and which Will is recorded in the Clerk's Office
of Northampton County, Virginia, in Will Book 50, at page 15.

Together with all the rights, privileges and appurtenances

thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD said property with its appurtenances aforesaid, unto the said Frances Eugenia Parsons, her heirs and assigns forever.

The party of the first part covenants that she has the right to convey said lots to the said grantee; that she has done no act to encumber the same; that the said grantee shall enjoy quiet possession of the premises free from encumbrances; and that she, the party of the first part will execute such further assurances as may be requisite.

WITNESS the following signature and seal.

Fannie W. Parsons (SEAL)

STATE OF VIRGINIA

COUNTY OF NORTHAMPTON, to-wit:

I, Pauline E. Rogers, a notary public in and for the County and State aforesaid, do hereby certify that Fannie Willis Parsons, whose name is signed to the foregoing Deed of Gift bearing date of the 14th day of February, 1966, has acknowledged the same before me in my County and State aforesaid.

Given under my hand this 14th day of February, 1966.

My commission expires Oct 13 1967.

Pauline E. Rogers
Notary Public

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 14th day of February, A.D., 1966. This deed from Fannie W. Parsons to Frances Eugenia Parsons was, with the certificate of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record at 2:35 o'clock, P. M.

Teste: Thomas H. James, Clerk

By Thomas H. James D'y. Clerk.

Lot 85

Lot 85 only

BOOK 167 PAGE 697

No. 57

mailed to
H. R.
2-10-71

THIS DEED, made this 3rd day of February, 1971, by and between Frances E. Parsons, single, party of the first part, and Robert Edward Taylor, Jr., and Fairy Louise Taylor, his wife, jointly during their lifetime and at the death of either, to the survivor in fee simple, parties of the second part,

WITNESSETH: that the said party of the first part, for and in consideration of the sum of TWELVE HUNDRED DOLLARS (\$1200.00) to her in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, doth give, grant, bargain, sell and convey unto the said parties of the second part, jointly during their lifetime and at the death of either, to the survivor in fee simple, with general warranty of title, all that certain lot located in the Town of Cape Charles, Northampton County, Virginia, on the Southeast corner of Washington Avenue and Strawberry Street, and being numbered with the Number 85, as shown on a certain map or plat of the Town of Cape Charles which is recorded in the Clerk's Office of Northampton County, Virginia, with a Deed from William L. Scott and wife, to William Baumann in Deed Book 41, at pages 483, 484, and 485, to which Deed and Plat reference is hereby expressly made. It being further described by metes and bounds as starting at a certain point in the North Corner thereof, said point being marked by a pin, and hereby designated as the "Point of Beginning" and running from said Point of Beginning North 88° 00' West for a distance of 40.00 feet to another point marked by a pin, thence running North 2° 00' West for a distance of 140.00 feet to another point marked by a pin, thence running South 88° 00' East for a distance of 40.00 feet to another point marked by a pin, thence running South 2° 00' West for a distance of 140.00 feet to the original Point of Beginning; a plat of said property having been made by George F. Hoggard, C. L. S., on January 15, 1971, is attached to and made a part of this

D

Deed. It being the same property conveyed to Frances E. Parsons by Deed dated February 14, 1966, from Fannie W. Parsons, and recorded in the Clerk's Office of Northampton County, Virginia, in Deed Book 155, at page 492.

Together with all the rights, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD said lot with its appurtenances aforesaid, unto the said Robert Edward Taylor, Jr., and Fairy Louise Taylor, their heirs and assigns forever.

The party of the first part covenants that she has the right to convey said lot to the said grantees; that she has done no act to encumber same; that the said grantees shall enjoy quiet possession of the premises, free from encumbrances; and that she the said party of the first part, will execute such further assurances as may be requisite.

Witness the following signature and seal.

Frances E. Parsons (SEAL)

STATE OF VIRGINIA

COUNTY OF NORTHAMPTON, to-wit:

I, Mary E. Buck, a Notary Public in and for the County in the State aforesaid, do hereby certify that Frances E. Parsons, whose name is signed to the foregoing Deed, bearing date of the 3rd day of February, 1971, has acknowledged the same before me in my County in the State aforesaid.

Given under my hand this 5th day of February, 1971.

My commission expires November 1, 1971.

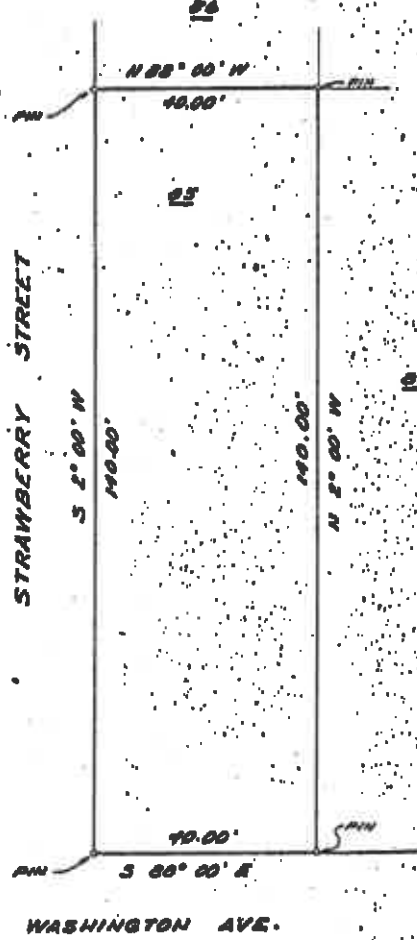


Mary E. Buck
Notary Public

BOX 167 ME 699

THIS IS TO CERTIFY THAT ON JAN 15, 1971, I SURVEYED THE PROPERTY SHOWN ON THIS PLAT, AND THE TITLE LINES AND THE WALLS OF THE BUILDINGS ARE SHOWN ON THIS PLAT. THE BUILDINGS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OF OTHER BUILDINGS EXCEPT AS SHOWN

George F. Hoogard
 GEORGE F. HOOGARD S.L.S. NO 700



PHYSICAL SURVEY

OF
 LOT 25
 MAP OF
 TOWN OF CAPE CHARLES
 NORTHAMPTON CO., VIRGINIA
 FOR
 ROBERT E. TAYLOR, JR.
 & DAIRY T. TAYLOR

CH CHEWNING, GOODWIN & HOOGARD
 ARCHITECTS - ENGINEERS - URBAN PLANNERS
 VIRGINIA BEACH, VIRGINIA
 SCALE 1" = 20 FT.

BOOK 167 PAGE 760

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 11th day of February, A. D., 1971. This deed from Frances E. Parsons to Robert Edward Taylor, Jr., et ux, was, with the certificate of acknowledgment and Plat of Survey thereof thereto annexed, received by me in my said office this day and admitted to record at 12:50 o'clock, P. M. Taxes imposed by Section 58-54(b) of the Code of Virginia have been paid in the amount of \$1.50.

Teste: Thomas H. James, Clerk

By Discontinued D'y. Clerk.

USDA-FHA
Form FHA 427-1 VA
(Rev. 10-6-70)

REAL ESTATE DEED OF TRUST FOR VIRGINIA
(INSURED LOANS TO INDIVIDUALS)

No. 58

THIS DEED, made this day, February 11, 1971
between Robert E. Taylor and Cherry E. Taylor, Husband and Wife
residing in Cape Charles, Northampton County, Virginia, whose post office address
is Cape Charles, Virginia 23110
as grantor(s), herein called "Borrower," and Leonard V. Satcher

whose residence address is Hampton County, Virginia,
as trustee, herein called "Trustee," for the benefit of the United States of America, acting through the Farmers Home
Administration, United States Department of Agriculture, as beneficiary, herein called the "Government,"

WITNESSETH THAT:

WHEREAS, Borrower is fully indebted to the Government as evidenced by one or more certain promissory note(s) or
assumption agreement(s), herein called "note" (if more than one note is described below, the word "note" as used herein
shall be construed as referring to each note singly or all notes collectively, as the context may require), said note being
executed by Borrower, being payable to the order of the Government in installments as specified therein, authorizing ac-
celeration of the entire indebtedness at the option of the Government upon any default by Borrower, and being further de-
scribed as follows:

Date of Instrument	Principal Amount	Annual Rate of Interest	Due Date of Final Installment
February 11, 1971	\$14,220.00	7 1/2 %	February 11, 2004

and

WHEREAS, the note evidences a loan to Borrower in the principal amount specified therein, made with the purpose and
intention that the Government, at any time, may assign the note and cause the payment thereof pursuant to the Consolidated
Farmers Home Administration Act of 1961, or Title V of the Housing Act of 1949; and

WHEREAS, when payment of the note is insured by the Government, it may be assigned from time to time and each holder
of the insured note, in turn, will be the insured lender; and

WHEREAS, when payment of the note is insured by the Government, the Government will execute and deliver to the insured
lender along with the note an insurance endorsement insuring the payment of all amounts payable to the insured lender in
connection with the loan; and

WHEREAS, when payment of the note is insured by the Government, the Government by agreement with the insured lender
set forth in the insurance endorsement may be entitled to a specified portion of the payments on the note, to be designated
the "annual charge"; and

WHEREAS, a condition of the insurance of payment of the note will be that the holder will waive his rights and remedies
against Borrower and any others in connection with the loan evidenced thereby, as well as any benefit of this instrument, and
will accept the benefits of such insurance in lieu thereof, and upon the Government's request will assign the note to the
Government; and

WHEREAS, it is the purpose and intent of this instrument that, among other things, at all times when the note is held by
the Government, or in the event the Government should assign this instrument without insurance of the note, this instrument shall not secure payment of
the note or attach to the debt evidenced thereby, but as to the note and such debt shall constitute an indemnity mortgage to
secure the Government against loss under its insurance endorsement by reason of any default by Borrower; Borrower does
hereby grant and assign unto trustee, with general warranty, the following property situated in the State of Virginia, County-

(See) of Northampton

Mailed to
J. H. Q.
2-18-71

1970 Dec. 11/46
I hereby acknowledge
the execution of this deed
for \$14,220.00
by Robert E. Taylor and
Cherry E. Taylor
as Borrowers
and Leonard V. Satcher
as Trustee
for the Government
Thomas H. James
Clerk

1970 Dec. 11/46
I hereby certify that
the account-
book-
note
amount of the trust
has been received
before this day
and
for \$14,220.00
Thomas H. James
Clerk

68

mailed 3-9-87

Grantee
615 Strawberry St.
Cape Charles Va.

DB 225-463

Lot 88
only

SUM 225 FALL 463

No. 173

THIS DEED, made this 9th day of February, 1987, by and between Frances Eugenia PARSONS, single, Grantor, and Robert E. TAYLOR, Jr. and Fairy L. TAYLOR, husband and wife, as tenants by the entireties with full rights of survivorship as at common law, and not as tenants in common, Grantees.

- W I T N E S S E T H -

That for and in consideration of the sum of \$1,500.00 in hand paid at and before the sealing and delivery of this deed, the receipt whereof is hereby acknowledged, the said Grantor doth grant and convey with general warranty of title and with English Covenants of title to the said Robert E. Taylor, Jr. and Fairy L. Taylor, husband and wife, as tenants by the entireties with full rights of survivorship as at common law, and not as tenants in common, Grantees, all that certain lot or parcel of land, situate on the west side of Strawberry Street in the Town of Cape Charles, Northampton County, Virginia, numbered 88, on a plat of said Town recorded with a deed from William L. Scott et ux to William Bauman et als in deed book 41, pages 483, 484 and 485, in the Clerk's Office of Northampton County, Virginia. Being the same lands conveyed to Frances Eugenia Parsons by Fannie W. Parsons by deed of gift dated February 14, 1966, of record in the Clerk's Office of Northampton County, Virginia, in deed book 155, page 492, to which reference is made.

This conveyance is made subject, however, to all easements, conditions, restrictions and reservations appearing of record which affect said property.

W. A. DICKINSON
ATTORNEY AT LAW
CAPE CHARLES, VA.

BOOK 225 PAGE 464

WITNESS the following signature and seal:

Frances Eugenia Parsons (SEAL)
Frances Eugenia Parsons

STATE OF VIRGINIA,

COUNTY OF NORTHAMPTON, to-wit:

The foregoing instrument was acknowledged before me this
19th day of February, 1987, by Frances Eugenia Parsons.

Given under my hand and official seal this 19th day of
February, 1987.

My commission expires January 7, 1991.

Carolyn S. Lewis
Notary Public



VIRGINIA:

In the Clerk's Office of the Circuit Court of Northampton County,
Va., on 24 19, 19 87, this instrument was received and upon
the certificate of acknowledgment, thereto annexed, admitted to record, at 3:15 p.m.
The tax imposed by 58.1-802 of the Code, has been paid in the amount of
\$ 1.50.

Tested: Clyde E. Gibb, Clerk
By: Patricia Murphy, Dy. Clerk

W. A. DORRISON
ATTORNEY AT LAW
CAPE CHARLES, VA.

CWF 120000054

LAST WILL AND TESTAMENT

OF

ROBERT E. TAYLOR, JR.

I, Robert E. Taylor, Jr., of Northampton County, Virginia, do hereby make, publish and declare this to be my last will and testament, hereby expressly revoking all wills and codicils heretofore made by me.

ARTICLE I

I may leave a statement or list with my Executor, or another, for the disposition of certain tangible personal property. The statement or list shall be given effect to the extent that it describes items of tangible personal property and their intended recipients with reasonable certainty and is signed by me.

ARTICLE II

I give and bequeath all of my household furnishings, personal effects, automobiles and all other tangible personal property to my brother, William T. Taylor of 22561 Parsons Circle, Cape Charles, VA and my sister, Virginia Charlotte Swindle Hurst of 1241 Ebbetts Pass, Las Vegas, NV, in equal shares. If either my brother or sister should fail to survive me, I give and bequeath his or her share of this property to the survivor.

ARTICLE III

All the rest, residue and remainder of my estate, both real and personal, of every nature and wherever situate of which I may die seized or possessed, I give, devise and bequeath to my brother, William T. Taylor and my sister, Virginia Charlotte Swindle Hurst, in equal shares. If either my brother or sister should fail to survive me, I give and bequeath his or her portion of my residuary estate to the survivor.

ARTICLE IV

I nominate my brother, William T. Taylor as Executor, with Virginia Charlotte Swindle Hurst to serve as Successor Executrix, if such be required. No surety shall be required upon the bond of any executor nominated in this will.

ARTICLE V

A. Any person who fails to survive me by 120 hours shall be deemed to have predeceased me for purposes of succession to property under this will.

B. Any taxes imposed under the laws of any jurisdiction by reason of my death, by whatever name called, upon or with respect to any property included in my estate for the purpose of such taxes, whether such property passes under or outside of this will, shall be paid by my Executor without apportionment.

C. The expenses of my last illness, the expenses of a funeral appropriate to my station in life and custom of living (including the purchase and erection of a suitable monument or marker at my grave) and my written charitable pledges shall be paid by my Executor.

D. My Executor is requested to settle my estate as soon after my death as may be practicable, and to pay or deliver every legacy or bequest to my beneficiaries without waiting any time that may be believed to be customary in probate matters.

E. As used in this will, the male gender shall include the female and the neuter, the singular shall include the plural, and vice versa.

F. In addition to the powers now or hereafter granted by law, every fiduciary serving hereunder shall have all of the powers listed in Section 64.1-57 of the Code of Virginia as it is written on the date of my death.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this, my last will and testament, written on this and one other page, on the 20th day of May, 2004.

Robert E. Taylor, Jr. (SEAL)
Robert E. Taylor, Jr.

The foregoing will was subscribed, published and declared by the Testator as and for Testator's last will and testament in our presence and we, in Testator's presence and in the presence of each other and at Testator's request, hereunto subscribe our names as attesting witnesses thereto this 20th of May, 2004.

John W. Wescoat
Witness
Bonnie Goodrich
Witness

STATE OF VIRGINIA,

COUNTY OF NORTHAMPTON, to-wit:

Before me, the undersigned authority, on this day, personally appeared John W. Wescoat, and Bonnie Goodrich, known to me to be the Testator and the witnesses, respectively, whose names are signed to the attached or foregoing instrument and, all of these persons being by me first duly sworn, the Testator declared to me and to the witnesses in my presence that said instrument is Testator's last will and testament and that Testator had willingly signed and executed it in the presence of said witnesses as Testator's free and voluntary act for the purposes therein expressed; that said witnesses stated before me that the foregoing will was executed and acknowledged by the Testator as Testator's last will and testament in the presence of said witnesses who, in Testator's presence and at Testator's request, and in the presence of each other, did subscribe their names thereto as attesting witnesses on the day and date of said will, and that the Testator, at the time of the execution of said will, was over the age of 18 years and of sound and disposing mind and memory.

Robert E. Taylor, Jr. (SEAL)
Robert E. Taylor, Jr.

John W. Wescoat
Witness
Bonnie Goodrich
Witness

SUBSCRIBED, SWORN and ACKNOWLEDGED before me by the Testator and the witnesses, this 20th day of May, 2004.

Kitty Hickman
Notary Public

My commission expires: July 31, 2006

jccclaytonell

VIRGINIA: IN THE CIRCUIT COURT OF NORTHAMPTON COUNTY

COURT FILE NO. 120000054

IN RE: ROBERT E. TAYLOR JR., Deceased

PROBATE OF WILL
NO QUALIFICATION

A paper writing purporting to be the last will and testament of Robert E. Tahylor Jr., deceased, was this day presented to the Clerk by William T. Taylor , a beneficiary or the executor, and offered for probate.

It appearing that the decedent resided at 615 Strawberry St. Cape Charles VA 23310 USA, in Northampton County, Virginia, within the jurisdiction of this Court, and died on June 24, 2012; and the paper writing dated May 20, 2004, consisting of two (2) typewritten pages, having been executed and witnessed as provided by Sec. 64.1-87.1 or 64.1-87.2, Code of Virginia, it is ESTABLISHED and ADJUDGED to the true last will and testament of Robert E. Tahylor Jr., deceased, and it is ORDERED to be recorded as such.

, the Executor named in the will declines in writing to qualify as such.

The written notice of probate and the affidavit referred to in Sec. 64.1-122.2, Code of Virginia, were given to the proponent.

Teste: TRACI L. JOHNSON, CLERK

By: Connie Wilson, Deputy Clerk
July 2, 2012

LIST OF HEIRS
COMMONWEALTH OF VIRGINIA VA. CODE § 64.1-134

Case File No.: 120000054

Northampton County Circuit Court

Taylor
Robert E. Taylor Jr.
NAME OF DECEDENT

June 24, 2012
DATE OF DEATH

I/We, the undersigned, hereby state under oath that the following are all of the heirs of the Decedent:

NAMES OF HEIRS	ADDRESSES	RELATIONSHIP	AGE
William T. Taylor	22561 Parsons Circle Cape Charles, VA 23310 USA	Brother	Adult
Virginia Charlotte Scindie Hurst	1241 Ebbetts Pass Las Vegas, NV USA	Sister	Adult

[] This LIST OF HEIRS is filed in addition to the LIST OF HEIRS previously filed with this Court on
DATE

I/we am/are (please check one):

- ☒ Proponent(s) of the will (no qualification)
☐ Personal representative(s) of the decedent's estate
☐ Heir-at-law of intestate decedent (no qualification within 30 days following death)

Given under my/our hand this second day of July, 2012
DATE

William T. Taylor
PRINTED NAME OF SUBSCRIBER

[Signature]
SIGNATURE OF SUBSCRIBER

PRINTED NAME OF SUBSCRIBER

SIGNATURE OF SUBSCRIBER

PRINTED NAME OF SUBSCRIBER

SIGNATURE OF SUBSCRIBER

State of Virginia

City/County of Northampton County, to-wit:

Subscribed and sworn to before me this second day of July, 2012 by William T. Taylor

[Signature]

[] CLERK [] DEPUTY CLERK [] NOTARY PUBLIC

My commission expires

Registration No.

VIRGINIA: In the Clerk's Office of the Northampton County Circuit Court this second day of July, 2012
the foregoing LIST OF HEIRS was filed and admitted to record.

Teste: Traci L. Johnson
CLERK

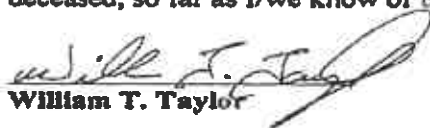
by: [Signature], Deputy Clerk

OATH

Court File No. 120000054

STATE OF VIRGINIA, COUNTY OF NORTHAMPTON, to-wit:

I, **William T. Taylor**, the proponent of the Last Will and Testament of Robert E. Tahylor Jr., deceased, do hereby solemnly swear that the writing admitted to record contains the true Last Will and Testament of the deceased, so far as I/we know or believe.



William T. Taylor

Subscribed and sworn to before me this the second day of July, 2012.


_____, Clerk/Deputy Clerk

Estate No. **CWF120000054**
Robert E. Taylor, Jr.

AFFIDAVIT OF NOTICE REGARDING ESTATE OF
(who died on 06/24/2012)

I, the undersigned, state under oath/affirm the following:
(Check the applicable block)

1. ☐ I am a personal representative of the estate of the deceased person named above.
☐ I am a proponent of the will of the deceased person named above.
☒ I am a person with an interest in the estate of the deceased person named above.
2. ☐ No notice was required to be given to any person pursuant to Va. Code § 64.1-122.2.

OR

- ☒ I mailed or delivered within 30 days of qualification (or probate) a copy of the notice required by Va. Code § 64.1-122.2 to the following persons shown below:

NAME	ADDRESS WHERE MAILED OR DELIVERED	DATE MAILED OR DELIVERED
a. Virginia Charlotte Swindle Hunt	1241 Ebbetts Pass Las Vegas, NV	07/02/2012
b.		
c.		
d.		
e.		

(Continue on other side if more space is needed)

(Check if applicable)

3. ☐ After exercising reasonable diligence, I have been unable to determine the address of the following persons to whom such notice is required:

(Check if applicable)

4. ☐ After exercising reasonable diligence, I have been unable to identify the names and addresses of the persons described below (such as a child of the deceased person) who may be an heir or beneficiary:

07/02/2012
DATE

Commonwealth/State of Virginia [] City [x] County of Northampton
Subscribed and sworn to/affirmed before me on this 2nd day of July, 2012
by William T. Taylor
PRINT NAME(S)

July 2, 2012
DATE

Connie Wilkin
[] CLERK [x] DEPUTY CLERK [] NOTARY PUBLIC
Notary Registration No. My commission expires

NOTICE: This affidavit must be recorded in the Clerk's office where the personal representative qualified or the will was probated.

VIRGINIA: In the Clerk's Office of the Northampton County
this 2nd day of July, 2012.
The foregoing Affidavit of Notice was this day admitted to record.

Tested: Traci L. Johnson, Clerk
by: Connie Wilkin, Deputy Clerk

VIRGINIA
IN THE CLERK'S OFFICE OF
NORTHAMPTON COUNTY
JULY 2, 2012 AT 10:03AM
WILLS/FIDUCIARY

INSTRUMENT #120000054 WAS RECORDED
UPON CERTIFICATION OF ACKNOWLEDGEMENT
THERE TO ANNEXED, ADMITTED TO RECORD.
THE FEE AND TAX OF \$582.19 IMPOSED
BY LAW HAVE BEEN PAID (RCPT 12000003444)
TESTE: TRACI L. JOHNSON, CLERK

RECORDED BY: CHW

CW

120002222

This instrument prepared by:
C. A. Turner, III, Esquire
Virginia State Bar #27856
P O Box 878
Eastville VA 23347

Tax Parcel ID# 008A1-01-00-085 and -088
For Identification Purposes Only

THE EXISTENCE OF TITLE INSURANCE IS UNKNOWN TO THE PREPARER.

