

**RECIPIENT:** Mark D. Kidd, Esq.  
OPN Law PLC

**RECIPIENT'S CASE NO:** Unknown

**INSOFAR AS THE RECORDS AND INDICES ARE PROPERLY KEPT, TITLE TO THE BELOW DESCRIBED PROPERTY IS VESTED OF RECORD IN:**

Nella LLC

t/e w/s    j/t w/s    t/c    no tenancy    prtshp    corp    llc

**UNDER THE FOLLOWING DEED:**

**Grantor(s):** George A. Etter and Diane N. Etter, husband and wife

**Dated:** January 18, 2017      **Deed Book & Pg./Inst. No:** 201701039

**NOTE:** See Item 4 under OTHER MATTERS below for information regarding the chain of title and potential other ownership possibilities.

**THE PROPERTY LIES IN THE COUNTY OF ROANOKE, VIRGINIA. Recordation references are to the Clerk's Office of the Circuit Court thereof unless otherwise stated.**

**BRIEF LEGAL DESCRIPTION:**

Lot 7 of the John D. Dillon subdivision recorded in Deed Book 346, page 574

NOTE: See the above referenced deed for a more complete description of the subject property.

**DEEDS OF TRUST:**     NONE

**JUDGMENTS:** (X) NONE

**JUDGMENTS & FEDERAL LIENS HAVE BEEN CHECKED IN THE NAME OF THE FOLLOWING PURCHASER(S):**  
Not applicable – delinquent tax sale

**FINANCING STATEMENTS:** (X) NONE

**TAX & ASSESSMENT INFORMATION:**

**Assessed Owner:** NELLA LLC

**Assessed Description:** Lt 7 Jno D Dillon Map

**Tax Map/ID#** 061-17.003-06-.00-0000

**Land \$** 4,200

**Improvements \$** 600

**Total \$** 4,800

**Annual Amt \$** 52.32

**Taxes Payable on:** June 5 and December 5 of the calendar year

**Taxes Paid Thru:** Calendar year 2016 (12-31-16)

**Delinquent Taxes:** Calendar years 2017, 2018, 2019 and 2020

**Taxes a Lien, Not Yet Due:** Calendar year 2021 (1<sup>st</sup> half due 06-05-21)

**Town Taxes, Exemptions, Rollback, Supplementals, Stormwater Fees, Etc:** Stormwater utility fee AND Town of Vinton Taxes which are also delinquent

**Property Address (not warranted):** Clearview Drive

**NOTE:** The above information is based upon the data shown on the printout obtained from the Tax Computer located in the Clerk's Office. The above information is subject to confirmation by the Treasurer's office.

**NOTE:** The above information is based upon the 2020 tax assessment as the 2021 assessment has not yet been posted to the tax computer.

**RESTRICTIONS AND/OR DECLARATIONS:** (X) NONE

**DEEDED EASEMENTS:**

**From:** J. D. Dillon and Lula J. Dillon, his wife

**To:** Roanoke Railway & Electric Company

**Dated:** March 28, 1924

**Deed Book & Pg./Inst. No:** 130-65

**From:** J. D Dillon and Lula J. Dillon, his wife

**To:** Central Virginia Power Company

**Dated:** March 19, 1925

**Deed Book & Pg./Inst. No:** 140-200

**From:** J. D. Dillon and Lula J. Dillon, his wife

**To:** Appalachian Electric Power Company

**Dated:** January 7, 1929

**Deed Book & Pg./Inst. No:** 183-544

**From:** John D. Dillon and Gladys Dillon (shown as his wife in the acknowledgment)

**To:** American Telephone and Telegraph Company of Virginia

**Dated:** January 16, 1842

**Deed Book & Pg./Inst. No:** 294-468

**From:** J. D. Dillon and Gladys A. Dillon, his wife

**To:** Appalachian Electric Power Company

**Dated:** August 31, 1943

**Deed Book & Pg./Inst. No:** 311-173

**ITEMS SHOWN ON PLAT OF SUBDIVISION** of a portion of the property of John D. Dillon **recorded in/as** Deed Book 346, page 754: underground American Telephone and Telegraph Company line crossing the subject property

**ITEMS SHOWN ON OTHER PLATS OF RECORD as follows:**

1. Plat of base acreage