THIS DEED OF BARGAIN AND SALE, made this 12th day of December, 2012, by and between William T. TAYLOR and Virginia Charlotte SWINDLEHURST, Grantors, and Daniel C. COFFEY and Mary B. COFFEY, husband and wife, Grantees, having an address of 7 Edmondson Avenue, Lexington, Virginia 24450.

WITNESSETH: That the Grantors, for and in consideration of the sum of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00), cash paid at and before the sealing and delivery of these presents, and other good and valuable consideration, the receipt of which is hereby acknowledged, does give, grant, bargain, sell and convey with GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE unto Daniel C. Coffey and Mary B. Coffey, husband and wife, as tenants by the entireties with full rights of survivorship as at common law, and not as tenants in common, the following described real estate, to-wit:

Parcel 1: All that certain lot located in the Town of Cape Charles, Northampton County, Virginia on the Southeast corner of Washington Avenue and Strawberry Street, and being numbered with the Number 85 as shown on a certain map or plat of the Town of Cape Charles which is recorded in the Clerk's Office of Northampton County, Virginia, with a Deed from William L. Scott and wife, to William Baumann in Deed Book 41, at pages 483, 484, and 485, to which Deed and Plat reference is hereby expressly made. It being further described by metes and bounds as starting at a certain point in the North corner thereof, said point being marked by a pin, and hereby designated as the "Point of Beginning" and running from said Point of

Beginning North 88° 00' West for a distance of 40.00 feet to another point marked by a pin, thence running North 2° 00' West for a distance of 140.00 feet to another point marked by a pin, thence running South 88° 00' East for a distance of 40.00 feet to another point marked by a pin, thence running South 2° 00' West for a distance of 140.00 feet to the original Point of Beginning; a plat of said property having been made by George F. Hoggard, C.L.S., on January 15, 1971, attached to and part of deed dated February 3, 1971 by and between Frances E. Parsons and Robert Edward Taylor, Jr. and Fairy Louise Taylor and recorded in the records of Northampton County Circuit Court Clerk's Office in Deed Book 167, page 697.

Parcel 1 being the same lot conveyed to Robert Edward Taylor, Jr. and Fairy Louise Taylor, his wife, jointly during their lifetime and at the death of either, to the survivor in fee simple, by deed dated Feb. 3, 1971 and recorded in the records of Northampton County Circuit Court Clerk's Office in Deed Book 167, page 697.

Parcel 2: All that certain lot or parcel of land, situate on the west side of Strawberry Street in the Town of Cape Charles, Northampton County, Virginia, numbered 88, on a plat of said Town recorded with a deed from William L. Scott et ux to William Bauman et als, in Deed Book 41, at pages 483, 484, and 485, in the Clerk's Office of Northampton County, Virginia.

Parcel 2 being the same lot conveyed to Robert Edward Taylor, Jr. and Fairy Louise Taylor, husband and wife, as tenants by the entireties with full rights of survivorship as at common law, by deed dated Feb. 9, 1987 and recorded in the records of Northampton County Circuit Court Clerk's Office in Deed Book 225, page 463.

Fairy Louise Taylor died in 2000, and by operation of law, title to both parcels vested in Robert Edward Taylor, Jr. Robert Edward Taylor, Jr. died June 24, 2012, and by Article III of his Last Will and Testament, probated July 2, 2012 as Instrument Number 120000054 in the Northampton County Circuit Court Clerk's Office, he devised this real estate to his brother, William T. Taylor and his sister, Virginia Charlotte SwindleHurst, in equal shares.

TOGETHER WITH the privileges and appurtenances unto said lot or parcel of land belonging or in anywise appertaining.

This conveyance is made expressly subject to all the easements, conditions, covenants, restrictions, and reservations contained in duly recorded deeds and plats and other instruments constituting constructive notice in the chain of title to the property hereby conveyed which have not expired by limitation of time or otherwise become ineffectual.

All taxes, rents and assessments for the current year are to be prorated as of the date of delivery of this deed and possession shall be immediately vested in the Grantees.

WITNESS the following signatures and seals:

William T. Taylor (SEAL)
William T. Taylor

STATE OF VIRGINIA,

COUNTY OF NORTHAMPTON, to-wit:

The foregoing instrument was acknowledged before me this 13th day of December, 2012, by William T. Taylor.

My Commission Expires:

3/31/2013

Estelle J. Murphy (SEAL)
Notary Public
Registration # 303131



Signature page to be attached to and made a part of the deed from William T. Taylor and Virginia Charlotte Swindle Hurst to Daniel C. Coffey and Mary B. Coffey.

Virginia Charlotte Swindle Hurst (SEAL)
Virginia Charlotte Swindle Hurst

STATE OF Nevada

CITY/COUNTY OF Clark to-wit:

The foregoing instrument was acknowledged before me this 12th day of December, 2012, by Virginia Charlotte Swindle Hurst.

My Commission Expires:

Aug. 16, 2014

Kristine Paul (SEAL)
Notary Public
Registration # 06-109883-1



INSTRUMENT #120002222
RECORDED IN THE CLERK'S OFFICE OF
NORTHAMPTON COUNTY ON
DECEMBER 17, 2012 AT 02:35PM
\$150.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$75.00 LOCAL: \$75.00

TRACI L. JOHNSON, CLERK
RECORDED BY: SBS

Circuit Court Deed Calculation for Northampton Circuit

Deed Type:	DBS --> DEED (BARGAIN AND SALE)
Grantor Exempt:	N
Grantee Exempt:	N
Consideration Amount:	\$150,000.00
Assume/Value Amount:	\$150,000.00
Locality Percent:	100%
Pages:	4
Names:	0
O/P:	0
Date:	12/14/2012

Fee	Amount
Clerk Recording and Indexing Fee (301)	\$ 14.50
VSLA (145)	1.50
Technology Trust Fund (106)**	5.00
State Grantee Tax (039)	375.00
Local Grantee Tax (213)	125.00
State Grantor Tax (038)	75.00
Local Grantor Tax (220/223)	75.00
Transfer Fee (212)	1.00
Virginia Outdoors Foundation (035)	1.00
Processing Fee (036)*	20.00
Copy Fee (236)	0.00
Total:	\$ 693.00

*Clerk and Deed Processing Fees do not apply to any agency of the Commonwealth of Virginia.
 **The Technology Trust Fund fee does not apply to any federal, state, or local government.

Exhibit 9B

SHORE TITLE
25020 Shore Parkway, Suite 1D
Onley VA 23418
Telephone 757-787-7050
Fax 757-787-7130
Serving both Accomack and Northampton Counties

TITLE REPORT

Date: 15 May 2023
Firm: Woolcott Rivers

Property: Lot 86, Town of Cape Charles, Northampton County
Tax Map: 083A1-01-00-0000086
Owner: Anne W. Stratton
Instrument #120002140; Deed Book 210, page 393 (Sadie Pusey died intestate, no date given);
Deed Book 203, Page 463; 202/492; Will Book 63, Page 290; Will Book 62, Page 108; Deed
Book 167/236; 155/492; Will Book 50/75; Deed Book 96/403; 78/450; 57/44 (copies of deeds
attached; wills not copied)
Searched from 28 September 1904 (from Scott Trustees) to 15 May 2023 @9:00 a.m.

Deed of Trust Liens: None found.

Covenants and Restrictions: None found.

Easements: None found.

Judgments: Owner (or predecessor): None found.

Financing Statements: None found.

Taxes:

County taxes paid through 2022. Base amount was \$1,162.80. Taxes are paid annually, with
next tax payment due 5 December 2023.

* Town taxes paid through Base amount was \$

Land value: \$153,000

Building value: \$0

NOTE: Shore Title, L.L.C., assumes no liability hereunder unless a policy or policies of title insurance are issued by Shore Title, L.L.C., and fully paid for and the insured under said policy or policies and party to this report was issued have no knowledge of any defect in title not disclosed.

* Not available at this time.

85x88 also 86x87

DB 96-403

DB 96-403

on the East by a certain roadway separating said lands from the lands of Walter F. Roberts, on the South by the Birds Nest Cross Road and on the West by the lands of Joseph T. Mayp, it being the same lot or parcel of land which was this day conveyed to the said Claude M. Gladden by Benj. W. Mears, Trustee which said deed is of record in the Clerk's Office of Northampton County, Virginia and to which said deed reference is hereby made.

IN TRUST TO SECURE unto the HOLDER, the payment of the sum of SIX HUNDRED DOLLARS (\$600.00), evidenced by bond bearing even date herewith, executed by the said Claude M. Gladden and Daisy D. Gladden and payable on demand with interest from date at 6% unto the holder thereof of order.

And to secure any bond or bonds, note or notes given in renewal of said indebtedness or any part thereof.

The amount secured by this deed of trust represents a part of the purchase price for said lot or parcel of land.

It is hereby covenanted and agreed by and between the parties aforesaid that in the execution of this trust and in the event of sale the said Trustee shall be governed by the Statute Laws of Virginia now in force except that the time, terms and place of sale shall be such as the said Trustee shall deem best for the interest of all parties then concerned. In the event of sale the said Trustee shall be entitled to 5% commissions on the gross sales.

Insurance required \$750.00.

WITNESS the following signatures and seals.

CLAUDE M. GLADDEN (SEAL)

DAISY D. GLADDEN (SEAL)

State of Virginia,
County of Northampton, to-wit:

I, Mary Frances Wilson, a Notary Public in and for the County of Northampton, in the State of Virginia, do hereby certify that Claude M. Gladden and Daisy D. Gladden whose names are signed to the writing above, bearing date on the 21st day of August, A. D. 1937, have acknowledged same before me in my County and State aforesaid.

My commission expires, May 18, 1939.

Given under my hand this 23rd day of September, 1937.

MARY FRANCES WILSON
Notary Public.

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 24th day of September, A. D., 1937. This Deed from Claude M. Gladden, et ux to Benj. W. Mears, Tr., was, with the certificate of acknowledgments thereon thereto annexed, received by me in my said office this day and admitted to record at 11:15 o'clock A.M.

Tested and sworn to, Clerk.

Otto Lowe, Spl. Com'r.
TO: DEED B. & S.
J. R. PARSONS

This DEED made this 25th day of September, A. D., 1937 between Otto Lowe, Special Commissioner, party of the first part, and J. R. Parsons, party of the second part, both of the Town of Cape Charles, Northampton County, Virginia:

WITNESSETH, that whereas on the 18th day of July, 1937, it was decreed by the

I hereby acknowledge that the above described land was secured by the appeal in case of trust as above fully paid, and released as to the on the 11th day of September 1937
H. E. Wilson, Notary
by *[Signature]*
Attorney
Tested and sworn to, Clerk.

Virginia
W. E. Wilson
Notary
Sept. 24, 1937
H. E. Wilson, Notary
by *[Signature]*
Attorney
Tested and sworn to, Clerk.

No. 476
Documentary
Stamps, \$1.50
Cancelled.
Verified
signed to
J. R. Parsons
4-28-38

Lot 85, 86, 87 & 88

Circuit Court of Northampton County, Virginia, in a certain chancery suit then depending in said Court under the short style of Farmers & Merchants Trust Bank, of Cape Charles, Virginia, a Banking Corporation v. Elise L. E. Fletcher et als, that the said Otto Lowe, who was thereby appointed Special Commissioner for the purpose, should, at public auction after due advertisement and upon terms set forth in said decree, make sale of the hereinafter described lots, pieces or parcels of land; and,

WHEREAS, the said Otto Lowe, Special Commissioner as aforesaid, in pursuance of said decretal order, did, on the 14th day of August, 1937, offer for sale at public auction the lots, pieces or parcels of land aforesaid, at which sale the said J. R. Parsons, he being the highest bidder for same, to-wit, the sum of Ten Hundred and Twenty-five (\$1025.00) Dollars; and

WHEREAS, the said sale was ratified and confirmed by order of the said Court dated September 15, 1937, and the said Commissioner was authorized and directed to accept payment of all of the said purchase money, and upon the said payment, to execute and deliver to the said J. R. Parsons a special warranty deed for said property; and

WHEREAS, in pursuance of the statute in such cases made and provided, the names of the parties on whose behalf this conveyance is made are set out, to-wit: E. D. L. Fletcher and J. Warren Topping.

NOW, THEREFORE, in consideration of the above premises and the sum of Ten Hundred and Twenty-five Dollars (\$1025.00), cash in hand paid by the said J. R. Parsons, at and before the executing and delivery of this deed, the receipt whereof is hereby acknowledged, the said Otto Lowe, Special Commissioner as aforesaid, in pursuance of the said decretal order and in order to carry into effect the said sale, doth grant and convey unto the said J. R. Parsons, with special warranty of title, the following described real estate, to-wit: All those certain lots, pieces or parcels of land numbered with the numbers Eighty-five (85) Eighty-six (86), Eighty-seven (87), Eighty-eight (88), and One Hundred and Ninety-two (192), situate in the Town of Cape Charles, Northampton County, Virginia, in the section of the Town commonly known as "Jersey", according to a map or plat of said town now of record in the Clerk's Office of said County, filed and recorded with a deed of bargain and sale from William L. Scott and wife to William Baumann, in deed book 41, pages 483, 484 and 485, whereunto reference is hereby made. Together with the improvements thereon and the privileges and appurtenances thereunto belonging or in anywise appertaining.

WITNESS the following signature and seal this the 25th day of September, 1937.

OTTO LOWE (SEAL)
Special Commissioner.

STATE OF VIRGINIA,

County of Northampton, to-wit:

I, Doris M. Roberts, a notary public in and for the County of Northampton, in the State of Virginia, do hereby certify that Otto Lowe, Special Commissioner, whose name is signed to the foregoing writing bearing date of September 25, 1937, has this day acknowledged the same before me in my said County and State.

My commission expires April 17, 1941.

Given under my hand this the 25th day of September, 1937.

DORIS M. ROBERTS
Notary Public.

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 25th day of September, A. D., 1937. This deed from Otto Lowe, Sp'l. Com'r. to J. R. Parsons, was, with the certificate of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record at 9:00 o'clock A.M.

Teste: *J. R. Parsons* Clerk.

Otto Lowe, Sp'l. Com'r.

TO DEED B. & S.

J. R. Parsons

This DEED made this 25th day of September, A. D. 1937, between Otto Lowe, Special Commissioner, party of the first part, and J. R. Parsons, party of the second part, both of the Town of Cape Charles, County of Northampton, Virginia:

WITNESSETH: that whereas on the 18th day of July, 1937, it was decreed by the Circuit Court of Northampton County, Virginia, in a certain chancery suit then depending in said Court under the short style of R. Fulton Powell v. Swift & Company et als, that the said Otto Lowe, who was thereby appointed Special Commissioner for the purpose, should, at public auction, after due advertisement and upon terms set forth in said decree, make sale of the hereinafter described lot, piece or parcel of land; and

WHEREAS, the said Otto Lowe, Special Commissioner as aforesaid, in pursuance of said decretal order, did, on the 14th day of August, 1937, offer for sale at public auction the lot, piece or parcel of land aforesaid, at which sale the said lot, piece or parcel of land was struck off to the said J. R. Parsons, he being the highest bidder for same, to-wit: the sum of Six Hundred and Fifty Dollars (\$650.00); and

WHEREAS, the said sale was ratified and confirmed by order of the said Court dated September 13, 1937, and the said Commissioner was authorized and directed to accept payment of all of the said purchase money, and upon the said payment, to execute and deliver to the said J. R. Parsons a special warranty deed for said property; and

WHEREAS, in pursuance of the statute in such cases made and provided, the names of the parties on whose behalf this conveyance is made are here set out, to-wit: G. D. Horner and T. W. Horner,

NOW, THEREFORE, in consideration of the above premises and the sum of Six Hundred and Fifty Dollars (\$650.00), cash in hand paid by the said J. R. Parsons, at and before the sealing and delivery of this deed, the receipt whereof is hereby acknowledged, the said Otto Lowe, Special Commissioner as aforesaid, in pursuance of the said decretal order and in order to carry into effect the said sale, doth grant and convey unto the said J. R. Parsons, with special warranty of title, the following described real estate situate in the Town of Cape Charles, Northampton County, Virginia, to-wit: All that certain lot known as the "Flour Mill Property", situate in said Town of Cape Charles, Northampton County, Virginia, beginning at a point in the north line of the N. Y. P. & N. Railroad Company's property, said point being north forty-seven degrees, fifty-four minutes east, two hundred and three and sixteen one hundredths feet from the intersection of the east line of Fig Street and the north line of said Railroad Company's property; thence north seventy-seven degrees and fifty-four minutes east, along the north line of said Railroad Company's property, eighty feet; thence

No. 477
Documentary
Stamp, \$1.00
Cancelled.

J. R. Parsons
9-25-37

and 155 492

Mailed to
Chas. P. Hutton
2-22-66

No. 166

THIS DEED OF GIFT, made this 14th day of February, 1966,
by and between Fannie Willis Parsons, widow, party of the first
part, and Frances Eugenia Parsons, party of the second part,

WITNESSETH, that the said party of the first part, for
and in consideration of her natural love and affection for her
said daughter Frances Eugenia Parsons, doth give, grant, bargain,
sell and convey unto the said party of the second part, her heirs
and assigns forever, with general warranty of title, the following
described property, to-wit:

(1) All those certain lots with the buildings and im-
provements thereon, located in the Town of Cape Charles, Northampton,
County, Virginia, and being numbered with the Numbers 82, 83, 85,
86, 87, 88, 192, and part of lots No 617, No. 620, and No. 621, and
for a more accurate description of said lots, reference is expressly
made to a Plat of the Town of Cape Charles, Virginia, recorded in
the Clerk's Office of Northampton County, Virginia, in Deed Book
41, at page 484.

(2) All that certain piece or parcel of land situate,
lying and being in the Village of Townsend, Northampton County,
Virginia, abutting thirty-five feet (35 ft.) front on the main
Seaside county road and extending back in parallel straight lines
eighty-five feet (85 ft.), and the same being commonly known as the
"Townsend Bank property", which was conveyed to J. R. Parsons by
Deed dated December 31, 1937, from the Arlington Hotel Corporation,
and being recorded in Deed Book 97, page 29.

All of these said lots having been devised to the said
Fannie Willis Parsons under the Will of John Russell Parsons, her
deceased husband, and which Will is recorded in the Clerk's Office
of Northampton County, Virginia, in Will Book 90, at page 15.

Together with all the rights, privileges and appurtenances

lots
86487

thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD said property with its appurtenances aforesaid, unto the said Frances Eugenia Parsons, her heirs and assigns forever.

The party of the first part covenants that she has the right to convey said lots to the said grantee; that she has done no act to encumber the same; that the said grantee shall enjoy quiet possession of the premises free from encumbrances; and that she, the party of the first part will execute such further assurances as may be requisite.

WITNESS the following signature and seal.

Fannie W. Parsons (SEAL)

STATE OF VIRGINIA

COUNTY OF NORTHAMPTON, to-wit:

I, Pauline E. Rogers, a notary public in and for the County and State aforesaid, do hereby certify that Fannie Willis Parsons, whose name is signed to the foregoing Deed of Gift bearing date of the 14th day of February, 1966, has acknowledged the same before me in my County and State aforesaid.

Given under my hand this 14th day of February, 1966.

My commission expires Oct 13 1967.

Pauline E. Rogers
Notary Public

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 14th day of February, A.D., 1966. This deed from Fannie W. Parsons to Frances Eugenia Parsons was, with the certificate of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record at 2:35 o'clock, P. M.

Teste: Thomas H. James, Clerk

By Thomas H. James D'y. Clerk.

Lot 86

BOX 167 BOX 236

mailed by
G. W. H. H. H.
11-5-70

No. 561

THIS DEED, made this 23rd day of October, 1970, by and between Frances E. Parsons, single, party of the first part, and William E. Lambertson, party of the second part,

WITNESSETH: that the said party of the first part, for and in consideration of the sum of TWELVE HUNDRED DOLLARS (\$1200.00) to her in hand paid before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, doth give, grant, bargain, sell and convey unto the said party of the second part, his heirs and assigns forever, with general warranty of title, all that certain lot located in the Town of Cape Charles, Northampton County, Virginia, on the Northeast corner of Jefferson Avenue and Strawberry Street, and being numbered with the Number 86, as shown on a certain map or plat of the Town of Cape Charles which is recorded in the Clerk's Office of Northampton County, Virginia, with a Deed from William L. Scott and wife, to William Baumann in Deed Book 41, at pages 483, 484, and 485, to which Deed and Plat reference is hereby expressly made. It being the same lot conveyed to the said Frances E. Parsons by Deed from Fannie W. Parsons, dated February 14, 1966, which is recorded in the Clerk's Office of Northampton County, Virginia.

Together with all the rights, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD said lot with its appurtenances aforesaid, unto the said William E. Lambertson, his heirs and assigns forever.

The party of the first part covenants that she has the right to convey said lot to the said grantee; that she has done no act to encumber the same; that the said grantee shall enjoy quiet possession of the premises, free from encumbrances; and that she, the said party of the first part, will execute such further assurances as may be requisite.

Witness the following signature and seal.

Frances E. Parsons (SEAL)

STATE OF VIRGINIA

COUNTY OF NORTHAMPTON, to-wit:

I, Wm. J. Elliott, a Notary Public in and for the County in the State aforesaid, do hereby certify that Frances E. Parsons, whose name is signed to the foregoing Deed, bearing the date of the 23rd day of October, 1970, has acknowledged the same before me in my County and State aforesaid.

Given under my hand this 24th day of Oct., 1970.

My commission expires Oct. 10, 1972.

Wm. J. Elliott Notary Public

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 26th day of October, A. D., 1970. This deed from Frances E. Parsons to William E. Lambertson was, with the certificate of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record at 3:30 o'clock, P. M. Taxes imposed by Section 58-54(b) of the Code of Virginia have been paid in the amount of \$1.50.

Teste: Thomas H. James, Clerk

Thomas H. James D'y. Clerk.

No. 562

THIS DEED, made this 21st day of September, 1970, between Edwina N. Covington and Howard Julian Covington, her husband, parties of the first part, and Doris R. Tyler, party of the second part.

WITNESSETH: That for and in consideration of the sum of Two Thousand Three Hundred Dollars (\$2,300.00), cash in hand paid at and before the sealing and delivery of these presents, the receipt thereof being hereby acknowledged, the said Edwina N. Covington and Howard Julian Covington, her husband, do hereby grant and convey, with general warranty of title and with English covenants of title, unto the said Doris R. Tyler, her heirs or assigns forever, all their right, title, interest and equities, same being an undivided one-third interest in and to the following described real estate, to-wit:

All that certain tract or parcel of land with the buildings and improvements thereon, containing by estimation Seven Acres (7 A.), more or less, bounded on the North and West by other lands of the grantee herein; on the East by the lands now or

Made to
H-5-70

See
Parcel #5
Plot 86

the W. B. Wilson Home Property situate on the East side of Fig Street, between Tazewell and Monroe Avenue Extended, subject, however, to an area of Seven and One-half Feet (7 1/2 ft.) along the northerly boundary of said tract of land having been previously dedicated as an alley. It being the same property conveyed to William E. Lambertson and Leonie C. Lambertson, his wife, jointly during their lifetime and at the death of either to the survivor in fee simple, by Guy L. Webster, et ux by deed dated May 1, 1957, and of record in the Clerk's Office of the Circuit Court of Northampton County, Virginia, in Deed Book 135, page 274, and which said property became vested in Leonie C. Lambertson upon the death of her husband, William E. Lambertson, on October 19, 1976.

2. All that certain lot or parcel of land situate and abutting on the south side of Tazewell Avenue between Plum and Nectarine Streets, in the said Town of Cape Charles, in the County and State aforesaid, and numbered with the number 460, of said Town, according to a map or plat thereof, now of record in the Clerk's Office of the Circuit Court for said county of Northampton, and bounded on the North, by said Tazewell Avenue; on the East, by the land formerly owned by Issac J. Reid; on the South, by an alley-way, and on the West, by the land now or formerly owned by Ernest C. Young. It being the same land which was conveyed to Jennings W. Waples by Harry E. Murray, et ux by deed dated October 27, 1902, and of record in the Clerk's Office in Deed Book 53, page 164 and being one and the same property conveyed to William E. Lambertson by Jennings W. Waples, et ux by deed dated September 27, 1928, and of record in the aforesaid Clerk's Office in Deed Book 86, page 339, and to which reference is hereby made.

3. All that certain lot or parcel of land situated in the Town of Cape Charles, Northampton County, Virginia, in the section known as "The Sea Cottage Addition" and described and designated as the lot numbered with the letter "F" on the plan of lots owned by the Cape Charles Real Estate Corporation, a map or plat of which said plan of lots is attached to and made a part of the deed from the Cape Charles Real Estate Corporation to Carlisle L. Nottingham dated December 23, 1919, and duly recorded in the Clerk's Office of Northampton County, Virginia, in Deed Book 76, page 240,

to which said deed and plat reference is hereby made for fuller and further description of the said lot hereby conveyed; together with the privileges and appurtenances unto the said land belonging or in anywise appertaining. The lot hereby conveyed is the same lot that was conveyed to Florence W. Stevenson by deed from the Cape Charles Real Estate Corporation dated August 23, 1920, and recorded on August 30, 1920, in Deed Book 77, at page 131 in the Clerk's Office of Northampton County, Virginia, and further it being one and the same property conveyed to W. E. Lambertson by Florence W. Stevenson by deed dated December 12, 1932, and of record in Deed Book 125, page 169, to which reference is hereby made.

4. All that certain lot or parcel of land, situate in the Town of Cape Charles, County of Northampton and State of Virginia, and bounded and described as follows: Being lot No. 95 in the Town of Cape Charles, a map or plat of which said Town of Cape Charles is of record in the Clerk's Office of Northampton County with a deed from William L. Scott and wife to William Bauman in Deed Book 41, pages 483-484-485, to which plat reference is hereby made. It being the same parcel of land conveyed to Alice L. Lewis by Matthew H. Taylor and Charles Strong, surviving Trustees under the Last Will and Testament of William L. Scott, by deed dated August 12, 1921, and of record in Deed Book 78, page 339 and it being one and the same property conveyed to William E. Lambertson by Alice Lewis Rayfield, et vir by deed dated December 4, 1931, and of record in Deed Book 89, page 509, to which reference is hereby made.

5. All that certain lot located in the Town of Cape Charles, Northampton County, Virginia; on the Northeast corner of Jefferson Avenue and Strawberry Street, and being numbered with the Number 86, as shown on a certain map or plat of the Town of Cape Charles recorded in the Clerk's Office of Northampton County, Virginia, with a Deed from William L. Scott and wife, to William Bauman in Deed Book 41, at pages 483, 484, and 485, to which Deed and Plat reference is hereby expressly made. It being the same lot conveyed

Lot 86

to the said Frances E. Parsons by Deed from Fannie W. Parsons, dated February 14, 1966, of record in the Clerk's Office of Northampton County, Virginia, and further it being one and the same property conveyed to William E. Lambertson by Frances E. Parsons, single, by deed dated October 23, 1970, and of record in Deed Book 167, page 236, to which reference is hereby made.

6. All that certain lot or parcel of land, together with the dwelling house and improvements thereon, situated on the West side of Peach Street in the Town of Cape Charles, Virginia, and designated with the letter "B" on the plat attached to and made a part of the deed from W. A. Dickinson, et ux, dated September 9, 1949, and recorded in Deed Book 116, page 387, and being a portion of lots numbered 72 and 73 as shown on a map or plat of the Town of Cape Charles, Virginia, of record in the Clerk's Office of the Circuit Court of Northampton County, Virginia, with a deed from William L. Scott, et ux to William Bauman, in Deed Book 41 at pages 483, et seq., unto which reference is made; and being a portion of the same lots conveyed by N. R. Steelman, et ux to W. A. Dickinson by deed bearing date of May 29, 1946, of record in the aforesaid Clerk's Office. Further it being one and the same property conveyed to Leonis E. Lambertson by W. A. Dickinson and Naomi D. Dickinson by deed dated September 9, 1949, and of record in Deed Book 116, page 387, to which reference is hereby made.

William E. Lambertson died testate on October 19, 1976, and his will is duly recorded in Will Book 62, page 108, and after certain specific bequests and devises, by Article III, he provided as follows: "All the rest, residue and remainder of my property, real and personal, tangible and intangible, wheresoever situated and howsoever held, I give, devise and bequeath to my wife, Leonis C. Lambertson."

Leonis C. Lambertson died testate on July 15, 1980, and by her Last Will and Testament dated February 1, 1967, and probated on October 3, 1980, and of record in Will Book 63, page 290, devised all of her property in equal shares to her three children,

Samuel E. Lambertson, Gloria L. Brown and Sadie L. Pusey.

It is the purpose and intention of this deed to convey to Gloria L. Brown and Sadie L. Pusey all right, title, interest and equities of Samuel E. Lambertson in the above described real estate which was devised to him by the Last Will and Testament of his mother, Leonis C. Lambertson.

This conveyance is made expressly subject to all legal highways, alley ways, railroad crossings, drainage rights, easements, conditions, occupancies, tenancies and encroachments that may appear either of record or be discovered by a personal inspection of the premises, and further subject to all rights of all parties in possession, to all taxes and assessments not yet due and payable, to easements, covenants, restrictions and other encumbrances of record, if any, and all zoning and building laws and ordinances.

Grantees shall receive immediate possession of the above described real estate subject to existing tenancies and shall be responsible for all real estate taxes, assessments and other charges against said real estate.

Together with all the privileges and appurtenances to said real estate belonging or in anywise appertaining.

To have and to hold said real estate unto the said Gloria L. Brown and Sadie L. Pusey as tenants in common and in equal shares, their heirs and assigns forever.

WITNESS the following signatures and seals.

Samuel E. Lambertson (SEAL)
Samuel E. Lambertson

Doris S. Lambertson (SEAL)
Doris S. Lambertson

STATE OF VIRGINIA,

County of Northampton, to-wit:

The foregoing instrument was acknowledged before me this 22-day of November, 1980, by Samuel E. Lambertson.

My commission expires: November 8, 1983.

May S. Dillard
Notary Public

STATE OF VIRGINIA,

County of Northampton, to-wit:

The foregoing instrument was acknowledged before me this

28th day of November, 1980, by Doris S. Lambertson.

My commission expires: November 8, 1983.

Mary Sullivan
Notary Public

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 28th day of November, A. D., 1980. This deed from Samuel E. Lambertson, et ux, to Gloria L. Brown, et al, was, with the certificates of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record at 12:10 o'clock, P. M. Taxes imposed by Section 58-54.1 of the Code of Virginia have been paid in the amount of \$20.00.

Teste: Clyde E. Hobbs Clerk.

No. 840

THIS DEED made this 22nd day of October, 1980, by and between Samuel T. Taylor, III, and Georgie D. Taylor, his wife, parties of the first part and Billy J. Edmonson and Lorraine P. Edmonson, his wife, parties of the second part.

WITNESSETH: That for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, cash in hand paid at and before the delivery of these presents, the receipt whereof being hereby acknowledged, the said Samuel T. Taylor, III, and Georgie D. Taylor, his wife, do hereby grant and convey, with General Warranty of title and English Covenants of title unto the said Billy J. Edmonson and Lorraine P. Edmonson, his wife, as tenants by the entireties with right of survivorship as at common law, the following described real estate, to-wit:

All that certain lot or parcel of real estate, situate in or near the Village of Willis Wharf, Franktown Magisterial District, Northampton County, Virginia, together with the buildings and improvements thereon and bounded generally on the North by Virginia State Route 603 leading from the Town of Exmore to the Village of Willis Wharf; on the West and South by the lands of Martha M. Walker and William E. Walker, II, and on the East by the land of Milton T. Nickman, Jr.

Book 202
Page 497
10-2-81

DB 203-463

BOOK 203 PAGE 403

No. 210

THIS DEED, made this the 13th day of March, 1981, between Gloria L. Brown, unmarried, party of the first part, and Sadie L. Pusey, of Cape Charles, Northampton County, Virginia, party of the second part,

WITNESSETH: That for Ten Dollars (\$10.00) and other good and valuable consideration, the said Gloria L. Brown does hereby give, grant, bargain, sell and convey, with general warranty of title, in fee simple, unto Sadie L. Pusey, all of her right, title and interest, same being a one-half undivided interest in and to the following described lot, piece or parcel of real estate:

All that certain lot, piece or parcel of real estate, situated in the town of Cape Charles, Northampton, Virginia, described as Lot 86, on a certain plat of survey now of record in the Clerk's Office for the County of Northampton as a part of a certain deed from William L. Scott et ux to William Braunen, Deed Book 41, pages 483, 484 and 485. This is a parcel of real estate of which Leonie G. Lamberton died seized and possessed, and by her will, probated October 3, 1980, in Will Book 63, at page 290, devised said parcel unto her three children, Samuel E. Lamberton, Gloria L. Brown and Sadie L. Pusey. The said Samuel E. Lamberton, by deed dated November 18, 1980, Deed Book 202, at page 492, in Paragraph 5 thereof, conveyed his interest in said parcel unto the said Gloria L. Brown and Sadie L. Pusey.

Taxes to be pre-rated as of the date of delivery of this deed. Possession to be given upon delivery of this deed.

Witness the following signature and seal.

Gloria L. Brown (SEAL)
Gloria L. Brown

State of Virginia,

County of Northampton, to-wit:

The foregoing instrument was acknowledged before me this 19th day of March, 1981, by Gloria L. Brown.

My commission expires February 14, 1982.

Charles L. Linn
Notary Public

Slapp & Slapp
Attorneys at Law
Keller, Va.



only
1/2 interest!

Lot 86

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 14th day of April, A. D., 1981. This deed from Gloria L. Brown to Sadie L. Pusey was, with the certificate of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record at 12:30 o'clock, P. M. Taxes imposed by Section 58-54.1 of the Code of Virginia have been paid in the amount of \$3.50.

Teste: Clyde E. Gibb, Clerk

By [Signature] D'y. Clerk

No. 211

THIS DEED, made this 19th day of March, 1981, by and between Warren M. Cobb, Jr. and Betty M. Cobb, his wife, Jacqueline Cobb Meyer and Allyn M. Meyer, Jr., her husband, and Verna R. Cobb, widow, Grantors, and John Worling, Grantee.

- W I T N E S S E T H -

That for and in consideration of the sum of \$3,200.00 in hand paid at and before the sealing and delivery of this deed, the receipt whereof is hereby acknowledged, the said Grantors do grant and convey with general warranty of title and with English covenants of title to the said John Worling, Grantee, all that certain lot or parcel of land located near Oyster, Northampton County, Virginia, described by notes and bounds as follows:

Beginning at a pipe at the southwestern corner of said lot or parcel of land herein described as shown on a certain plat of survey of the Williams Farm or "Shirley Farm" made by G. H. Badger, Jr., C.S., and recorded in the Clerk's Office of the Circuit Court of Northampton County in plat book 8, at page 84, reference to said plat being hereby made for a more complete description, and thence from said beginning running N 25° 40' E a distance of 60 1/2 feet to a point, thence turning and running S 64° 20' E a distance of 379 1/2 feet to a point, thence turning and running S 32° 15' W a distance of 171.3 feet to a point, and thence turning and running N 46° 45' W a distance of 372.3' to the point of beginning.

Said lot or parcel of land contains one acre (1 A), more or less, and is conveyed in gross and not by acreage. This is the

86 + 87

BOOK 210 PAGE 393

No. 792

THIS DEED, made this 11th day of October, 1983, by and between G. Keith Pusey and Gail P. Pusey, his wife, Wendy P. May and James W. May, Jr., her husband, and Donna P. Park and Robert A. Park, her husband, Grantors, and V. Wayne Downing and Cheryl M. Downing, husband and wife, as tenants by the entirety with the right of survivorship as at common law, Grantees.

- W I T N E S S E T H -

That for and in consideration of the sum of \$35,000.00 in hand paid at and before the sealing and delivery of this deed, the receipt whereof is hereby acknowledged, the said Grantors grant and convey with general warranty of title and with English covenants of title to the said V. Wayne Downing and Cheryl M. Downing, husband and wife, as tenants by the entirety with the right of survivorship as at common law, Grantees, all those certain four (4) lots with the buildings and improvements thereon in the Town of Cape Charles, Virginia, known and numbered with the numbers 90, 91, 86 and 87 on the map or plat of said Town, of record in the Clerk's Office of Northampton County, Virginia, recorded with a deed of bargain and sale from William L. Scott et ux to William Bauman in deed book 41, pages 483, 484 and 485. Being the same lots 90 and 91 conveyed by Trustees of William L. Scott estate to Wendell A. Pusey by deed dated September 24, 1946, of record in the Clerk's Office of Northampton County, Virginia, in deed book 110, page 368, to which reference is made. These lots are subject to the opening of an alley sixteen feet wide from Pine to Strawberry Street. Being the same lot 86 conveyed by Gloria L. Brown to Sadie L. Pusey by deed dated March 13, 1981, of record in the aforesaid Clerk's Office in deed book 203, page 463, to which reference is made. Also being the same lot 87 conveyed by Frances E. Parsons to Sadie L. Pusey by deed dated October 23, 1970, of record in the aforesaid Clerk's Office in deed book 167, page 234, to which reference is made.

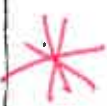
Wendell A. Pusey died intestate, survived by his widow, Sadie L. Pusey and three children, G. Keith Pusey, Wendy P. May and Donna P. Park.

Sadie L. Pusey died intestate, survived by her three children, G. Keith Pusey, Wendy P. May and Donna P. Park, as her sole heirs at law.

To have and to hold the above described lots or parcels of land, together with the buildings and privileges and appurtenances thereunto belonging or in anywise appertaining, unto the said

Lots
86+87

Noted to
Shirley
Happ
Cape Charles
Va. 23060



W. A. DOWNING

NOV 210 NOV 395

My commission expires January 22, 1927



Clyde E. Gibb
Notary Public

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 21st day of October, A. D., 1923. This deed from G. Keith Fussy, et ux, et als, to V. Wayne Downing, et ux, was, with the certificates of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record at 3:00 o'clock, P. M. Taxes imposed by Section 58-54.1 of the Code of Virginia have been paid in the amount of \$35.00.

W. A. DOWNING
ATTORNEY AT LAW
CAPE CHARLES, VA.

Teste: Clyde E. Gibb, Clerk

-3-

No. 793

THIS DEED, made this 21st day of October, 1923, by and between Franklin S. Baines and Lillie R. Baines, husband and wife, hereinafter referred to as Grantors, and Lillie R. Baines, hereinafter referred to as Grantee, provides:

THAT for One Dollar (\$1.00) and other valuable consideration, as provided for in that certain Property Settlement Agreement entered into by the parties hereto on the 17th day of November, 1921, the Grantors do hereby grant and convey, with General Warranty and English Covenants of Title unto the said Lillie R. Baines, Grantee, her heirs and assigns forever, all of their right, title and interest in and to the following described lots or parcels of real estate, to-wit:

Parcel 1. All that certain lot or parcel of land, situate in Treherneville, near Birdsnest, Northampton County, Virginia, bounded on the North by lands now or formerly of William M. Wilson; on the East by Parcel 2 below described; on the South by a 15 foot outlet separating said Wilson lands from lands now or formerly of Bessie Cherry; and on the West by lands now or formerly of Edward Johnson; and being more particularly described as beginning at a Point on the line separating the property hereby conveyed from that of the said James Edward Johnson; thence running in an Easterly direction a distance of 75 feet; thence running in a Northerly direction a distance of 100 feet; thence running in a Westerly direction a distance of 75 feet; and thence running in a Southerly direction a distance of 100 feet to the

Sealed to -
Master
P.O. No. 22
Bibb, Jr.
22207

1A-21-23

#120002140

This instrument prepared by:
C. A. Turner, III, Esquire
Virginia State Bar #27856
P O Box 878
Eastville VA 23347

Tax Parcel ID# 083A1-01-00-086 and -087
For Identification Purposes Only

THE EXISTENCE OF TITLE INSURANCE IS UNKNOWN TO THE PREPARER.

THIS DEED OF BARGAIN AND SALE, made this 29th day of November, 2012, by and between V. Wayne DOWNING and Cheryl M. DOWNING, husband and wife, Grantors, and Anne W. STRATTON, Grantee, having an address of 9605 University Boulevard, Richmond, Virginia 23229-6542.

WITNESSETH: That the Grantors, for and in consideration of the sum of SIXTY THOUSAND DOLLARS (\$60,000.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do give, grant, bargain, sell and convey with GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE unto the Grantee, her heirs and assigns forever, the following described real estate, to-wit:

All those two certain lots in the Town of Cape Charles, Virginia, known and numbered with the number 86 and 87 on the map or plat of said Town, of record in the Clerk's Office of Northampton County, Virginia, recorded with a deed of bargain and sale from William L. Scott, et ux, to William Bauman in deed book 41, pages 483, 484 and 485.

It being two of four lots conveyed to V. Wayne Downing and Cheryl M. Downing, husband and wife, from G. Keith Pusey and Gail P. Pusey, his wife, Wendy P. May and James W. May, Jr., her husband, and Donna P. Park and Robert A. Park, her husband, by deed dated October 11, 1983, recorded October 21, 1983, in the aforesaid Clerk's Office in Deed Book 210 at page 393.

TOGETHER WITH the privileges and appurtenances unto said lot or parcel of land belonging or in anywise appertaining.

This conveyance is made expressly subject to all the easements, conditions, covenants, restrictions, and reservations contained in duly recorded deeds and plats and other instruments constituting constructive notice in the chain of title to the property hereby conveyed which have not expired by limitation of time or otherwise become ineffectual.

All taxes, rents and assessments for the current year are to be prorated as of the date of delivery of this deed and possession shall be immediately vested in the Grantee.

WITNESS the following signatures and seals:

V. Wayne Downing (SEAL)
V. Wayne Downing

Cheryl M. Downing (SEAL)
Cheryl M. Downing

STATE OF VIRGINIA,

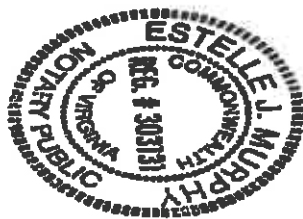
COUNTY OF NORTHAMPTON, to-wit:

The foregoing instrument was acknowledged before me this 3rd day of December, 2012, by V. Wayne Downing and Cheryl M. Downing.

My Commission Expires:

3/31/2013

Estelle J. Murphy (SEAL)
Notary Public
Registration # 303131



INSTRUMENT #120002140
RECORDED IN THE CLERK'S OFFICE OF
NORTHAMPTON COUNTY ON
DECEMBER 3, 2012 AT 04:25PM
\$60.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$30.00 LOCAL: \$30.00

TRACI L. JOHNSON, CLERK
RECORDED BY: SBS

Exhibit 9C

SHORE TITLE
25020 Shore Parkway, Suite 1D
Onley VA 23418
Telephone 757-787-7050
Fax 757-787-7130
Serving both Accomack and Northampton Counties

TITLE REPORT

Date: 15 May 2023
Firm: Woolcott Rivers

Property: Lot 87, Town of Cape Charles, Northampton County
Tax Map: 083A1-01-00-0000087
Owner: Anne W. Stratton
Instrument #120002140; Deed Book 210, page 393 (Sadie Pusey died intestate, no date given);
Deed Book 167, Page 234; 155/492; Will Book 50/75; Deed Book 96/403; 78/450; 57/47 (copies
of deeds attached; wills not copied)
Searched from 7 April 1905 (from Scott Trustees) to 15 May 2023 @9:00 a.m.

Deed of Trust Liens: None found.

Covenants and Restrictions: None found.

Easements: None found.

Judgments: Owner (or predecessor): None found.

Financing Statements: None found.

Taxes:

County taxes paid through 2022. Base amount was \$1,162.80. Taxes are paid annually, with
next tax payment due 5 December 2023.

* Town taxes paid through . Base amount was \$.

Land value: \$153,000

Building value: \$0

* Not available at this time.

NOTE: Shore Title, L.L.C., assumes no liability hereunder unless a policy or policies of title insurance are issued by Shore Title, L.L.C., and fully paid for and the insured under said policy or policies and party to this report was issued have no knowledge of any defect in title not disclosed.

Circuit Court Deed Calculation for Northampton Circuit

Deed Type:	DBS --> DEED (BARGAIN AND SALE)
Grantor Exempt:	N
Grantee Exempt:	N
Consideration Amount:	\$60,000.00 <i>This is an arms length transaction</i>
Assume/Value Amount:	\$0.00
Locality Percent:	100%
Pages:	2
Names:	3
O/P:	0
Date:	12/3/2012

Fee	Amount
Clerk Recording and Indexing Fee (301)	\$ 14.50
VSLA (145)	1.50
Technology Trust Fund (106)**	5.00
State Grantee Tax (039)	150.00
Local Grantee Tax (213)	50.00
State Grantor Tax (038)	30.00
Local Grantor Tax (220/223)	30.00
Transfer Fee (212)	1.00
Virginia Outdoors Foundation (035)	1.00
Processing Fee (036)*	20.00
Copy Fee (236)	0.00
Total:	\$ 303.00

*Clerk and Deed Processing Fees do not apply to any agency of the Commonwealth of Virginia.
 **The Technology Trust Fund fee does not apply to any federal, state, or local government.

This instrument prepared by:
C. A. Turner, III, Esquire
Virginia State Bar #27856
P O Box 878
Eastville VA 23347

Tax Parcel ID# 083A1-01-00-086 and -087
For Identification Purposes Only

THE EXISTENCE OF TITLE INSURANCE IS UNKNOWN TO THE PREPARER.

THIS DEED OF BARGAIN AND SALE, made this 29th day of November, 2012, by and between V. Wayne DOWNING and Cheryl M. DOWNING, husband and wife, Grantors, and Anne W. STRATTON, Grantee, having an address of 9605 University Boulevard, Richmond, Virginia 23229-6542.

WITNESSETH: That the Grantors, for and in consideration of the sum of **SIXTY THOUSAND DOLLARS (\$60,000.00)** and other good and valuable consideration, the receipt of which is hereby acknowledged, do give, grant, bargain, sell and convey with **GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE** unto the Grantee, her heirs and assigns forever, the following described real estate, to-wit:

All those two certain lots in the Town of Cape Charles, Virginia, known and numbered with the number 86 and 87 on the map or plat of said Town, of record in the Clerk's Office of Northampton County, Virginia, recorded with a deed of bargain and sale from William L. Scott, et ux, to William Bauman in deed book 41, pages 483, 484 and 485.

It being two of four lots conveyed to V. Wayne Downing and Cheryl M. Downing, husband and wife, from G. Keith Pusey and Gail P. Pusey, his wife, Wendy P. May and James W. May, Jr., her husband, and Donna P. Park and Robert A. Park, her husband, by deed dated October 11, 1983, recorded October 21, 1983, in the aforesaid Clerk's Office in Deed Book 210 at page 393.

TOGETHER WITH the privileges and appurtenances unto said lot or parcel of land belonging or in anywise appertaining.

This conveyance is made expressly subject to all the easements, conditions, covenants, restrictions, and reservations contained in duly recorded deeds and plats and other instruments constituting constructive notice in the chain of title to the property hereby conveyed which have not expired by limitation of time or otherwise become ineffectual.

All taxes, rents and assessments for the current year are to be prorated as of the date of delivery of this deed and possession shall be immediately vested in the Grantee.

WITNESS the following signatures and seals:

V. Wayne Downing (SEAL)
V. Wayne Downing

Cheryl M. Downing (SEAL)
Cheryl M. Downing

STATE OF VIRGINIA,

COUNTY OF NORTHAMPTON, to-wit:

The foregoing instrument was acknowledged before me this 3rd day of December, 2012, by V. Wayne Downing and Cheryl M. Downing.

My Commission Expires:

3/31/2013

Estelle J. Murphy (SEAL)
Notary Public
Registration # 303131



INSTRUMENT #120002140
RECORDED IN THE CLERK'S OFFICE OF
NORTHAMPTON COUNTY ON
DECEMBER 3, 2012 AT 04:25PM
\$60.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-602 OF THE VA. CODE
STATE: \$30.00 LOCAL: \$30.00

TRACI L. JOHNSON, CLERK
RECORDED BY: SBS

86 + 87

BOOK 210 PAGE 393

No. 792

THIS DEED, made this 11th day of October, 1983, by and between G. Keith Fusey and Gail F. Fusey, his wife, Wendy F. May and James W. May, Jr., her husband, and Donna F. Park and Robert A. Park, her husband, Grantors, and V. Wayne Downing and Cheryl M. Downing, husband and wife, as tenants by the entirety with the right of survivorship as at common law, Grantees.

- W I T N E S S E T H -

That for and in consideration of the sum of \$35,000.00 in hand paid at and before the sealing and delivery of this deed, the receipt whereof is hereby acknowledged, the said Grantors grant and convey with general warranty of title and with English covenants of title to the said V. Wayne Downing and Cheryl M. Downing, husband and wife, as tenants by the entirety with the right of survivorship as at common law, Grantees, all those certain four (4) lots with the buildings and improvements thereon in the Town of Cape Charles, Virginia, known and numbered with the numbers 90, 91, 86 and 87 on the map or plat of said Town, of record in the Clerk's Office of Northampton County, Virginia, recorded with a deed of bargain and sale from William L. Scott et ux to William Bauman in deed book 41, pages 482, 484 and 485. Being the same lots 90 and 91 conveyed by Trustees of William L. Scott estate to Wendell A. Fusey by deed dated September 24, 1946, of record in the Clerk's Office of Northampton County, Virginia, in deed book 110, page 368, to which reference is made. These lots are subject to the opening of an alley sixteen feet wide from Pine to Strawberry Street. Being the same lot 86 conveyed by Gloria L. Brown to Sadie L. Fusey by deed dated March 13, 1981, of record in the aforesaid Clerk's Office in deed book 203, page 463, to which reference is made. Also being the same lot 87 conveyed by Frances E. Parsons to Sadie L. Fusey by deed dated October 23, 1970, of record in the aforesaid Clerk's Office in deed book 167, page 234, to which reference is made.

Wendell A. Fusey died intestate, survived by his widow, Sadie L. Fusey and three children, G. Keith Fusey, Wendy F. May and Donna F. Park.

Sadie L. Fusey died intestate, survived by her three children, G. Keith Fusey, Wendy F. May and Donna F. Park, as her sole heirs at law.

To have and to hold the above described lots or parcels of land, together with the buildings and privileges and appurtenances thereunto belonging or in anywise appertaining, unto the said

Wendell A. Fusey
Sadie L. Fusey
Gail F. Fusey
James W. May, Jr.
Donna F. Park
Robert A. Park
V. Wayne Downing
Cheryl M. Downing

W. A. DOWNING

BOOK 210 PAGE 393

No. 792

THIS DEED, made this 11th day of October, 1983, by and between G. Keith Fusey and Gail P. Fusey, his wife, Wendy P. May and James W. May, Jr., her husband, and Donna P. Park and Robert A. Park, her husband, Grantors, and V. Wayne Downing and Cheryl M. Downing, husband and wife, as tenants by the entirety with the right of survivorship as at common law, Grantees.

- W I T N E S S E T H -

That for and in consideration of the sum of \$35,000.00 in hand paid at and before the sealing and delivery of this deed, the receipt whereof is hereby acknowledged, the said Grantors grant and convey with general warranty of title and with English covenants of title to the said V. Wayne Downing and Cheryl M. Downing, husband and wife, as tenants by the entirety with the right of survivorship as at common law, Grantees, all those certain four (4) lots with the buildings and improvements thereon in the Town of Cape Charles, Virginia, known and numbered with the numbers 90, 91, 86 and 87 on the map or plat of said Town, of record in the Clerk's Office of Northampton County, Virginia, recorded with a deed of bargain and sale from William L. Scott et ux to William Sauman in deed book 41, pages 483, 484 and 485. Being the same lots 90 and 91 conveyed by Trustees of William L. Scott estate to Wendall A. Fusey by deed dated September 24, 1946, of record in the Clerk's Office of Northampton County, Virginia, in deed book 110, page 368, to which reference is made. These lots are subject to the opening of an alley sixteen feet wide from Pine to Strawberry Street. Being the same lot 86 conveyed by Gloria L. Brown to Sadie L. Fusey by deed dated March 13, 1981, of record in the aforesaid Clerk's Office in deed book 203, page 463, to which reference is made. Also being the same lot 87 conveyed by Frances E. Parsons to Sadie L. Fusey by deed dated October 13, 1970, of record in the aforesaid Clerk's Office in deed book 167, page 234, to which reference is made.

Wendall A. Fusey died intestate, survived by his widow, Sadie L. Fusey and three children, G. Keith Fusey, Wendy P. May and Donna P. Park.

Sadie L. Fusey died intestate, survived by her three children, G. Keith Fusey, Wendy P. May and Donna P. Park, as her sole heirs at law.

To have and to hold the above described lots or parcels of land, together with the buildings and privileges and appurtenances thereunto belonging or in anywise appertaining, unto the said

Wendall A. Fusey
Sadie L. Fusey
G. Keith Fusey
Wendy P. May
Donna P. Park
Robert A. Park
V. Wayne Downing
Cheryl M. Downing

BOOK 210 PAGE 395

My commission expires January 23, 1937



Carroll L. Lamm
Notary Public

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 21st day of October, A. D., 1933. This deed from G. Keith Pusey, et ux, et als, to V. Wayne Downing, et ux, was, with the certificates of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record at 3:00 o'clock, P. M. Taxes imposed by Section 58-54.1 of the Code of Virginia have been paid in the amount of \$35.00.

W. A. BUSHNONG
ATTORNEY AT LAW
DAVE CHAMBER, VA.

Teste: Clyde E. Hibb, Clerk

-3-

No. 793

THIS DEED, made this 21st day of October, 1933, by and between Franklin S. Baines and Lillie R. Baines, husband and wife, hereinafter referred to as Grantors, and Lillie R. Baines, hereinafter referred to as Grantee, provides:

THAT for One Dollar (\$1.00) and other valuable consideration, as provided for in that certain Property Settlement Agreement entered into by the parties hereto on the 17th day of November, 1932, the Grantors do hereby grant and convey, with General Warranty and English Covenants of Title unto the said Lillie R. Baines, Grantee, her heirs and assigns forever, all of their right, title and interest in and to the following described lots or parcels of real estate, to-wit:

Parcel 1. All that certain lot or parcel of land, situate in Trahernville, near Birdnest, Northampton County, Virginia, bounded on the North by lands now or formerly of William H. Wilson; on the East by Parcel 2 below described; on the South by a 15 foot outlet separating said Wilson lands from lands now or formerly of Bessie Cherry; and on the West by lands now or formerly of Edward Johnson; and being more particularly described as beginning at a Point on the line separating the property hereby conveyed from that of the said James Edward Johnson; thence running in an Easterly direction a distance of 75 feet; thence running in a Northerly direction a distance of 100 feet; thence running in a Westerly direction a distance of 75 feet; and thence running in a Southerly direction a distance of 100 feet to the

Went to -
Braithwaite
P. H. Co.
Clerk, etc.
2227

1A-21-23

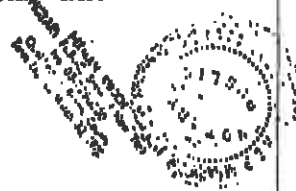
BOOK 167 PAGE 234

My commission as a Notary Public expires on the 30 day of

March, 1972

Given under my hand and Notarial Seal this 12 day of OCT

1970.

Thomas H. James
Notary Public

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 23rd day of October, A. D., 1970. This deed from Georgia M. Mapp et als to Beatrice E. Sample, was, with the certificate of acknowledgment thereof thereto annexed received by me in my said office this day and admitted to record at 11:45 o'clock, A.M. Taxes imposed by Section 58-54 of the Code of Virginia have been paid in the amount of \$1.50.

Teste: Thomas H. James, Clerk

By: *Beatrice E. Sample* D'y. Clerk

mailed to
Hearten
11-5-70

No. 560

THIS DEED, made this 23rd day of October, 1970, by and between Frances E. Parsons, single, party of the first part, and Sadie L. Pusey, party of the second part,

WITNESSETH: that the said party of the first part, for and in consideration of the sum of TWELVE HUNDRED DOLLARS (\$1200.00) to her in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, doth give, grant, bargain, sell and convey unto the said party of the second part, her heirs and assigns forever, with general warranty of title, all that certain lot located in the Town of Cape Charles, Northampton County, Virginia, on the Northside of Jefferson Avenue and being numbered with the Number 87, as shown on a certain map or plat of the said Town of Cape Charles which is recorded in the Clerk's Office of Northampton County, Virginia, with a Deed from William L. Scott and wife, to William Baumann in Deed Book 41, at pages 483, 484, and 485, to which Deed and Plat reference is hereby expressly made. It being the same lot conveyed to the said

BOOK 167 PAGE 235

Frances E. Parsons by Deed from Fannie W. Parsons, dated February 14, 1966, which is recorded in the Clerk's Office of Northampton County, Virginia.

Together with all the rights, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD said lot with its appurtenances aforesaid, unto the said Sadie L. Pusey, her assigns and heirs forever.

The party of the first part covenants that she has the right to convey said lot to the said grantee; that she has done no act to encumber the same; that the said grantee shall enjoy quiet possession of the premises, free from encumbrances; and that she, the said party of the first part, will execute such further assurances as may be requisite.

Witness the following signature and seal.

Frances E. Parsons (SEAL)

STATE OF VIRGINIA

COUNTY OF NORTHAMPTON, to-wit:

I, Wayne S. Elliott, a Notary Public in and for the County in the State aforesaid, do hereby certify that Frances E. Parsons, whose name is signed to the foregoing Deed, bearing date of the 23rd day of October, 1970, has acknowledged the same before me in my County and State aforesaid.

Given under my hand this 24th day of Oct., 1970.

My commission expires Oct. 10, 1972.

Wayne S. Elliott
Notary Public

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 26th day of October, A. D., 1970. This deed from Frances E. Parsons to Sadie L. Pusey was, with the certificate of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record at 3:30 o'clock, P. M. Taxes imposed by Section 58-54(b) of the Code of Virginia have been paid in the amount of \$1.50.

Teste: Thomas H. James, Clerk

By Thomas H. James D'y. Clerk.

*Amended to
John P. Parsons
2-2-66*

No. 166

THIS DEED OF GIFT, made this 14th day of February, 1966,
by and between Fannie Willis Parsons, widow, party of the first
part, and Frances Eugenia Parsons, party of the second part,
WITNESSETH, that the said party of the first part, for
and in consideration of her natural love and affection for her
said daughter Frances Eugenia Parsons, doth give, grant, bargain,
sell and convey unto the said party of the second part, her heirs
and assigns forever, with general warranty of title, the following
described property, to-wit:

(1) All those certain lots with the buildings and im-
provements thereon, located in the Town of Cape Charles, Northampton,
County, Virginia, and being numbered with the Numbers 82, 83, 85,
86, 87, 88, 192, and part of lots No 617, No. 620, and No. 621, and
for a more accurate description of said lots, reference is expressly
made to a Plat of the Town of Cape Charles, Virginia, recorded in
the Clerk's Office of Northampton County, Virginia, in Deed Book
41, at page 484.

(2) All that certain piece or parcel of land situate,
lying and being in the Village of Townsend, Northampton County,
Virginia, abutting thirty-five feet (35 ft.) front on the main
Seaside county road and extending back in parallel straight lines
eighty-five feet (85 ft.), and the same being commonly known as the
"Townsend Bank property", which was conveyed to J. R. Parsons by
Deed dated December 31, 1937, from the Arlington Hotel Corporation,
and being recorded in Deed Book 97, page 29.

All of these said lots having been devised to the said
Fannie Willis Parsons under the Will of John Russell Parsons, her
deceased husband, and which Will is recorded in the Clerk's Office
of Northampton County, Virginia, in Will Book 50, at page 15.

Together with all the rights, privileges and appurtenances

thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD said property with its appurtenances aforesaid, unto the said Frances Eugenia Parsons, her heirs and assigns forever.

The party of the first part covenants that she has the right to convey said lots to the said grantee; that she has done no act to encumber the same; that the said grantee shall enjoy quiet possession of the premises free from encumbrances; and that she, the party of the first part will execute such further assurances as may be requisite.

WITNESS the following signature and seal.

Fannie W. Parsons (SEAL)

STATE OF VIRGINIA

COUNTY OF NORTHAMPTON, to-wit:

I, Andie E. Boger, a notary public in and for the County and State aforesaid, do hereby certify that Fannie Willis Parsons, whose name is signed to the foregoing Deed of Gift bearing date of the 14th day of February, 1966, has acknowledged the same before me in my County and State aforesaid.

Given under my hand this 14th day of February, 1966.

My commission expires Oct 13 1967.

Andie E. Boger
Notary Public

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 14th day of February, A.D., 1966. This deed from Fannie W. Parsons to Frances Eugenia Parsons was, with the certificate of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record at 2:35 o'clock, P. M.

Teste: Thomas H. James, Clerk

By Thomas H. James D'y. Clerk.

on the East by a certain roadway separating said lands from the lands of Walter T. Roberts, on the South by the Birds Nest Cross Road and on the West by the lands of Joseph T. Mapp, it being the same lot or parcel of land which was this day conveyed to the said Claude R. Gladden by Benj. W. Mears, Trustee which said deed is of record in the Clerk's Office of Northampton County, Virginia and to which said deed reference is hereby made.

IN TRUST TO SECURE unto the HOLDER, the payment of the sum of SIX HUNDRED DOLLARS (\$600.00), evidenced by bond bearing even date herewith, executed by the said Claude R. Gladden and Daisy D. Gladden and payable on demand with interest from date at 6% unto the holder thereof of order.

And to secure any bond or bonds; note or notes given in renewal of said indebtedness or any part thereof.

The amount secured by this deed of trust represents a part of the purchase price for said lot or parcel of land.

It is hereby covenanted and agreed by and between the parties aforesaid that in the execution of this trust and in the event of sale the said Trustee shall be governed by the Statute Laws of Virginia now in force except that the time, terms and place of sale shall be such as the said Trustee shall deem best for the interest of all parties then concerned. In the event of sale the said Trustee shall be entitled to 3% commissions on the gross sales.

Insurance required \$750.00.

WITNESS the following signatures and seals.

CLAUDE R. GLADDEN (SEAL)

DAISY D. GLADDEN (SEAL)

State of Virginia,
County of Northampton, to-wit:

I, Mary Frances Wilson, a Notary Public in and for the County of Northampton, in the State of Virginia, do hereby certify that Claude R. Gladden and Daisy D. Gladden whose names are signed to the writing above, bearing date on the 21st day of August, A. D. 1937, have acknowledged same before me in my County and State aforesaid.

My commission expires, May 18, 1939.

Given under my hand this 28th day of September, 1937.

MARY FRANCES WILSON
Notary Public.

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 24th day of September, A. D., 1937. This Deed from Claude R. Gladden, et ux to Benj. W. Mears, Tr., was, with the certificate of acknowledgments thereof thereto annexed, received by me in my said office this day and admitted to record at 11:15 o'clock A.M.

Teste: *Ben. W. Mears*, Clerk.

Otto Lowe, Spl. Com'r.

To: DEED B. & S.

J. R. Parsons

part, both of the Town of Cape Charles, Northampton County, Virginia:

WITNESSETH, that whereas on the 18th day of July, 1937, it was decreed by the

This DEED made this 28th day of September, A. D., 1937 between Otto Lowe, Special Commissioner, party of the first part, and J. R. Parsons, party of the second

No. 476
Documentary
Stamps, \$1.50
Cancelled.

Verified
J. R. Parsons
4-28-38

Circuit Court of Northampton County, Virginia, in a certain chancery suit then depending in said Court under the short style of Farmers & Merchants Trust Bank, of Cape Charles, Virginia, a Banking Corporation v. Miss L. E. Fletcher et als, that the said Otto Lowe, who was thereby appointed Special Commissioner for the purpose, should, at public auction after due advertisement and upon terms set forth in said decree, make sale of the hereinafter described lots, pieces or parcels of land; and,

WHEREAS, the said Otto Lowe, Special Commissioner as aforesaid, in pursuance of said decretal order, did, on the 14th day of August, 1937, offer for sale at public auction the lots, pieces or parcels of land aforesaid, at which sale the said J. R. Parsons, he being the highest bidder for same, to-wit, the sum of Ten Hundred and Twenty-five (\$1025.00) Dollars; and

WHEREAS, the said sale was ratified and confirmed by order of the said Court dated September 15, 1937, and the said Commissioner was authorized and directed to accept payment of all of the said purchase money, and upon the said payment, to execute and deliver to the said J. R. Parsons a special warranty deed for said property; and

WHEREAS, in pursuance of the statute in such cases made and provided, the names of the parties on whose behalf this conveyance is made are set out, to-wit: R. D. L. Fletcher and J. Warren Topping.

NOW, THEREFORE, in consideration of the above premises and the sum of Ten Hundred and Twenty-five Dollars (\$1025.00), cash in hand paid by the said J. R. Parsons, at and before the sealing and delivery of this deed, the receipt whereof is hereby acknowledged, the said Otto Lowe, Special Commissioner as aforesaid, in pursuance of the said decretal order and in order to carry into effect the said sale, doth grant and convey unto the said J. R. Parsons, with special warranty of title, the following described real estate, to-wit: All those certain lots, pieces or parcels of land numbered with the numbers Eighty-five (85) Eighty-six (86), Eighty-seven (87), Eighty-eight (88), and One Hundred and Ninety-two (192), situate in the Town of Cape Charles, Northampton County, Virginia, in the section of the Town commonly known as "Jersey", according to a map or plat of said town now of record in the Clerk's Office of said County, filed and recorded with a deed of bargain and sale from William L. Scott and wife to William Baumann, in deed book 41, pages 483, 484 and 485, whereunto reference is hereby made. Together with the improvements thereon and the privileges and appurtenances thereunto belonging or in anywise appertaining.

WITNESS the following signature and seal this the 25th day of September, 1937.

OTTO LOWE (SEAL)
Special Commissioner.

STATE OF VIRGINIA,

County of Northampton, to-wit:

I, Doris M. Roberts, a notary public in and for the County of Northampton, in the State of Virginia, do hereby certify that Otto Lowe, Special Commissioner, whose name is signed to the foregoing writing bearing date of September 25, 1937, has this day acknowledged the same before me in my said County and State.

My commission expires April 17, 1941.

Given under my hand this the 25th day of September, 1937.

DORIS M. ROBERTS
Notary Public.

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 25th day of September, A. D., 1937. This deed from Otto Lowe, Sp'l. Com'r. to J. R. Parsons, was, with the certificate of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record at 9:00 o'clock A.M.

Teste: *Geo. J. Parsons* Clerk.

Otto Lowe, Sp'l. Com'r.

TO) DEED B. & S.

J. R. Parsons

This DEED made this 25th day of September, A. D. 1937, between Otto Lowe, Special Commissioner, party of the first part, and J. R. Parsons, party of the second part, both of the Town of Cape Charles, County of Northampton, Virginia:

WITNESSETH: that whereas on the 18th day of July, 1937, it was decreed by the Circuit Court of Northampton County, Virginia, in a certain chancery suit then depending in said Court under the short style of R. Fulton Powell v. Swift & Company et als, that the said Otto Lowe, who was thereby appointed Special Commissioner for the purpose, should, at public auction, after due advertisement and upon terms set forth in said decree, make sale of the hereinafter described lot, piece or parcel of land; and

WHEREAS, the said Otto Lowe, Special Commissioner as aforesaid, in pursuance of said decretal order, did, on the 14th day of August, 1937, offer for sale at public auction the lot, piece or parcel of land aforesaid, at which sale the said lot, piece or parcel of land was struck off to the said J. R. Parsons, he being the highest bidder for same, to-wit: the sum of Six Hundred and Fifty Dollars (\$650.00); and

WHEREAS, the said sale was ratified and confirmed by order of the said Court dated September 13, 1937, and the said Commissioner was authorized and directed to accept payment of all of the said purchase money, and upon the said payment, to execute and deliver to the said J. R. Parsons a special warranty deed for said property; and

WHEREAS, in pursuance of the statute in such cases made and provided, the names of the parties on whose behalf this conveyance is made are here set out, to-wit: O. D. Horner and T. W. Horner.

NOW, THEREFORE, in consideration of the above premises and the sum of Six Hundred and Fifty Dollars (\$650.00), cash in hand paid by the said J. R. Parsons, at and before the enrolling and delivery of this deed, the receipt whereof is hereby acknowledged, the said Otto Lowe, Special Commissioner as aforesaid, in pursuance of the said decretal order and in order to carry into effect the said sale, doth grant and convey unto the said J. R. Parsons, with special warranty of title, the following described real estate situate in the Town of Cape Charles, Northampton County, Virginia, to-wit: All that certain lot known as the "Flour Mill Property", situate in said Town of Cape Charles, Northampton County, Virginia, beginning at a point in the north line of the N. Y. P. & N. Railroad Company's property, said point being north forty-seven degrees, fifty-four minutes east, two hundred and three and sixteen one hundredths feet from the intersection of the east line of Fig Street and the north line of said Railroad Company's property; thence north seventy-seven degrees and fifty-four minutes east, along the north line of said Railroad Company's property, eighty feet; thence

No. 477
Documentary
Stamp, \$1.00
Cancelled.

*Rec'd &
9-28-37
S. J. Parsons*

knowledge the same before me in my said County and State. Given under my hand this 20th day of October, A. D. 1921.

Loris V. Mills, Notary Public.

Commission expires August 17th, 1924.

Virginia:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 17th day of November, A. D. 1921. This deed from William H. Thomas, et ux, to R. D. L. Fletcher, et al, was, with the certificate of acknowledgments thereof thereto annexed, received by me in my said office this day and admitted to record.

Waste: *Geo. H. J. per, Clerk.*

Howard E. Deacon, et ux, } This deed, made this 18th day of October, A. D. 1921,
To - E. & U. } between Howard E. Deacon and Elizabeth T. Deacon, his wife, now
R. D. L. Fletcher, et al, } of the City of Ocean City and State of New Jersey, parties of the
first part, and R. D. L. Fletcher and J. Warren Topping, of the Town of Cape Charles, County
of Northampton and State of Virginia, parties of the second part.

U.S. Revenue Stamp
Canceled - \$2.50
Comm'r. 1.00

Witnesseth: That for and in consideration of the sum of Twenty Four Hundred (\$2400.00) Dollars, lawful money of the United States, unto them in hand paid at and before the executing and delivery of these presents, receipt whereof is hereby acknowledged, the said parties of the first part do grant, bargain, sell and convey unto the said parties of the second part, with general warranty of title all of those certain lots, pieces or parcels of land and appurtenances thereto, situate and being in the said Town of Cape Charles and numbered with the numbers eighty five (85), eighty six (86), eighty seven (87) and eighty eight (88) according to a map or plat of the said Town of Cape Charles now of record in the Clerk's Office of said Northampton County with a deed of bargain and sale from William A. Scott and wife to William Seman in deed book forty one, pages 483, 484 and 485, to which said map or plat reference is hereby expressly made, the said property hereby conveyed being the same granted unto the said Howard E. Deacon by those two certain deeds of bargain and sale dated the 20th day of September, A. D. 1904 and the 9th day of April, A. D. 1908, and recorded respectively in said Clerk's Office in deed book 57 page 47 and deed book 57, page 44, to which said deeds reference is hereunto expressly made.

Verified
11/27/21
J. J. Foster, Notary
Public

Witness the following signatures and seals the day and year first herein mentioned.

Witnesses: John J. Foster - Howard E. Deacon (SEAL)
Harold M. Paris - Elizabeth T. Deacon (SEAL)

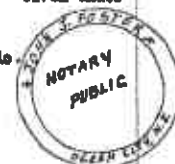
City of Ocean City,

State of New Jersey, to-wit:

I, John J. Foster, a Notary Public, in and for the aforesaid City and State, do hereby certify that Howard E. Deacon and Elizabeth T. Deacon, his wife, whose names are signed to the foregoing deed of bargain and sale bearing date on the 18th day of October, A. D. 1921, have this day acknowledged the same before me in my said City and State. Given under my hand this 20th day of October, A. D. 1921.

John J. Foster, Notary Public

My commission expires 8/14/1923.



Virginia:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 17th day of November, A. D. 1921. This deed from Howard E. Deacon, et ux, to R. D. L. Fletcher,

et al, was, with the certificate of acknowledgments thereof thereto annexed, received by me in my said office this day and admitted to record.

Teste:

Clerk.

J. J. Rostein, et ux,
To - Deed of Trust.

J. Warren Hopping, Trustee.

This Deed, made this 4th day of November, A. D. 1921, between J. J. Rostein and Ida W. Rostein, his wife, parties of the first part, and J. Warren Hopping, trustee, party of the second part, all of the Town of Cape Charles, County of Northampton and State of Virginia.

witnesseth: That the said parties of the first part do grant with general warranty of title unto the said trustee, party of the second part, the following property, to-wit: all of those certain lots, pieces or parcels of land and appurtenances thereto, situate and abutting on the south side of Fanevell Avenue between Harbor and Bay Avenues in the said Town of Cape Charles, County of Northampton and state of Virginia, and numbered with the numbers two (2) and three (3) in block numbered with the number three (3), in the so called Sea Cottage addition to the Town of Cape Charles according to a map or plat of the said Sea Cottage Addition of record in the Clerk's Office of said Northampton County with a deed of bargain and sale from Matthew H. Taylor and others, trustees, to the Cape Charles Real Estate Corporation in deed book 65, page 121, et seq., to which said map or plat reference is hereby expressly made.

In Trust to secure unto the Cape Charles Bank Incorporated the payment of the sum of Fourteen Thousand (\$14,000.00) Dollars, evidenced by the bond of the said parties of the first part, payable on demand, accrued interest, however, payable quarterly, and any expenditure rendered necessary by reason of the non payment of the amount hereby secured, when payable as aforesaid, or default in the performance of any covenant herein contained. And it is covenanted by and on the part of the parties hereto, to and with each other, first that the property herein described or such thereof as may be insurable, shall at all times during the existence of the lien hereby created, or any part thereof, be kept insured against loss or damage by fire to an amount equal, at least, to that of the said lien, and that the contract policy evidencing the same shall contain a provision for the payment of any indemnity which may become due thereunder to the said party of the second part, as his interests as such may appear; that in default in the performance of this covenant, the said party of the second part, or the beneficiary hereunder may so insure the said property and the premium paid therefor shall be deemed a part of the amount hereby secured and may be so collected. and secondly, in default of the payment of the sum hereby secured or any part thereof, the said party of the second part shall be governed by the statutes of the state of Virginia, except that his compensation as such shall be computed after the rate of five per centum of the proceeds of the sale, and that the length of notice, terms and place of such sale shall be subject alone to his regulation and appointment.

witness the following signatures and seals the day and year first herein mentioned.

J. J. Rostein (SEAL)

Ida W. Rostein (SEAL)

State of Virginia,

County of Northampton, to-wit:

I, Louis V. Mills, a Notary Public, in and for the County and State aforesaid, do hereby certify that J. J. Rostein and Ida W. Rostein, whose names are signed to the foregoing deed bearing date on the 4th day of November, A. D. 1921, have this day acknowledged the same before me in my said County and State. Given under my hand this 4th day of November, A. D. 1921.

Louis V. Mills, Notary Public.

Notary Public
I hereby certify
that the
aforesaid
bond
secured by the
aforesaid deed
trust has been
produced before
me and is
correct.
L. V. Mills
Notary Public

Exhibit 9D

SHORE TITLE
25020 Shore Parkway, Suite 1D
Onley VA 23418
Telephone 757-787-7050
Fax 757-787-7130
Serving both Accomack and Northampton Counties

TITLE REPORT

Date: 15 May 2023
Firm: Woolcott Rivers

Property: Lot 89 and the eastern 1 foot of Lot 88 as shown on plat recorded as Instrument #220002730, Town of Cape Charles, Northampton County
Tax Map: 083A1-01-00-0000089
Owner: Chance Ventures, LLC dba P.S. Ventures
Instrument #220002765; previously #130001981; #040002521; #040001582; Deed Book 217, Page 633; Will Book 65/69; Will Book 53/152; Deed Book 109, Page 469 (copies of deeds attached; wills not copied)
Searched from 4 April 1946 (from Scott Trustees) to 15 May 2023 @9:00 a.m.

Deed of Trust Liens: None found.

Covenants and Restrictions: None found.

Easements: None found.

Judgments: Owner (or predecessor): None found.

Financing Statements: None found.

Taxes:

County taxes paid through 2022. Base amount was \$1,292.00. Taxes are paid annually, with next tax payment due 5 December 2023.

* Town taxes paid through Base amount was \$

Land value: \$170,000

Building value: \$0

NOTE: Shore Title, L.L.C., assumes no liability hereunder unless a policy or policies of title insurance are issued by Shore Title, L.L.C., and fully paid for and the insured under said policy or policies and party to this report was issued have no knowledge of any defect in title not disclosed.

* NOT available at this time

Attest:

Jas. S. Rogers
Secretary.

State of Virginia,

County of Northampton, to-wit:

I, E. M. Tilghman, a notary public in and for the county of Northampton, in the state of Virginia, do certify that W. J. Sturgis and J. S. Rogers, whose names are signed as president and secretary, respectively, of the Northampton-Accomack Memorial Hospital, to the foregoing writing bearing date on the 24th day of May, 1946, have acknowledged the same before me in my county and state aforesaid. My commission as notary public expires on the 12 day of April, 1949. Given under my hand this 24 day of May, 1946.

E. M. Tilghman, Notary Public. (Seal)

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 27th day of May, A. D., 1946. This deed from Northampton-Accomack Memorial Hospital, a corp. to Dunton J. Fatherly, Trustee was, with the certificate of acknowledgment thereof, thereto annexed, received by me in my said office this day and admitted to record at 10:00 o'clock, A. M.

Teste: Geo. T. Tyson, Clerk.

By *Geo. T. Tyson*, D'y. Clerk.

Tra. of William L. Scott, dead.

To) Deed of B. & S.

Nettie E. Dunton

THIS INSTRUMENT, Made the Fourth (4th) day of April A. D. one thousand nine hundred and forty-six Between BRUCE BAIRD AND VERA L. LIST, Successor Trustees, under the last will and testament of WILLIAM L. SCOTT, late of the City of Erie and State of Pennsylvania, parties of the first part, deceased, and NETTIE E. DUNTON, of the Town of Cape Charles, County of Northampton and State of Virginia party of the second part.

WHEREAS, the said WILLIAM L. SCOTT, by virtue of divers good conveyances and assurances in law, duly had and executed, became in his life time seized in his demise, as of fee, (amongst other lands) of and in the lot, piece or parcel of land hereinafter described; and being so thereof seized made his last will and testament in writing bearing date the third day of October, A. D. 1889, wherein and whereby amongst other things he devised all the rest, residue and remainder of his real estate (of which said rest, residue and remainder of his real estate the land hereinafter described is a part) to the said Matthew E. Taylor, John W. Little, Richard E. Townsend, Jr., and Charles E. Strong, in trust for his devisees as thereinbefore mentioned, with full power to the said Trustees to sell all or any part thereof at any time it may seem to them advisable so to do, to such persons and upon such terms as may to them seem proper, first obtaining, however, during the lives of his said daughters or during the life of the survivor of them, their written approval to any sale of real property, as in and by the said recited will, since his decease, duly proved on the 26th day of December, A. D. 1891, and remaining in the Register's Office in the City of Erie aforesaid, recourse being thereunto had, appears, and

WHEREAS, the said WILLIAM L. SCOTT died leaving him surviving two children only, to-wit: Mary Scott Townsend and Annie W. E. Strong, and,

WHEREAS, a duly authenticated copy of said last will and testament of the said

No. 465
Documentary
Stamps \$2.75
Cancelled
Verified

*Lots
89, 92 & 93*

*See pg 2
for alley
reference*

WILLIAM L. SCOTT, deceased, is now of record in the Clerk's Office of said Northampton County, Virginia, on page 309, et seq., in Will Book of January 1, 1854, to which said record reference is here made, and,

WHEREAS, section eleven of article sixth of said will provides that a majority of said Trustees or their successors shall have full power to execute or exercise any trust, power or discretion under said will, and,

WHEREAS, the said John W. Little resigned as said trustee on the 29th day of April, 1895, and WHEREAS, the said Richard H. Townsend, Jr., died on the 27th day of November, 1902 and WHEREAS, the said Edward Muhl was duly appointed as successor to the said John W. Little, but died on the 20th day of September, 1919, and WHEREAS, the said Matthew H. Taylor died on the 7th day of March, 1923, and WHEREAS, Peter Goslet Gerry was appointed trustee to succeed the said Matthew H. Taylor on the 24th day of March, 1923, but resigned as said trustee on the 1st day of July, 1925, and, WHEREAS, George M. Church was appointed trustee to succeed the said Peter Goslet Gerry on the 3rd day of August, 1925, but died on the 27th day of July, 1935, and, WHEREAS, the said Charles M. Strong did on May 27, 1935 appoint Bruce Baird of Washington, D. C. and Cortland Betts of New York City, as associate or substitute trustees, and, WHEREAS the said Charles M. Strong died on the 6th day of November, 1936 and, WHEREAS, the said Bruce Baird and Cortland Betts did on February 27, 1939 appoint Vera L. List as an associate or substitute trustee, and WHEREAS Cortland Betts died May 13, 1943

NOW THIS INDENTURE WITNESSETH, that the said BRUCE BAIRD and VERA L. LIST, Successor Trustees, under the last will and testament of said WILLIAM L. SCOTT, deceased, for and in consideration of the sum of Two thousand four hundred and 00/100 (\$2,400.00) Dollars lawful money of the United States, to them in hand paid by the said NETTIE R. DUNTON at and before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, released and confirmed, and by these presents by virtue of the power and authority aforesaid in said will contained, do grant, bargain, sell, alien, release and confirm unto the said NETTIE R. DUNTON heirs and assigns forever, all that certain piece or parcel of land situate in the Town of Cape Charles, County of Northampton and State of Virginia, bounded and described as follows, to wit: The Lots numbered eighty-nine, Ninety-two and Ninety-three (89, 92, and 93), in the Town of Cape Charles, a map or plot of which said Town of Cape Charles is of record in the Clerk's office of said Northampton County with a deed from the said William L. Scott and wife to William Baumann in Deed Book No. 41, Pages 483, 484, and 485, to which map or plot reference is here made.

The said Lots numbered Eighty-nine, Ninety-two and Ninety-three (89, 92, and 93) being sold subject to the opening of an alley sixteen feet in width and in length extending from the east line of Pine Street to the west line of Strawberry Street, the centre line of which said alley shall be parallel with, and equally distant from Jefferson and Washington Avenues, and which said alley shall be for the joint use of the parties hereto, and their heirs and assigns; the opening of said alley being conditioned upon the consent of owners of Lots numbered 85, 86, 87, 88.

This Lot sold subject to all taxes for the year 1945 and thereafter.

TOGETHER, with all and singular the rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all

the estate, right, title, interest, property, claim and demand whatsoever of the said William L. Scott at and immediately before the time of his decease, and now of the said Trustees aforesaid, in law, equity, or otherwise howsoever, of, in, to or out of the same.

TO HAVE AND TO HOLD the said described hereditaments and premises hereby granted and released, or mentioned or intended so to be, with the appurtenances, unto the said NETTIE R. DUNTON, her heirs and assigns, to and for the only proper use and behoof of the said NETTIE R. DUNTON, her heirs and assigns forever.

AND, the said BRUCE BAIRD and VERA L. LIST, Successor Trustees as aforesaid, for themselves, their successors or assigns, do covenant, promise and agree with the said NETTIE R. DUNTON, her heirs and assigns, by these presents that they, the said Trustees as aforesaid, have not done, committed, or knowingly or willingly suffered to be done or committed, any act, matter or thing whatsoever, whereby the premises hereby granted, or any part thereof, is, are, or shall or may be impeached charged or incumbered in title, charge, estate or otherwise howsoever.

IN WITNESS WHEREOF, the said parties of the first part to these presents have hereunto set their hands and seals, the day and year first above written.

Sealed and delivered
in presence of us.

BRUCE BAIRD (L. S.)
Trustee.

VERA L. LIST (L. S.)
Trustee.

FOR REAL ESTATE OF WILLIAM L. SCOTT, DECEASED.

State of Pennsylvania, }
City and County of Erie. } ss.

I, J. B. Held a Notary Public, in and for the City, County and State aforesaid, do hereby certify that Vera L. List, one of the Successor Trustees aforesaid, whose name is signed to the writing above, bearing date on the Fourth (4th) day of April A. D. 1946, have as said Trustees acknowledged the same before me in my City aforesaid.

VERA L. LIST

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this 2nd day of May A. D. 1946.

J. B. Held, Notary Public.

NOTARY PUBLIC
My Commission Expires March 8, 1946.



COMMONWEALTH OF PENNSYLVANIA, }
County of Erie. } ss.



I, LAWRENCE A. TAYLOR, Prothonotary of the Court of Common Pleas, in and for the County aforesaid, the same being a Court of Record, having a Seal, do certify that J. B. Held Esq., whose name is subscribed to the certificate of proof or acknowledgment of the annexed instrument, was at the time of taking such proof or acknowledgment a Notary Public residing in Erie

County, Pa., duly authorized to take acknowledgments of deeds, administer oaths, etc., in and for said County, duly commissioned, sworn and qualified, and to all whose acts as such full faith and credit are due, and that the same is executed agreeably to the laws of Pennsylvania, and further, that I am acquainted with the handwriting of said J. B. Held Esq., and verily believe that the signature thereto is genuine. I also certify that the impression of the Notarial Seal is not re-

quired by law to be filed in this office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said Court, at Erie, Penna., this 8rd day of May A. D. 1946.

Lawrence A. Taylor, Prothonotary.

District of Columbia, }
City of Washington, } SS:

On this 28th day of April, 1946, before me a Notary Public in and for the aforesaid City of Washington, District of Columbia, came the above named Bruce Baird, one of the Successor trustees for the real estate under the last will and testament of William L. Scott, deceased, and acknowledged the foregoing deed to be his act and deed and desired the same to be recorded as such.

WITNESS my hand and official seal the day and year aforesaid.

John W. Crow, Notary Public. DO

My Commission Expires June 14-1949.



DISTRICT OF COLUMBIA, ss:

No. 157349

I, CHARLES E. STEWART, Clerk of the District Court of the United States for the District of Columbia, the same being a Court of Record, having by law a seal, do hereby certify that John W. Crow before whom the annexed instrument in writing was executed, and whose name is subscribed thereto, was at the time of signing the same a NOTARY PUBLIC in and for said District duly commissioned and sworn, and authorized by the laws of said District to take the acknowledgment and proof of deeds or conveyances or lands, tenements, or hereditaments, and other instruments in writing, to be recorded in said District, and to administer oaths; and that I am well acquainted with the handwriting of said Notary Public and verily believe that the signature to said instrument and impression of seal thereon are genuine, after comparison with signature and impression of seal filed in this office.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Court, at the City of Washington, D. C., the 28th day of April, A. D. 1946.

CHARLES E. STEWART, Clerk.

By Henry M. Graves, Deputy Clerk.



VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 27th day of May, A. D., 1946. This deed from Mrs. of William L. Scott, dec'd. to Nettie R. Dunton was, with the certificates of acknowledgment thereof, thereto annexed, received by me in my said office this day and admitted to record at 10:15 o'clock, A. M.

Testes: Geo. T. Tyson, Clerk.

By Virginia W. [Signature], D'y. Clerk.

No. 464

Verified &
Delivered to
Cleveland Baines
4-14-47

Horace Beach, et ux
To: Deed of B. & S.
Cleveland Baines

THIS DEED, made the 22nd day of May, 1946, between Horace Beach and Nettie Beach, his wife, parties of the first part, and Cleveland Baines, party of the second part,

WITNESSETH: That for and in consideration of the sum of Seventy-Five Dollars (\$75.00), cash in hand paid at and before the sealing and delivery of these presents, the receipt thereof being hereby acknowledged, the said Horace Beach and Nettie Beach, his wife, do hereby grant and convey, with general warranty of title, unto the said Cleveland Baines, his heirs and assigns forever, all that certain lot or parcel of land situate near Radlock, Northampton County, Virginia, bounded on the North by the lands of Horace Beach; on the East by the lands of Cleveland

No. 656

BOOK 217 PAGE 633

THIS DEED OF EXCHANGE, made and entered into this 17th day of July, 1985, by and between ALICE DUNTON TROWER RAWLES and RICHARD THOMAS RAWLES, her husband, parties of the first part, and HENRIETTA S. T. MORRIS, unmarried, party of the second part.

WITNESSETH:

That for and in consideration of the sum of One Dollar, cash in hand paid, and the conveyance of the hereinafter described lots or parcels of land, the said parties of the first part do hereby grant, bargain, sell and convey with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE unto the said Henrietta S. T. Morris, an undivided one-half interest in and to the following described lots or parcels of land, to-wit:

All those certain lots or parcels of land, with improvements thereon, situate and being in the Town of Cape Charles, Northampton County, Virginia;

(A) All that certain tract, piece or parcel of land and appurtenances thereto, situate and abutting on the northeast corner of Tazewell and Bay Avenues in the Town of Cape Charles, Northampton County, Virginia, constituting a part of Lots Twelve (12), Thirteen (13) and Fourteen (14), in Block Six (6) of what is known as Sea Cottage Addition to the Town of Cape Charles, and more accurately described as follows: Beginning at a point marking the northeast corner of the property line of said Tazewell and Bay Avenues, thence in a northerly direction one hundred and one and eighty-two hundredths feet (101.82 ft.); thence in an easterly direction paralleling said Tazewell Avenue one hundred feet (100 ft.); thence at right angles in a southerly direction one hundred and fifty-three one hundredths feet (100.53 ft.); thence again at right angles in a westerly direction paralleling said Tazewell Avenue for a distance of one hundred and seventeen and thirty-three

W. A. DICKINSON
ATTORNEY AT LAW
CAPE CHARLES, VA.

Lot 89

one hundredths feet (117.33 ft.) to the point of beginning. The foregoing parcel of land is designated as section "A" on a map or plat attached to a deed of bargain and sale from J. Warren Topping, Trustee, to Farmers & Merchants Trust Bank, bearing date of August 20, 1934, and recorded in the Clerk's Office of Northampton County, Virginia, in deed book 92, page 440, unto which said map or plat reference is hereunto made. Being the same lots or parcels of land conveyed by Alice Dunton Trower Rawles et vir et als to Alice Dunton Trower by deed dated October 9, 1969, of record in the Clerk's Office of Northampton County, Virginia, in deed book 165, page 183, to which reference is made.

(B) All those certain lots situate in Cape Charles, Virginia, with the buildings and improvements thereon, and numbered with the numbers 89, 92, 93, 96, 97, 100, 101, 104, 105, 108, 109, 110, 111, and 112 on the map or plat of the Town of Cape Charles, recorded with a deed from William L. Scott to William Bauman in the Clerk's Office of Northampton County, Virginia, in deed book 41, pages 483, 484 and 485, unto which said map or plat reference is made. Being the same lots or parcels of land devised by the will of Alice Dunton Trower to her two daughters, Alice Dunton Trower Rawles and Henrietta S. T. Morris, recorded in the Clerk's Office of Northampton County, Virginia, in will book 65, page 69, to which reference is made.

It is the intent and purpose of this deed to convey to Henrietta S. T. Morris all the lots and parcels of land, with the buildings and improvements thereon, in Cape Charles, Virginia, of which Alice Dunton Trower died seised and possessed, and devised by her will to her said two daughters.

BOOK 217 PAGE 635

And, for and in consideration of the sum of One Dollar, cash in hand paid, and the conveyance of the above-mentioned lots or parcels of land, the said party of the second part does hereby grant, bargain, sell and convey with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE, unto the said Alice Dunton Trower Rawles, an undivided one-half interest in and to the following described tract or parcel of land, to-wit:

All that certain tract or parcel of land, with improvements thereon, situate near Ekmore, and lying and being in the Franktown Magisterial District of Northampton County, Virginia, containing 217.85 acres, by survey, with metes and bounds as shown on plat of survey made by Geo. H. Badger, C. S., dated September 1964, a copy of said plat recorded in plat book 8, at page 56, to which reference is made. Being in all respects the same land owned by Alice Dunton Trower, and by her will recorded in the Clerk's Office of Northampton County, Virginia, in will book 65, page 69, devised to her two daughters, Alice Dunton Trower Rawles and Henrietta S. T. Morris. .069 Acres was conveyed off this farm to the Highway Department of Virginia.

These conveyances are made subject to all conditions, easements, restrictions and reservations appearing of record which affect said property.

WITNESS the following signatures and seals:


Alice Dunton Trower Rawles


Richard Thomas Rawles


Henrietta S. T. Morris

W. A. DICKINSON
ATTORNEY AT LAW
CAPE CHARLES, VA.

STATE OF VIRGINIA,

CITY OF PORTSMOUTH, to-wit:

The foregoing instrument was acknowledged before me this
26 day of July, 1985, by Alice Dunton Trower Rawles, Richard
Thomas Rawles and Henrietta S. T. Morris.

My commission expires August 14, 1988.

Deborah A. Hogan
Notary Public

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County
of Northampton, on the 26th day of July, A. D., 1985. This deed
of exchange between Alice Dunton Trower Rawles, et vir and Henrietta
S. T. Morris was, with the certificate of acknowledgment thereof,
thereto annexed, received by me in my said office this day and
admitted to record at 4:00 o'clock, P. M. Taxes imposed by Section
58.1-802 of the Code of Virginia, as amended, have been paid in the
amount of \$317.00.

Teste: Clyde E. Gibb, Clerk

By: Clyde E. Gibb, Clerk

W. A. DICKINSON
ATTORNEY AT LAW
CAPE CHARLES, VA.

040001582

Tax Parcel ID# 083A1-01-00-
089, 093, 096, 101, 105 and 108
For Identification Purposes Only

THIS DEED OF BARGAIN AND SALE, made this 11th day of May, 2004, by and between Henrietta S. T. MORRIS, Grantor, and MANUEL DEVELOPMENT CORPORATION, a Virginia corporation, Grantee, having an address of 4332 Country Club Circle, Norfolk, Virginia 23455.

WITNESSETH: That the Grantor, for and in consideration of the sum of ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does give, grant, bargain, sell and convey with GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE unto the Grantee, its successors and assigns forever, the following described real estate, to-wit:

All that certain lot situate in Cape Charles, Virginia, with the buildings and improvements thereon, and numbered with the numbers 89, 92, 93, 96, 97, 100, 101, 104, 105 and 108 on the map or plat of the Town of Cape Charles recorded with a deed from William L. Scott to William Bauman in the Clerk's Office of the Circuit Court of Northampton County, Virginia, in Deed Book 41, pages 483, 484 and 485, unto which said map or plat reference is made.

It being a part of the same property a one half undivided interest in which was conveyed to Henrietta S. T. Morris by deed of Alice Dunton Trower Rawles and Richard Thomas Rawles, her husband, dated July 17, 1985, and recorded July 26, 1985, in the Clerk's Office of the Circuit Court of Northampton County, Virginia, in Deed Book 217, at page 633. Henrietta S. T. Morris also known as Henrietta Scherer Trower Morris acquired the other one half undivided interest in the property as a devisee under the will of Alice Dunton Trower admitted to probate on May 10, 1984 in the Clerk's Office of the Circuit Court of the City of Portsmouth, Virginia. An exemplified copy of the will is recorded in the Clerk's Office of the Circuit Court of Northampton County, Virginia in Will book 65, at page 69.

TOGETHER WITH the privileges and appurtenances unto said lot or parcel of land belonging or in anywise appertaining.

This conveyance is made expressly subject to all the easements, conditions, covenants, restrictions, and reservations contained in duly recorded deeds and plats and other instruments constituting constructive notice in the chain of title to the property hereby conveyed which have not expired by limitation of time or otherwise become ineffectual.

All taxes, rents and assessments for the current year are to be prorated as of the date of delivery of this deed and possession shall be immediately vested in the Grantee.

WITNESS the following signature and seal:

 (SEAL)
Henrietta S. T. Morris

STATE OF VIRGINIA,

COUNTY OF NORTHAMPTON, to-wit:

The foregoing instrument was acknowledged before me this 21st day of May, 2004,
by Henrietta S. T. Morris.

My Commission Expires:

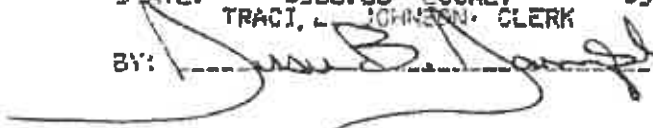
7/31/2006


Notary Public

This instrument prepared by:
C. A. Turner, III, Esquire
Virginia State Bar #27856
P O Box 878
Eastville VA 23347

© 2004 Notary Public/Notary Public/Notary Public

INSTRUMENT #040001582
RECORDED IN THE CLERK'S OFFICE OF
NORTHAMPTON COUNTY ON
MAY 21, 2004 AT 11:15AM
\$1,000.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$500.00 LOCAL: \$500.00
TRACI, L. JOHNSON, CLERK

BY:  (Seal)

Lot 89

04 0002521

THIS DEED, made this 2nd day of July, 2004, by and between MANUEL DEVELOPMENT CORPORATION, a Virginia corporation, Grantor herein, and Francis J. DONOHUE, Jr. Grantee herein, whose address is 1340-1272 N. Great Neck Road, Virginia Beach, VA 23454.

W I T N E S S E T H :

That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, the said Grantor herein does hereby grant, bargain, sell, assign, transfer, and convey with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE unto the said Grantee herein, the following described real property, to-wit:

ALL THAT certain lot situate in Cape Charles, Virginia, with the buildings and improvements thereon, and numbered 89 on the map or plat of the Town of Cape Charles, recorded with a Deed from William L. Scott to William Bauman in the Clerk's Office of the Circuit Court of Northampton County, Virginia, in Deed Book 41, at Pages 483, 484 and 485, unto which said map or plat reference is made.

IT BEING a part of the same property conveyed to the Grantor herein by deed dated May 11, 2004, from Henrietta S. T. Morris, which deed was duly recorded in the Clerk's Office aforesaid as Document Number 040001582.

Prepared by/Rat.to: Gray & Arsenault, PC
412 Oakmeads Crescent, #101
Virginia Beach, VA 23462

TAX ID#: Part of 083A1 01 00 089

The aforesaid property is conveyed unto the said Grantee expressly subject to the covenants, conditions, restrictions, and easements, if any of record, affecting said property and constituting constructive notice.

WITNESS the following signature(s) and seal(s):

Manuel Development Corporation,
a Virginia corporation

By:  (SEAL)
Angelo S. Manuel, President

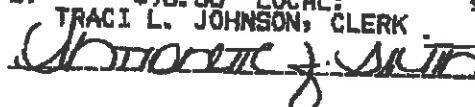
STATE OF VIRGINIA AT LARGE, IN CITY OF VIRGINIA BEACH, to-wit:

28th The foregoing instrument was acknowledged before me this day of July, 2004, by Angelo S. Manuel, President of Manuel Development Corporation, a Virginia corporation, on its behalf.


Notary Public

My commission expires: 4-30-2007

jab\13039.doc

INSTRUMENT #040002521
RECORDED IN THE CLERK'S OFFICE OF
NORTHAMPTON COUNTY ON
AUGUST 4, 2004 AT 11:47AM
\$180.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$90.00 LOCAL: \$90.00
TRACI L. JOHNSON, CLERK
By:  (DC)

Lot 89

130001981

Return to when recorded:
Turner & Turner
P.O. Box 878
16464 Courthouse Road, Ste. 201
Eastville, VA 23347

GPIN or Tax Id No. 83A1-1-89

CONSIDERATION: \$70,000.00

Title Insured by: First American Title Insurance Company

DEED OF BARGAIN AND SALE

THIS DEED, made this 17 day of October, 2013, by and between
FRANCIS J. DONOHUE, JR., Grantor, and **DANIEL C. COFFEY** and **MARY B. COFFEY**, husband and wife, Grantees, whose tax mailing address is 7 Edmondson
Avenue, Lexington, VA 24450.

WITNESSETH:

That for and in consideration of Ten Dollars (\$10.00), and other good and
valuable consideration, the receipt and or acceptance of which is hereby acknowledged,
the said Grantor(s) hereby grant, bargain, sell and convey, with **GENERAL**
WARRANTY AND ENGLISH COVENANTS OF TITLE, unto the said Grantee(s), as
tenants by the entirety with the right of survivorship as at Common Law, the following
described property, to-wit:

For property description, See attached Schedule "A"

This conveyance is made expressly subject to the easements, conditions,
restrictions, and rights of way of record contained in the deeds forming the chain of title
to said property.

Property Address: Lot 89, Cape Charles, VA 23310

Prepared by: Scott N. Alperin, P.C., VSB #39500 4605 Pambroke Lake, #300, Virginia
Beach, VA 23455, 757-490-3500. The attorney(s) who prepared this instrument has/have
not performed a title examination of the subject property and therefore makes no opinion
or warranty as to the quality of title.

WITNESS the following signature and seal:

Francis J. Donohue, Jr.
FRANCIS J. DONOHUE, JR.

STATE/Commonwealth of Virginia
CITY/COUNTY OF Northampton to-wit:

I, the undersigned Notary Public, in and for the City/County and State aforesaid,
do hereby certify that FRANCIS J. DONOHUE, JR., has acknowledged the same before
me in the City/County and State aforesaid, on this 17th day of October, 2013.

Wanda H. Fitchett
Notary Public

Print Name: Wanda H. Fitchett
Registration Number: 256746
My Commission Expires: 06/30/2017



SCHEDULE A

ALL THAT certain lot situate in Cape Charles, Virginia, with the buildings and improvements thereon, and numbered 89 on the map or plat of the Town of Cape Charles, recorded with a Deed from William L. Scott to William Bauman in the Clerk's Office of the Circuit Court of Northampton County, Virginia, in Deed Book 41, at Pages 483, 484, and 485, unto which said map or plat reference is made.

IT BEING the same property conveyed to Francis J. DONOHUE, Jr. from Manuel Development Corporation, a Virginia Corporation, by deed dated July 2, 2004, which deed was recorded in the aforesaid Clerk's Office as Instrument Number 040002521.

INSTRUMENT #130001981
RECORDED IN THE CLERK'S OFFICE OF
NORTHAMPTON COUNTY ON
OCTOBER 18, 2013 AT 04:17PM
\$70.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$35.00 LOCAL: \$35.00

TRACI L. JOHNSON, CLERK
RECORDED BY: SBS

220002765

Pursuant to §17.1-223 (B), of the Code of Virginia, the title insurer is WFG National Title Insurance Company.

THIS DEED, made this 28th day of November, 2022 by and between,
DANIEL C. COFFEY and MARY B. COFFEY, husband and wife, Grantors, and
CHANCE VENTURES, LLC, A Virginia limited liability company, doing business as
P.S. VENTURES, Grantee, whose tax mailing address is: P.O. Box 61116, Virginia Beach,
VA 23466.

WITNESSETH:

That for and in consideration Two Hundred Thirty Five Thousand Dollars
(\$235,000.00), the receipt and or acceptance of which is hereby acknowledged, the Grantors
do hereby grant, bargain, sell and convey, with GENERAL WARRANTY AND ENGLISH
COVENANTS OF TITLE, unto the Grantee, in fee simple, to the following described
property, to-wit:

All that certain lot situate in Cape Charles, Virginia, with the buildings and
improvements thereon, known, designated and described as Lot 89, on that
certain plat entitled, "PHYSICAL SURVEY AND PROPOSED
BOUNDARY LINE ADJUSTMENT FOR: COFFEY, DANIEL C &
MARY B LOT 89 AND THE EASTERN ONE FOOT OF LOT 88
SUBDIVISION OF 'PLAT OF CAPE CHARLES' GPIN: 83A1-1-89 -
5,600 S.F. - 0.1285 AC WASHINGTON AVENUE CAPE CHARLES
23310 - AREA OF LOT 89 AND THE WESTERN ONE FOOT OF LOT
85A - 5,740 S.F. - 0.13177 ACRES - LOT 85A IS THE RESULT OF
VACATION OF THE LOT LINE BETWEEN LOT 85 AND 88 AREA OF
LOT 85A LESS THE WESTERN ONE FOOT OF LOT 85A -11,060 S.F.
- 0.25390 ACRES", made by ALTA Survey Pro, Professional Land
Surveying Services, dated November 16, 2022, and recorded in the Clerk's

Prepared by: Scott N. Alperin, Esq., VSB No.: 39500
Return to: Springer Law Group
376 Kempsville Road
Chesapeake, VA 23320
Tax ID #: 83A1-1-89
ACCT/RPC#: 4707

Consideration: \$235,000.00
Actual Value: \$170,000.00

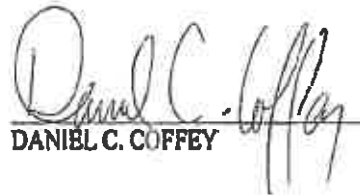
220002765

Office of the Circuit Court of Northampton County, Virginia, as Instrument Number 220002730, to which said map or plat reference is here made.

It being the same property conveyed to Daniel C. Coffey and Mary B. Coffey, husband and wife, by deed from Francis J. Donohue, Jr., dated October 17, 2013, recorded October 18, 2013 in the aforesaid Clerk's Office as Instrument Number 130001981.

This conveyance is made expressly subject to the easements, conditions, restrictions, and rights of way of record contained in the deeds forming the chain of title to said property.

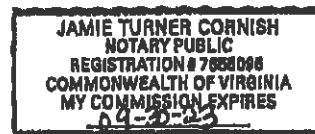
WITNESS the following signature and seal:


DANIEL C. COFFEY

STATE/Commonwealth of Virginia
CITY/COUNTY OF Northampton to-wit:

I, the undersigned Notary Public, in and for the City/County and Commonwealth/State aforesaid, do hereby certify that DANIEL C. COFFEY has acknowledged the same before me in the City/County and Commonwealth/State aforesaid, on this 28th day of November, 2022.


Notary Public



Print Name: Jamie T. Cornish
Registration Number: 7688098
My Commission Expires: 09-30-23

220002765

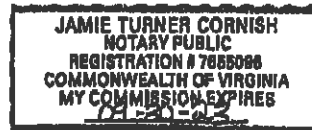
WITNESS the following signature and seal:

Mary B. Coffey
MARY B. COFFEY

STATE/Commonwealth of Virginia
CITY/COUNTY OF Northampton to-wit:

I, the undersigned Notary Public, in and for the City/County and Commonwealth/State aforesaid, do hereby certify that MARY B. COFFEY has acknowledged the same before me in the City/County and Commonwealth/State aforesaid, on this 28th day of November, 2022.

Jamie L. Cornish
Notary Public



Print Name: Jamie L. Cornish
Registration Number: 7886088
My Commission Expires: 09-30-2023

The attorney(ies) who prepared this instrument has/have not performed a title examination of the subject property and therefore makes no opinion or warranty as to the quality of title.

INSTRUMENT 220002765
RECORDED IN THE CLERK'S OFFICE OF
NORTHAMPTON COUNTY CIRCUIT COURT ON
DECEMBER 1, 2022 AT 11:22 AM
\$235.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$117.50 LOCAL: \$117.50
TRACI L. JOHNSON, CLERK
RECORDED BY: MWD

Exhibit 9E

SHORE TITLE
25020 Shore Parkway, Suite 1D
Onley VA 23418
Telephone 757-787-7050
Fax 757-787-7130
Serving both Accomack and Northampton Counties

TITLE REPORT

Date: 15 May 2023
Firm: Woolcott Rivers

Property: Lot 96, Town of Cape Charles, Northampton County
Tax Map: 083A1-01-00-0000096
Owner: Jeffrey D. Howard and Beth A. Howard, t x e r o s
Instrument #170001587; #140001217; #040002217; #040001582; Will Book 65/69; Deed Book 217, Page 633; Will Book 53/152; Deed Book 102/422 (copies of deeds attached; wills not copied)
Searched from 25 August 1941 (from Scott Trustees) to 15 May 2023 @9:00 a.m.

Deed of Trust Liens: Deed of Trust from Jeffrey D. Howard and Beth A. Healy-Howard to Lawyers Title Realty Services, Trustee, dated 3 August 2021 and recorded 9 August 2021 in the Clerk's Office for the Circuit Court of Northampton County, Virginia as Instrument #210002095, to secure MERS as nominee for Rocket Mortgage the principal sum of \$209,300.

Covenants and Restrictions: None found.

Easements: None found.

Judgments: Owner (or predecessor): None found.

Financing Statements: None found.

Taxes:

County taxes paid through 2022. Base amount was \$3,979.36. Taxes are paid annually, with next tax payment due 5 December 2023.

* Town taxes paid through Base amount was \$

Land value: \$190,900

Building value: \$327,600

* Not available at this time

NOTE: Shore Title, L.L.C., assumes no liability hereunder unless a policy or policies of title insurance are issued by Shore Title, L.L.C., and fully paid for and the insured under said policy or policies and party to this report was issued have no knowledge of any defect in title not disclosed.

96

DB 102-422

102
422

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 18th day of December, A. D., 1941. This deed from E. V. Downes, et ux to Bank of Northampton, Inc., was, with the certificate of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record at 12:05 o'clock P.M.

Teste: Geo. T. Tyson, Clerk.

By Virginia Williams, D'y. Clerk

No. 787
Documentary
Stamps, \$1.85
Cancelled.

Verified
-&
mailed to
Mr. Allen Austin
Aug. 26/42

Bruce Baird, als, Trs. &c
TO) DEED B. & S.
Hettie R. Dunton

THIS INDENTURE, Made the Twenty-fifth (25th) day of August, A. D. one thousand nine hundred and forty-one Between BRUCE BAIRD, GORTLAND BETTS and VERA L. LIST, Successor Trustees, under the last will and testament of WILLIAM L. SCOTT, late of the City of Erie and State of Pennsylvania, deceased, parties of the first part, and HETTIE R. DUNTON, of the Town of Cape Charles, County of Northampton and State of Virginia, party of the second part,

Whereas, the said WILLIAM L. SCOTT, by virtue of divers good conveyances and assurances in law, duly had and executed, became in his life time seized in his demesne, as of fee, (amongst other lands) of and in the lot, piece or parcel of land hereinafter described; and being so thereof seized made his last will and testament in writing bearing date the third day of October, A. D. 1889, wherein and whereby amongst other things he devised all the rest, residue and remainder of his real estate (of which said rest, residue and remainder of his real estate the land hereinafter described is a part) to the said Matthew M. Taylor, John W. Little, Richard H. Townsend, Jr., and Charles H. Strong, in trust for his devisees as thereinbefore mentioned, with full power to the said Trustees to sell all or any part thereof at any time it may seem to them advisable so to do, to such persons and upon such terms as may to them seem proper, first obtaining, however, during the lives of his said daughters or during the life of the survivor of them, their written approval to any sale of real property, as in and by the said recited will, since his decease, duly proved on the 28th day of December, A. D. 1891, and remaining in the Magister's Office in the City of Erie aforesaid, records being thereunto had, appears, and

Whereas, the said WILLIAM L. SCOTT died leaving him surviving two children only, to-wit: Mary Scott Townsend and Annie W. S. Strong, and,

Whereas, a duly authenticated copy of said last will and testament of the said WILLIAM L. SCOTT, deceased, is now of record in the Clerk's Office of said Northampton County, Virginia, on page 309, et seq., in Will Book of January 1, 1894, to which said record reference is here made, and,

Whereas, section eleven of article sixth of said will provides that a majority of said Trustees or their successors shall have full power to execute or exercise any trust, power or discretion under said will, and,

WHEREAS, the said John W. Little resigned as said trustee on the 28th day of April, 1895; and,

Whereas, the said Richard H. Townsend, Jr., died on the 27th day of November, 1902, and

Whereas, the said Edward Mehl was duly appointed as successor to the said John W. Little, but died on 20th day of September, 1919, and WHEREAS, the said

Roots
96 + 97

Matthew H. Taylor died on the 7th day of March, 1923, and WHEREAS, Peter Goslet Gerry was appointed trustee to succeed the said Matthew H. Taylor on the 24th day of March, 1923, but resigned as said trustee on the 1st day of July, 1925, and WHEREAS, George H. Church was appointed trustee to succeed the said Peter Goslet Gerry on the 3rd day of August, 1925, but died on the 27th day of July, 1935, and WHEREAS, the said Charles H. Strong did on May 27, 1936 appoint Bruce Baird of Washington, D. C., and Cortland Betts of New York City, as Successor Trustees, and, WHEREAS, the said Charles H. Strong died on the 8th day of November, 1936, and, WHEREAS, the said Bruce Baird and Cortland Betts did on February 27, 1939 appoint Vera L. List as a Successor Trustee.

NOW THIS INDENTURE WITNESSETH, that the said Bruce Baird, Cortland Betts and Vera L. List, Successor Trustees, under the last will and testament of said WILLIAM L. SCOTT, deceased, for and in consideration of the sum of Onethousand Two Hundred Fifty and 00/100 (\$1,250.00) Dollars, lawful money of the United States, to them in hand paid by the said NETTIE R. DUNTON, at and before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, released and confirmed, and by these presents by virtue of the power and authority aforesaid in said will contained, do grant, bargain, sell, alien, release and confirm unto the said NETTIE R. DUNTON, her heirs and assigns forever, all that certain piece or parcel of land situate in the Town of Cape Charles, County of Northampton, and State of Virginia, bounded and described as follows, to-wit: The Lots numbered Ninety-six (96) and Ninety-seven (97) in the Town of Cape Charles, a map or plot of which said Town of Cape Charles is of record in the Clerk's office of said Northampton County with a deed from the said William L. Scott and wife to William Baumann in Deed Book No. 41, pages 483, 484 and 485, to which map or plot reference is here made.

The said lots numbered ninety-six and ninety-seven (96 and 97), being sold subject to the opening of an alley sixteen feet in width and in length extending from the West line of Strawberry Street to the East line of Pine Street, the centre line of which said alley shall be parallel with, and equally distant from Jefferson and Washington Avenues, and which said alley shall be for the joint use of the parties hereto, and their heirs and assigns; the opening of said alley being conditioned upon the consent of owners of Lots numbered 85, 86, 87 and 88.

These Lots sold subject to all taxes from October 1, 1941, and thereafter.

TOGETHER, with all and singular the rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said William L. Scott at and immediately before the time of his decease, and now of the said Trustees aforesaid, in law, equity, or otherwise howsoever, of, in, to or out of the same.

TO HAVE AND TO HOLD the said described hereditaments and premises hereby granted and released, or mentioned or intended so to be, with the appurtenances, unto the said NETTIE R. DUNTON, her heirs and assigns, to and for the only proper use and behoof of the said NETTIE R. DUNTON, her heirs and assigns forever.

AND, the said BRUCE BAIRD, CORTLAND BETTS and VERA L. LIST, Successor Trustees as aforesaid, for themselves, their successors or assigns, do covenant, promise and agree with the said NETTIE R. DUNTON, her heirs and assigns, by these

presents that they, the said Trustees as aforesaid, have not done, committed, or knowingly or willingly suffered to be done or committed, any act, matter or thing whatsoever, whereby the premises hereby granted, or any part thereof, is, are, or shall or may be impeached, charged or incumbered in title, charge, estate or otherwise howsoever.

IN WITNESS WHEREOF, the said parties of the first part to these presents have hereunto set their hands and seals, the day and year first above written.

Sealed and delivered in presence of us.	BRUCE BAIRD as Trustee (L.S.) Trustee
OLGA E. CANNON as to Bruce Baird	CORTLAND BETTS (L.S.) Trustee
J. B. HELD	VERA L. LIST (L.S.) Trustee
	For Real Estate of William L. Scott, Deceased.

State of Pennsylvania, } s.e.
City and County of Erie. }

I, J. B. Held, a Notary Public, in and for the City, County and State aforesaid, do hereby certify that Vera L. List, one of the Successor Trustees aforesaid, whose names are signed to the writing above, bearing date on the 25th day of August, A. D. 1941 has as said Trustee acknowledged the same before me in my City aforesaid, to the end that the same might be recorded as such.

J. B. HELD
Notary Public
My Commission Expires Mar. 2, 1945.

In Witness Whereof, I have hereunto set my hand and
Notarial Seal this 1st day of December, A. D., 1941.

J. B. HELD
Notary Public
My Commission Expires Mar. 2, 1945

District of Columbia, }
City of Washington, } ss:

On this 28th day of November, 1941, before me a Notary public in and for the aforesaid City of Washington, District of Columbia; came the above named Bruce Baird, one of the Successor Trustees for the real estate under the last will and testament of William L. Scott, deceased, and acknowledged the foregoing deed to be his act and deed and desired the same to be recorded as such.

WITNESS my hand and official seal the day and year aforesaid.

JOHN W. CROW
Notary Public D.C.
My commission expires June 30, 1942.

State of New York, }
County of New York } ss:

On this 28th day of November, 1941, before me a Notary Public in and for the County and State aforesaid, came the above named Cortland Betts, one of the Successor Trustees for the real estate under the last and will and testament of William L. Scott, deceased, and acknowledged the foregoing deed to be his act and deed and desired the same to be recorded as such.

WITNESS my hand and official seal the day and year aforesaid.

WILLIAM F. PELLETREAU, JR.
Notary Public
My Commission Expires

Witness
WILLIAM F. PELLETREAU, JR.
Notary Public, Queens County
Clark's No. 8781, Register's No. 4198
Certificate filed in New York County
Clark's No. 688 Register's No. 2P 409
Commission Expires March 30, 1942.

State of New York,
County of New York, } ss:

No. 34859

I, ARCHIBALD R. WATSON, County Clerk and Clerk of the Supreme Court, New York County, the same being a Court of Record having by law a seal, DO HEREBY CERTIFY, that WILLIAM F. PELLETREAU, JR., whose name is subscribed to the annexed deposition, certificate of acknowledgment or proof, was at the time of taking the same a NOTARY PUBLIC acting in and for said County, duly commissioned and sworn, and qualified to act as such; that he has filed in the Clerk's Office of the County of New York a certified copy of his appointment and qualification as a Notary Public for the County of Queens, with his autograph signature; that as such Notary Public he was duly authorized by the laws of the State of New York to protest notes, to take and certify depositions, to administer oaths and affirmations, to take affidavits and certify the acknowledgment or proof of deeds and other written instruments for lands, tenements and hereditaments, to be read in evidence or recorded in this State. And further, that I am well acquainted with the handwriting of such Notary Public, or have compared the signature of such officer with his autograph signature filed in my office, and believe that the signature to the said annexed instrument is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Court and County, this 28 day of Nov. 1941.

ARCHIBALD R. WATSON
County Clerk and Clerk of the Supreme Court, New York County



VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 20th day of December, A. D., 1941. This deed from William L. Scott's Trustees to Nettie R. Dunton, was, with the certificate of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record at 12:30 o'clock P.M.

Teste: *Geo. J. [illegible]*, Clerk.

Nettie R. Dunton
TO) DEED OF TRUST

W. F. Wilkins, et al., Trs.

THIS DEED, made this 25th day of August, in the year one thousand nine hundred and forty-one between Nettie R. Dunton, of the Town of Cape Charles, County of Northampton and State of Virginia, of the one part, and W. F. Wilkins and Benj. M. Meare, Trustees, of the County of Northampton, and State of Virginia, of the other part, WITNESSETH, that the said Nettie R. Dunton doth grant unto the said W. F. Wilkins and Benj. M. Meare, Trustees, the following property, to-wit: The lots numbered Ninety-six (96) and Ninety-seven (97), in the Town of Cape Charles, a map or plot of which said Town of Cape Charles is of record in the Clerk's Office of said Northampton County with a deed from the said William L. Scott and Wife to William Baumann in Deed Book No. 41, pages 483, 484 and 485, to which map or plot reference is here made.

IN TRUST to secure to Bruce Baird, Cortland Betts and Vera M. Baird, Successor Trustees of the City of Erie, and State of Pennsylvania, the payment of the sum of Nine Hundred Fifty and 00/100 (\$950.00) Dollars, in three equal annual payments from the date hereof, with interest, payable annually from the date hereof, on the whole amount remaining unpaid, the same being evidenced by a bond of the same tenor and date. The amount secured hereunder represents a part

No. 788

Verified

*Delivered to
Benj. M. Meare*

30.4.41
I hereby acknowledge that the above is a true and correct copy of the original of the above deed of

Nettie R. Dunton
I hereby acknowledge that the above is a true and correct copy of the original of the above deed of

Benj. M. Meare
Attorney

Geo. J. [illegible]
Clerk

By [illegible]
Clerk

No. 656

BOOK 217 PAGE 633

THIS DEED OF EXCHANGE, made and entered into this 17th day of July, 1985, by and between ALICE DUNTON TROWER RAWLES and RICHARD THOMAS RAWLES, her husband, parties of the first part, and HENRIETTA S. T. MORRIS, unmarried, party of the second part.

WITNESSETH:

That for and in consideration of the sum of One Dollar, cash in hand paid, and the conveyance of the hereinafter described lots or parcels of land, the said parties of the first part do hereby grant, bargain, sell and convey with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE unto the said Henrietta S. T. Morris, an undivided one-half interest in and to the following described lots or parcels of land, to-wit:

All those certain lots or parcels of land, with improvements thereon, situate and being in the Town of Cape Charles, Northampton County, Virginia;

(A) All that certain tract, piece or parcel of land and appurtenances thereto, situate and abutting on the northeast corner of Tazewell and Bay Avenues in the Town of Cape Charles, Northampton County, Virginia, constituting a part of Lots Twelve (12), Thirteen (13) and Fourteen (14), in Block Six (6) of what is known as Sea Cottage Addition to the Town of Cape Charles, and more accurately described as follows: Beginning at a point marking the northeast corner of the property line of said Tazewell and Bay Avenues, thence in a northerly direction one hundred and one and eighty-two hundredths feet (101.82 ft.); thence in an easterly direction paralleling said Tazewell Avenue one hundred feet (100 ft.); thence at right angles in a southerly direction one hundred and fifty-three one hundredths feet (100.53 ft.); thence again at right angles in a westerly direction paralleling said Tazewell Avenue for a distance of one hundred and seventeen and thirty-three

U. A. DICKINSON
ATTORNEY AT LAW
CAPE CHARLES, VA.

BOOK 217 PAGE 634

one hundredths feet (117.33 ft.) to the point of beginning. The foregoing parcel of land is designated as section "A" on a map or plat attached to a deed of bargain and sale from J. Warren Topping, Trustee, to Farmers & Merchants Trust Bank, bearing date of August 20, 1934, and recorded in the Clerk's Office of Northampton County, Virginia, in deed book 92, page 440, unto which said map or plat reference is hereunto made. Being the same lots or parcels of land conveyed by Alice Dunton Trower Rawles et vir et als to Alice Dunton Trower by deed dated October 9, 1969, of record in the Clerk's Office of Northampton County, Virginia, in deed book 165, page 183, to which reference is made.

(B) All those certain lots situate in Cape Charles, Virginia, with the buildings and improvements thereon, and numbered with the numbers 89, 92, 93, 96, 97, 100, 101, 104, 105, 108, 109, 110, 111, and 112 on the map or plat of the Town of Cape Charles, recorded with a deed from William L. Scott to William Bauman in the Clerk's Office of Northampton County, Virginia, in deed book 41, pages 483, 484 and 485, unto which said map or plat reference is made. Being the same lots or parcels of land devised by the will of Alice Dunton Trower to her two daughters, Alice Dunton Trower Rawles and Henrietta S. T. Morris, recorded in the Clerk's Office of Northampton County, Virginia, in will book 65, page 69, to which reference is made.

It is the intent and purpose of this deed to convey to Henrietta S. T. Morris all the lots and parcels of land, with the buildings and improvements thereon, in Cape Charles, Virginia, of which Alice Dunton Trower died seised and possessed, and devised by her will to her said two daughters.

W. A. DICKINSON
ATTORNEY AT LAW
CAPE CHARLES, VA.

BOOK 217 PAGE 635

And, for and in consideration of the sum of One Dollar, cash in hand paid, and the conveyance of the above-mentioned lots or parcels of land, the said party of the second part does hereby grant, bargain, sell and convey with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE, unto the said Alice Dunton Trower Rawles, an undivided one-half interest in and to the following described tract or parcel of land, to-wit:

All that certain tract or parcel of land, with improvements thereon, situate near Emore, and lying and being in the Franktown Magisterial District of Northampton County, Virginia, containing 217.85 acres, by survey, with metes and bounds as shown on plat of survey made by Geo. H. Badger, C. S., dated September 1964, a copy of said plat recorded in plat book 8, at page 56, to which reference is made. Being in all respects the same land owned by Alice Dunton Trower, and by her will recorded in the Clerk's Office of Northampton County, Virginia, in will book 65, page 69, devised to her two daughters, Alice Dunton Trower Rawles and Henrietta S. T. Morris. .069 Acres was conveyed off this farm to the Highway Department of Virginia.

These conveyances are made subject to all conditions, easements, restrictions and reservations appearing of record which affect said property.

WITNESS the following signatures and seals:


Alice Dunton Trower Rawles


Richard Thomas Rawles


Henrietta S. T. Morris

W. A. DICKINSON
ATTORNEY AT LAW
CAPE CHARLES, VA.

BOOK 217 PAGE 636

STATE OF VIRGINIA,

CITY OF PORTSMOUTH, to-wit:

The foregoing instrument was acknowledged before me this 26 day of July, 1985, by Alice Dunton Trower Rawles, Richard Thomas Rawles and Henrietta S. T. Morris.

My commission expires August 14, 1988.

Deborah Hagen
Notary Public

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 26th day of July, A. D., 1985. This deed of exchange between Alice Dunton Trower Rawles, et vir and Henrietta S. T. Morris was, with the certificate of acknowledgment thereof, thereto annexed, received by me in my said office this day and admitted to record at 4:00 o'clock, P. M. Taxes imposed by Section 58.1-802 of the Code of Virginia, as amended, have been paid in the amount of \$317.00.

Teste: Clyde E. Gibb, Clerk

By: Clyde E. Gibb, Clerk

W. A. DICKINSON
ATTORNEY AT LAW
CAPE CHARLES, VA.

#040001582

Tax Parcel ID# 083A1-01-00-
089, 093, 096, 101, 105 and 108
For Identification Purposes Only

THIS DEED OF BARGAIN AND SALE, made this 11th day of May, 2004, by and between Henrietta S. T. MORRIS, Grantor, and MANUEL DEVELOPMENT CORPORATION, a Virginia corporation, Grantee, having an address of 4332 Country Club Circle, Norfolk, Virginia 23455.

WITNESSETH: That the Grantor, for and in consideration of the sum of ONE MILLION AND NO/100 DOLLARS (\$1,000,000.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does give, grant, bargain, sell and convey with GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE unto the Grantee, its successors and assigns forever, the following described real estate, to-wit:

All that certain lot situate in Cape Charles, Virginia, with the buildings and improvements thereon, and numbered with the numbers 89, 92, 93, 96, 97, 100, 101, 104, 105 and 108 on the map or plat of the Town of Cape Charles recorded with a deed from William L. Scott to William Bauman in the Clerk's Office of the Circuit Court of Northampton County, Virginia, in Deed Book 41, pages 483, 484 and 485, unto which said map or plat reference is made.

It being a part of the same property a one half undivided interest in which was conveyed to Henrietta S. T. Morris by deed of Alice Dunton Trower Rawles and Richard Thomas Rawles, her husband, dated July 17, 1985, and recorded July 26, 1985, in the Clerk's Office of the Circuit Court of Northampton County, Virginia, in Deed Book 217, at page 633. Henrietta S. T. Morris also known as Henrietta Scherer Trower Morris acquired the other one half undivided interest in the property as a devisee under the will of Alice Dunton Trower admitted to probate on May 10, 1984 in the Clerk's Office of the Circuit Court of the City of Portsmouth, Virginia. An exemplified copy of the will is recorded in the Clerk's Office of the Circuit Court of Northampton County, Virginia in Will book 65, at page 69.

TOGETHER WITH the privileges and appurtenances unto said lot or parcel of land belonging or in anywise appertaining.

This conveyance is made expressly subject to all the easements, conditions, covenants, restrictions, and reservations contained in duly recorded deeds and plats and other instruments constituting constructive notice in the chain of title to the property hereby conveyed which have not expired by limitation of time or otherwise become ineffectual.

All taxes, rents and assessments for the current year are to be prorated as of the date of delivery of this deed and possession shall be immediately vested in the Grantee.

Henrietta S. T. Morris (SEAL)
Henrietta S. T. Morris

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INSTRUMENT #040001582
RECORDED IN THE CLERK'S OFFICE OF
NORTHAMPTON COUNTY ON
MAY 21, 2004 AT 11:15AM
\$1,000.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$500.00 LOCAL: \$500.00
TRACI L. JOHNSON, CLERK
BY: *[Signature]*

040002217

THIS DEED, made this 2nd day of July, 2004, by and between
MANUEL DEVELOPMENT CORPORATION, a Virginia corporation, Grantor
herein, and John C. MILLER and Marilyn T. MILLER, husband and wife,
Grantee herein, whose address is 45 Maryland Avenue, Rehobeth,
Delaware

W I T N E S S E T H :

That for and in consideration of the sum of Ten Dollars
(\$10.00), cash in hand paid, and other good and valuable
consideration, the receipt and sufficiency whereof is hereby
acknowledged, the said Grantor herein does hereby grant, bargain,
sell, assign, transfer, and convey with GENERAL WARRANTY and
ENGLISH COVENANTS OF TITLE unto the said Grantee herein, as tenants
by the entirety with the right of survivorship as at common law,
the following described real property, to-wit:

ALL THAT certain lot situate in Cape Charles, Virginia,
with the buildings and improvements thereon, and numbered
96 on the map or plat of the Town of Cape Charles,
recorded with a Deed from William L. Scott to William
Bauman in the Clerk's Office of the Circuit Court of
Northampton County, Virginia, in Deed Book 41, at Pages
483, 484 and 485, unto which said map or plat reference
is made.

IT BEING a part of the same property conveyed to the
Grantor herein by deed dated May 11, 2004, from Henrietta
S. T. Morris, which deed was duly recorded in the Clerk's
Office aforesaid as Document Number 040001582.

Prepared by: Grey & Arsenault, PC
412 Oakmeads Crescent, #101
Virginia Beach, VA 23462

TAX ID#: Part of 083A1 01 00 096

The aforesaid property is conveyed unto the said Grantee expressly subject to the covenants, conditions, restrictions, and easements, if any of record, affecting said property and constituting constructive notice.

WITNESS the following signature(s) and seal(s):

Manuel Development Corporation,
a Virginia corporation

By:  (SEAL)
Angelo S. Manuel, President

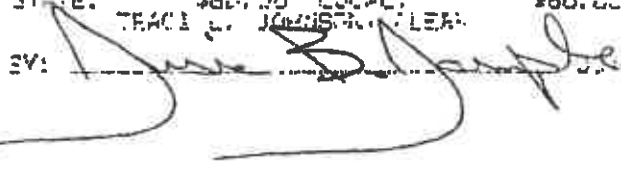
STATE OF VIRGINIA AT LARGE, IN CITY/COUNTY OF Northampton, to-wit:

12th The foregoing instrument was acknowledged before me this
day of July, 2004, by Angelo S. Manuel, President of
Manuel Development Corporation, a Virginia corporation, on its
behalf.


Notary Public

My commission expires: April 30, 2007

jab\13028.dba

INSTRUMENT #0400002217
RECORDED IN THE CLERK'S OFFICE OF
NORTHAMPTON COUNTY VA
JULY 12, 2004 11:03:35PM
\$130.00 GRANTOR'S FEE WAS PAID AS
REQUIRED BY SEC 58.1-401 OF THE VA. CODE
STATE: \$80.00 LOCAL: \$80.00
TRACI L. JOHNSON, CLERK
SV: 

146001217

Return to when recorded:
Turner & Turner
P.O. Box 878
Eastville, VA 23347

GPIN or Tax Id No. 83A1-1-96

CONSIDERATION: \$60,000.00

Pursuant to §17.1-223 (B), of the Code of Virginia, the existence of title insurance is First American Title Insurance Company.

DEED OF BARGAIN AND SALE

THIS DEED, made this 16th day of July, 2014, by and between
JOHN C. MILLER and MARILYN T. MILLER, Grantors, and **LEONEL
LAGUARDA and WENDY R. LAGUARDA**, Trustees or their successors in trust
under the **LEONEL LAGUARDA AND WENDY R. LAGUARDA JOINT
PROPERTY REVOCABLE TRUST** dated June 13, 2013, Grantees, whose tax
mailing address is 8228 Riding Ridge Place, McLean, VA 22102.

WITNESSETH:

That for and in consideration of Ten Dollars (\$10.00), and other good and
valuable consideration, the receipt and or acceptance of which is hereby acknowledged,
the said Grantor(s) hereby grant, bargain, sell and convey, with **GENERAL
WARRANTY AND ENGLISH COVENANTS OF TITLE**, unto the said Grantee(s), its
successors and assigns forever, the following described property, to-wit:

For property description, See attached Schedule "A"

This conveyance is made expressly subject to the easements, conditions,
restrictions, and rights of way of record contained in the deeds forming the chain of title
to said property.

Prepared by: Scott N. Alperin, P.C., VSB #39500 4605 Pembroke Lake, #300, Virginia
Beach, VA 23455, 757-490-3500. The attorney(ies) who prepared this instrument
has/have not performed a title examination of the subject property and therefore makes
no opinion or warranty as to the quality of title.

The Property as conveyed to the aforesaid Trustee is subject to the following provisions and the Grantor shall have no responsibility for the enforcement of these provisions:

1. Leonel Laguarda and Wendy R. Laguarda,, and any successor trustee (the "Trustee") shall have all powers with respect to the Property as are granted in the LEONEL LAGUARDA and WENDY R. LAGUARDA JOINT PROPERTY REVOCABLE TRUST dated June 13, 2013, ("Trust Agreement") including, without limitation, all of the powers specified in Section 64.2-105 of the Code of Virginia, as amended, which include the power to sell, exchange, lease, encumber, grant options for and otherwise deal with and dispose of all or any portion of the Property subject to any limitations imposed upon Trustees under applicable law.

2. No party dealing with the Trustee in relation to the Property shall be (a) required to see to the application of any purchase money, rent or money borrowed or otherwise advanced on the property, (b) required to see if the terms of the Trust Agreement have been complied with, (c) required to inquire into the authority, necessity or expediency of any act of the Trustee, or (d) privileged to inquire into any terms of the Trust Agreement.

3. Every instrument executed by the Trustee in relation to the Property shall be conclusive evidence in favor of every person claiming any right, title or interest under such instrument or in and to the Property of the following facts: (a) that at the time of the delivery of such instrument, the Trust Agreement was in full force and effect; (b) that such instrument was executed in accordance with the terms and conditions of the Trust Agreement with reference to the Property.

4. The Trustee shall have no individual liability or obligation whatsoever arising from his ownership, as Trustee, of the Property, or with respect to any act done or contract entered into, or indebtedness incurred by it in dealing with the Property, or otherwise acting as the Trustee, except only so far as the Property and any trust funds in the actual possession of the Trustee shall be applicable to the payment and discharge of any such liability or obligation.

5. This Deed is governed by and is to be read and construed with reference to Section 55-17.1 of the Code of Virginia of 1950, as amended.

Property Address: Lot 96, Washington Avenue, Cape Charles, VA 23310

WITNESS the following signature and seal:


JOHN C. MILLER

STATE/Commonwealth of Virginia
CITY/COUNTY OF Northampton to-wit:

I, the undersigned Notary Public, in and for the City/County and State aforesaid,
do hereby certify that JOHN C. MILLER has acknowledged the same before me in the
City/County and State aforesaid, on this 18th day of July, 2014.


Notary Public

Print Name: Wanda H. Fitchett
Registration Number: 252746
My Commission Expires: 06/30/2017



WITNESS the following signature and seal:

Marilyn T. Miller
MARILYN T. MILLER

STATE/Commonwealth of Virginia
CITY/COUNTY OF Northampton to-wit:

I, the undersigned Notary Public, in and for the City/County and State aforesaid,
do hereby certify that MARILYN T. MILLER has acknowledged the same before me in
the City/County and State aforesaid, on this 11th day of July, 2014.

Wanda H. Fitchett
Notary Public

Print Name: Wanda H. Fitchett
Registration Number: 256746
My Commission Expires: 06/30/2017



SCHEDULE A

All that certain lot situate in Cape Charles, Virginia, with the buildings and improvements thereon, and numbered 96 on the map or plat of the Town of Cape Charles, recorded with a Deed from William L. Scott to William Bauman in the Clerk's Office of the Circuit Court of Northampton County, Virginia, in Deed Book 41, at Pages 483, 484, and 485, unto which said map or plat reference is made.

It being the same property conveyed to John C. Miller and Marilyn T. Miller, husband and wife, by deed dated July 2, 2004 from Manuel Development Corporation, a Virginia corporation, which deed was recorded in the aforesaid Clerk's Office as Instrument Number 040002217.

INSTRUMENT #140001217
RECORDED IN THE CLERK'S OFFICE OF
NORTHAMPTON COUNTY ON
JULY 22, 2014 AT 03:42PM
\$60.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$30.00 LOCAL: \$30.00

TRACI L. JOHNSON, CLERK
RECORDED BY: SBS

170001587

This instrument prepared by:
C. A. Turner, III, Esquire
Virginia State Bar #27856
P O Box 878
Eastville VA 23347

Tax Parcel ID# 83A1-1-96
For Identification Purposes Only
Consideration: \$78,000.00
Assessed Value: \$70,000.00

TITLE INSURANCE IS PROVIDED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY.

THIS DEED OF BARGAIN AND SALE, made this 18th day of September, 2017, by and between Leonel LAGUARDA and Wendy R. LAGUARDA, Trustees or their successors in trust under the LEONEL LAGUARDA AND WENDY R. LAGUARDA JOINT PROPERTY REVOCABLE TRUST dated June 13, 2013, Grantors, and Jeffrey D. HOWARD and Beth A. HOWARD, husband and wife, Grantees, having an address of 707 Edie Road, Argyle, New York 12809.

WITNESSETH: That the Grantors, for and in consideration of the sum of SEVENTY-EIGHT THOUSAND AND NO/100 DOLLARS (\$78,000.00), cash paid at and before the sealing and delivery of these presents, and other good and valuable consideration, the receipt of which is hereby acknowledged, do give, grant, bargain, sell and convey with GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE unto Jeffrey D. HOWARD and Beth A. HOWARD, husband and wife, as tenants by the entireties with full rights of survivorship as at common law, and not as tenants in common, the following described real estate, to-wit:

ALL that certain lot situate in Cape Charles, Virginia, with the buildings and improvements thereon, and numbered 96 on the map or plat of the Town of Cape Charles, recorded with a Deed from William L. Scott to William Bauman in the Clerk's Office of the Circuit Court of Northampton County, Virginia in Deed Book

41, at Pages 483, 484 and 485, unto which said map or plat reference is made.

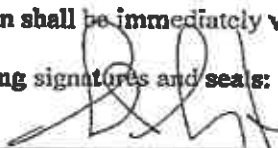
It being the same property conveyed to Leonel Laguarda and Wendy R. Laguarda Joint Property Revocable Trust dated June 13, 2013, by deed dated July 18, 2014 from John C. Miller and Marilyn T. Miller, husband and wife, which deed is recorded in the aforesaid Clerk's Office as Instrument Number 140001217.

TOGETHER WITH the privileges and appurtenances unto said lot or parcel of land belonging or in anywise appertaining.

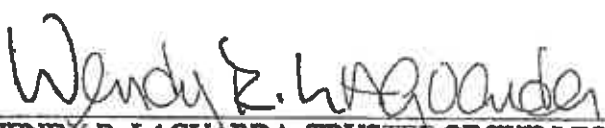
This conveyance is made expressly subject to all the easements, conditions, covenants, restrictions, and reservations contained in duly recorded deeds and plats and other instruments constituting constructive notice in the chain of title to the property hereby conveyed which have not expired by limitation of time or otherwise become ineffectual.

All taxes, rents and assessments for the current year are to be prorated as of the date of delivery of this deed and possession shall be immediately vested in the Grantees.

WITNESS the following signatures and seals:



(SEAL)
LEONEL LAGUARDA, TRUSTEE OF THE LEONEL
LAGUARDA AND WENDY R. LAGUARDA JOINT PROPERTY
REVOCABLE TRUST, UNDER TRUST INSTRUMENT DATED
JUNE 13, 2013



(SEAL)
WENDY R. LAGUARDA, TRUSTEE OF THE LEONEL
LAGUARDA AND WENDY R. LAGUARDA JOINT PROPERTY
REVOCABLE TRUST, UNDER TRUST INSTRUMENT DATED
JUNE 13, 2013

Wendy R. Laguarda

STATE OF VIRGINIA,

CITY/COUNTY OF Fairfax, to-wit:

The foregoing instrument was acknowledged before me this 20th day of September, 2017, by Leonel Laguarda and Wendy R. Laguarda, Trustees of the Leonel Laguarda and Wendy R. Laguarda Joint Property Revocable Trust, Under Trust Instrument Dated June 13, 2013.

My Commission Expires:

04.30.2021

Sabahat L. Khan

Notary Public

Registration #: 326880



INSTRUMENT 170001587
RECORDED IN THE CLERK'S OFFICE OF
NORTHAMPTON COUNTY CIRCUIT COURT ON
September 29, 2017 AT 04:03 PM
\$78.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$39.00 LOCAL: \$39.00
TRACI L. JOHNSON , CLERK

TRS

Exhibit 10

1920
Richardson

Surviving Trustees, under the last will and testament of said William L. Scott, deceased, for and in consideration of the sum of One Thousand One Hundred Seventy Five and 00/100 (\$1,175.00) Dollars lawful money of the United States, to them in hand paid by the said Leonard E. Richardson, at and before the making and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, released and confirmed, and by these presents by virtue of the power and authority aforesaid in said will contained, do grant, bargain, sell, alien, release and confirm unto the said Leonard E. Richardson, his heirs and assigns forever, all that certain piece or parcel of land situate in the Town of Cape Charles, County of Northampton, and State of Virginia, bounded and described as follows, to-wit: The lots numbered One Hundred Two (102) and One Hundred Three (103) in the Town of Cape Charles, a map or plat of which said Town of Cape Charles is of record in the Clerk's Office of said Northampton County with a deed from the said William L. Scott and wife to William Bennett in Deed Book No. 41, pages 402, 404, and 406, to which map or plat reference is here made.

The said lots numbered One Hundred Two (102) and One Hundred Three (103), being sold subject to the opening of an alley sixteen feet in width, and its length extending from the west line of Strawberry Street to the east line of Pine Street, thence north which said alley shall be parallel with, and equally distant from Washington and Jefferson Avenues, and which said alley shall be for the joint use of the parties hereto, and their heirs and assigns; the opening of said alley being conditioned upon the consent of owners of lots 85, 86, 87, and 88. These lots said subject to all taxes for the year 1920, and thereafter.

Together, with all and singular the rights, liberties, privileges, hereditaments and appurtenances whatsoever thereto belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said William L. Scott at and immediately before the time of his decease, and now of the said Trustees aforesaid in law, equity, or otherwise however, of, in, to or out of the same.

To Have and to Hold the said described hereditaments and premises hereby granted and released, or mentioned or intended so to be, with the appurtenances unto the said Leonard E. Richardson, his heirs and assigns, to and for the only proper use and behoof of the said Leonard E. Richardson, his heirs and assigns forever.

And, the said Matthew E. Taylor and Charles E. Strong, Surviving Trustees as aforesaid, for themselves, their successors or assigns, do covenant, promise and agree with the said Leonard E. Richardson, his heirs and assigns, by these presents that they, the said Trustees as aforesaid, have not done, committed, or knowingly or willingly suffered to be done or committed, any act, matter or thing whatsoever, whereby the premises hereby granted, or any part thereof, is, are, or shall, or may be impeached, charged or incumbered in title, charge, estate or otherwise however.

In witness whereof, the said parties of the first part to these presents have hereunto set their hands and seals, the day and year first above written.

Sealed and delivered in the presence of W. J. E. Owen.

Matthew E. Taylor, Trustee (L.S.)

Charles E. Strong, Trustee (L.S.)

For Real Estate of William L. Scott, deceased.

State of Pennsylvania, City and County of Erie; ss.

I, John S. Gately a Notary Public, in and for the City, County and State aforesaid, do hereby certify that Matthew E. Taylor and Charles E. Strong, Surviving Trustees aforesaid, whose names are signed to the writing above, bearing date on the 2nd day of August, A. D., 1920, have as said Trustees acknowledged the same before me in my City aforesaid.

In Witness whereof, I have set my hand and Notarial Seal this 2nd day of Aug. A. D., 1920.

JOS. S. GATELY, Notary Public.

Allen
Ref



Lynn Lot 98 1920 Older Deed for Attachment 6

of executing this trust, the fees for drawing and recording this deed, if then unpaid, and to discharge the amount of money then payable upon the said bond or debt and if there be any residue of said purchase money, the same shall be made payable at such time, and be secured in such manner as the said Allan B. Doughty, his executors, administrators, or assigns, shall prescribe and direct, or in case of his failure to give such direction at such time and in such manner as the said Trustee shall think fit. The said Allan B. Doughty covenants to pay all taxes, assessments, dues and charges upon the said property hereby conveyed, so long as he or his heirs or assigns, shall hold the same, and the said Allan B. Doughty hereby agrees, on behalf of himself, his heirs and assigns, that upon their failure to pay such taxes, that the beneficiaries herein or their executors or assigns shall have the right to pay same, and in case of such payment, the amounts so paid shall be recoverable, with interest from date of such payment, and further that upon such default in the payment of the said taxes, and the payment of same by the said beneficiaries their executors or assigns, the surrender of the bond, herein decreed shall not be demanded, though some amount of same may have been fully paid with interest and the release of this deed on the records shall not be made, until those advancing said taxes shall have been fully reimbursed as above set forth, and further that if any reason the said bond be surrendered or this deed of trust released, that this shall not be considered a waiver of the right that those who may have paid said taxes shall have to be fully reimbursed, and hereby waives the benefit of his homestead exemption as to the debt secured by this deed.

If no default shall be made in the payment of the above mentioned debt, then upon the request of the party of the first part, a good and sufficient deed of release shall be presented to him at his own proper costs and charges.

Witness the following signature and seal.

Allan B. Doughty (Seal)

State of Virginia, Corporation of the City of Norfolk, to-wit:

I, E. M. Woodward a Notary Public for the Corporation aforesaid in the State of Virginia do certify that Allan B. Doughty whose name is signed to the writing hereto annexed, bearing date on the 14th day of August, 1920, has acknowledged the same before me in my Corporation aforesaid. Given under my hand this 29th day of September, 1920.

E. M. Woodward, Notary Public.

My commission expires, Jan. 20th 1921.

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 1st day of October, A. D., 1920.

This deed from Allan B. Doughty, to E. M. Wilson, D., was, with the certificate of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record.

Teste: J. H. [Signature], Clerk.
By: [Signature], S'y. Clerk.

William L. Scott's Exr: THIS INSTRUMENT, MADE THE fourteenth (14th) day of August, A. D., one thousand nine hundred and twenty, between Matthew E. Taylor and William L. Scott, surviving Trustees, under the last will and testament of William L. Scott, late of the City of Erie and State of Pennsylvania, deceased, parties of the first part, and William A. Karp, of the Town of Cape Charles, County of Northampton, and State of Virginia, party of the second part.

Whereas, the said William L. Scott, by virtue of diverse good conveyances and assignments in law, duly had and executed, became in his life time seized in his lifetime, as of fee,

77
[Handwritten notes and stamps]

Seam's.....\$1.00
U. S. Revenue
Stamp.....\$2.50
Cancelled.
Verified
[Signature]

*Rec'd to
#18-18-18
10/27/90.*

(amongst other lands) of and in the lot, piece or parcel of land hereinafter described; and being on thereof seized unto his last will and testament in writing bearing date the third day of October, A. D., 1889, wherein and whereby amongst other things he devised all the rest, residue and remainder of his real estate (of which said rest, residue and remainder of his real estate the land hereinafter described is a part) to the said Matthew E. Taylor, John W. Little, Richard E. Townsend, Jr., and Charles E. Strong, in trust for his devisees as therein before mentioned, with full power to the said Trustees to sell all or any part thereof at any time it may seem to them advisable so to do, to such persons and upon such terms as may to them seem proper, first obtaining, however, during the lives of his said daughters or during the life of the survivor of them, their written approval to any sale of real property; as in and by the said recited will, since his decease, duly proved on the 26th day of December, A. D., 1891, and remaining in the Register's Office in the City of Erie aforesaid, recourses being thereunto had, appears, and

Whereas, the said William L. Scott died leaving him surviving two children only, to-wit: Mary Scott Townsend and Annie W. E. Strong, and,

Whereas, a duly authenticated copy of said last will and testament of the said William L. Scott, deceased, is now of record in the Clerk's Office of said Northampton County, Virginia, on page 509, et seq., in Will Book of January 1, 1884, to which said record reference is here made; and,

Whereas, section eleven of articles ninth of said will provides that a majority of said Trustees or their successors shall have full power to execute or execute any trust, power or discretion under said will, and,

Whereas, the said Richard E. Townsend, Jr., is now deceased, and,

Whereas, the said Edward Wahl has been duly appointed an executor to the said John W. Little, and,

Whereas, the said Edward Wahl is now deceased,

Now this indenture witnesseth, that the said Matthew E. Taylor and Charles E. Strong, surviving Trustees, under the last will and testament of said William L. Scott, deceased, for and in consideration of the sum of Two Thousand Two Hundred Fifty and 00/100 (\$2,250.00) Dollars lawful money of the United States, to them in hand paid by the said Wallace A. Kays, at and before the reading and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, released and confirmed, and by these presents by virtue of the power and authority aforesaid in said will contained, do grant, bargain, sell, alien, release and confirm unto the said Wallace A. Kays, his heirs and assigns forever, all that certain piece or parcel of land situate in the Town of Cape Charles, County of Northampton, and State of Virginia, bounded and described as follows, to-wit: The lots numbered Ninety-eight (98), Three hundred (300), and Three hundred and One (301), in the Town of Cape Charles, a map or plot of which said Town of Cape Charles is of record in the Clerk's Office of said Northampton County with a deed from the said William L. Scott and wife to William Townsend in Deed Book No. 41, pages 458, 464, and 466, to which map or plot reference is here made.

The said lot numbered Ninety-eight (98), being sold subject to the opening of an alley sixteen feet in width, and in length extending from the west line of Strawberry Street to the east line of Pine Street, the centre line of which said alley shall be parallel with, and equally distant from Washington and Patterson Avenues, and which said alley shall be for the joint use of the parties hereto, and their heirs and assigns; the opening of said alley being conditioned upon the consent of owners of Lots 99, 96, 97, and 98.

The said lots numbered Three hundred (300) and Three hundred and One (301), being sold subject to the opening of an alley sixteen feet in width, and in length extending from the

west line of Strawberry Street to the east line of Pine Street, the centre line of which said alley shall be parallel with, and equally distant from Monroe and Madison Avenues, and which said alley shall be for the joint use of the parties hereto, and their heirs and assigns.

The said lots being sold subject to all taxes for the year 1920, and thereafter. Together, with all and singular the rights, liberties, privileges, hereditaments and appurtenances whatsoever thereto belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said William L. Scott at and immediately before the time of his decease, and now of the said Trustees aforesaid, in law, equity, or otherwise howsoever, of, in, to or out of the same.

To Have and to Hold the said described hereditaments and premises hereby granted and released, or mentioned or intended as to be, with the appurtenances, unto the said Wallace A. Kappa, his heirs and assigns, to and for the only proper use and behoof of the said Wallace A. Kappa, his heirs and assigns forever.

And, the said Matthew E. Taylor and Charles E. Strong Surviving Trustees as aforesaid, for themselves, their successors or assigns, do covenant, promise and agree with the said Wallace A. Kappa, his heirs and assigns, by these presents that they, the said Trustees as aforesaid, have not done, committed, or knowingly or willingly suffered to be done or committed, any act, matter or thing whatsoever, whereby the premises hereby granted, or any part thereof, is, are, or shall or may be impeached, charged or incumbered in title, charge, estate, or otherwise howsoever.

In Witness Whereof, the said parties of the first part to these presents have hereunto set their hands and seals, the day and year first above written.

Sealed and delivered in the presence of us. Matthew E. Taylor, Trustee (L.S.)
J. S. Orsby. Charles E. Strong, Trustee (L.S.)
For Real Estate of William L. Scott, Dec'd.

State of Pennsylvania, City and County of Erie, ss:

I, John F. Orsby a Notary Public, in and for the City, County and State aforesaid, do hereby certify that Matthew E. Taylor and Charles E. Strong, Surviving Trustees aforesaid, whose names are signed to the writing above, bearing date on the 14th day of August, A. D. 1920, have so said Trustee acknowledged the same before me in my City aforesaid.

In Witness Whereof, I have hereunto set my hand and official seal this 2nd day of Sept, A. D., 1920.



John F. Orsby, Notary Public.

Commission expires Jan. 22, 1923.

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 1st day of October, A. D., 1920.

This deed from Wm. L. Scott's Exr., to Wallace A. Kappa, was, with the certificate of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record.

Wm. L. Kappa, Clerk.

By: *[Signature]* D'y. Clerk.

Wallace A. Kappa } THIS DEED, Made this Fourteenth day of August, in the year one thousand
to } Deed Trust
E. L. Kappa, Jr. } also hundred and twenty between Wallace A. Kappa, of the town of Cape
Charles, County of Northampton, and State of Virginia, of the one part, and W. L. Kappa, Exr.,
Dec, of the County of Northampton, and State of Virginia, of the other part, Witnesseth, that

Verified
14/8/20
Filed to
W. L. Kappa
11/2/20

Exhibit 11

lots 96/97
1949 Scott → Dunton

VIRGINIA:

In the Clerk's Office of the Circuit Court of the County of Northampton, on the 19th day of December, A. D., 1941. This deed from E. V. Downes, et ux to Bank of Northampton, Inc., was, with the certificate of acknowledgment thereof thereto annexed, received by me in my said office this day and admitted to record at 12:05 o'clock P.M.

Teste: Geo. T. Tyson, Clerk.

By Virginia Williams, D'y. Clerk

No. 787
Documentary
Stamps, \$1.85
Cancelled.

mailed to
Mr. Allen Austin
Aug. 26 1942

Bruce Baird, als, Tra. as } THIS INDENTURE, Made the Twenty-fifth (25th) day of
TO) DEED B. & S. } August, A. D. one thousand nine hundred and forty-one
Hettie R. Dunton } Between BRUCE BAIRD, CORTLAND BETTS and VERA L. LIST,
Successor Trustees, under the last will and testament of WILLIAM L. SCOTT, late
of the City of Erie and State of Pennsylvania, deceased, parties of the first
part, and HETTIE R. DUNTON, of the Town of Cape Charles, County of Northampton and
State of Virginia, party of the second part.

Whereas, the said WILLIAM L. SCOTT, by virtue of divers good conveyances and assurances in law; duly had and executed, became in his life time seized in his demesne, as of fee, (amongst other lands) of and in the lot, piece or parcel of land hereinafter described; and being so thereof seized made his last will and testament in writing bearing date the third day of October, A. D. 1888, wherein and whereby amongst other things he devised all the rest; residue and remainder of his real estate (of which said rest, residue and remainder of his real estate the land hereinafter described is a part) to the said Matthew H. Taylor, John W. Little, Richard H. Townsend, Jr., and Charles H. Strong, in trust for his devisees as thereinbefore mentioned, with full power to the said Trustees to sell all or any part thereof at any time it may seem to them advisable so to do, to such persons and upon such terms as may to them seem proper, first obtaining, however, during the lives of his said daughters or during the life of the survivor of them, their written approval to any sale of real property, as in and by the said recited will, since his decease, duly proved on the 28th day of December, A. D. 1891, and remaining in the Register's Office in the City of Erie aforesaid, recourse being thereunto had, appears, and

Whereas, the said WILLIAM L. SCOTT died leaving him surviving two children only, to-wit: Mary Scott Townsend and Annie W. S. Strong, and,

Whereas, a duly authenticated copy of said last will and testament of the said WILLIAM L. SCOTT, deceased, is now of record in the Clerk's Office of said Northampton County, Virginia, on page 809, et seq., in Will Book of January 1, 1884, to which said record reference is here made, and,

Whereas, section eleven of article sixth of said will provides that a majority of said Trustees or their successors shall have full power to execute or exercise any trust, power or discretion under said will, and,

WHEREAS, the said John W. Little resigned as said trustee on the 29th day of April, 1895; and,

Whereas, the said Richard H. Townsend, Jr., died on the 27th day of November, 1902, and

Whereas, the said Edward Mehl was duly appointed as successor to the said

423.

Matthew H. Taylor died on the 7th day of March, 1923, and WHEREAS, Peter Coelet Gerry was appointed trustee to succeed the said Matthew H. Taylor on the 24th day of March, 1923, but resigned as said trustee on the 1st day of July, 1925, and WHEREAS, George H. Church was appointed trustee to succeed the said Peter Coelet Gerry on the 3rd day of August, 1925, but died on the 27th day of July, 1935, and WHEREAS, the said Charles H. Strong did on May 27, 1935 appoint Bruce Baird of Washington, D. C., and Cortland Betts of New York City, as Successor Trustees, and, WHEREAS, the said Charles H. Strong died on the 8th day of November, 1935; and, WHEREAS, the said Bruce Baird and Cortland Betts did on February 27, 1936 appoint Vera L. List as a Successor Trustee.

NOW THIS INDENTURE WITNESSETH, that the said Bruce Baird, Cortland Betts and Vera L. List, Successor Trustees, under the last will and testament of said WILLIAM L. SCOTT, deceased, for and in consideration of the sum of Onethousand Two Hundred Fifty and 00/100 (\$1,250.00) Dollars, lawful money of the United States, to them in hand paid by the said NETTIE R. DUNTON, at and before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, released and confirmed, and by these presents by virtue of the power and authority aforesaid in said will contained, do grant, bargain, sell, alien, release and confirm unto the said NETTIE R. DUNTON, her heirs and assigns forever, all that certain piece or parcel of land situate in the Town of Cape Charles, County of Northampton, and State of Virginia, bounded and described as follows, to-wit: The Lots numbered Ninety-six (96) and Ninety-seven (97) in the TOWN of Cape Charles, a map or plot of which said Town of Cape Charles is of record in the Clerk's office of said Northampton County with a deed from the said William L. Scott and wife to William Baumann in Deed Book No. 41, pages 483, 484 and 485, to which map or plot reference is here made.

The said lots numbered ninety-six and ninety-seven (96 and 97), being sold subject to the opening of an alley sixteen feet in width and in length extending from the West line of Strawberry Street to the East line of Pine Street, the centre line of which said alley shall be parallel with, and equidistant from Jefferson and Washington Avenues, and which said alley shall be for the joint use of the parties hereto, and their heirs and assigns; the opening of said alley being conditioned upon the consent of owners of Lots numbered 85, 86, 87 and 88.

These lots sold subject to all taxes from October 1, 1941, and thereafter.

TOGETHER, with all and singular the rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said William L. Scott at and immediately before the time of his decease, and now of the said Trustees aforesaid, in law, equity, or otherwise howsoever, of, in, to or out of the same.

TO HAVE AND TO HOLD the said described hereditaments and premises hereby granted and released, or mentioned or intended so to be, with the appurtenances, unto the said NETTIE R. DUNTON, her heirs and assigns, to and for the only proper use and behoof of the said NETTIE R. DUNTON, her heirs and assigns forever.

AND, the said BRUCE BAIRD, CORTLAND BETTS and VERA L. LIST, Successor Trustees as aforesaid, for themselves, their successors or assigns, do covenant, promise and agree with the said NETTIE R. DUNTON, her heirs and assigns, by these

Alley
longways

presents
that they, the said Trustees as aforesaid, have not done, committed, or knowingly or willingly suffered to be done or committed, any act, matter or thing whatsoever, whereby the premises hereby granted, or any part thereof, is, are, or shall or may be impeached, charged or incumbered in title, charge, estate or otherwise howsoever.

IN WITNESS WHEREOF, the said parties of the first part to these presents have hereunto set their hands and seals, the day and year first above written.

Sealed and delivered in presence of us.	BRUCE BAIRD as Trustee (L.S.) Trustee
OLGA S. CAMERON as to Bruce Baird	CORTLAND BETTS (L.S.) Trustee
J. B. HELD	VERA L. LIST (L.S.) Trustee For Real Estate of William L. Scott, Deceased.

State of Pennsylvania, } s.s.
City and County of Erie. }

I, J. B. Held, a Notary Public, in and for the City, County and State aforesaid, do hereby certify that Vera L. List, one of the Successor Trustees aforesaid, whose names are signed to the writing above, bearing date on the 25th day of August, A. D. 1941 has as said Trustee acknowledged the same before me in my City aforesaid, to the end that the same might be recorded as such.

J. B. HELD
Notary Public
My Commission Expires Mar. 2, 1945.

In Witness Whereof, I have hereunto set my hand and
Notarial Seal this 1st day of December, A. D., 1941.

Notary Public
My Commission Expires Mar. 2, 1945



District of Columbia, }
City of Washington, } ss:

On this 26th day of November, 1941, before me a Notary public in and for the aforesaid City of Washington, District of Columbia, came the above named Bruce Baird, one of the Successor Trustees for the real estate under the last will and testament of William L. Scott, deceased, and acknowledged the foregoing deed to be his act and deed and desired the same to be recorded as such.

WITNESS my hand and official seal the day and year aforesaid.

JOHN W. CROW
Notary Public D.C.
My commission expires June 30, 1945.



State of New York, }
County of New York } ss:

On this 26th day of November, 1941, before me a Notary Public in and for the County and State aforesaid, came the above named Cortland Betts, one of the Successor Trustees for the real estate under the last and will and testament of William L. Scott, deceased, and acknowledged the foregoing deed to be his act and deed and desired the same to be recorded as such.

WITNESS my hand and official seal the day and year aforesaid.

WILLIAM F. PELLETREAU, JR.
Notary Public
My Commission Expires

witness
WILLIAM F. PELLETREAU, Jr.
Notary Public, Queens County
Clerk's No. 3781, Register's No. 4198
Certificate filed in New York County
Clerk's No. 688 Register's No. 2P 409
Commission Expires March 30, 1942.



Exhibit 12

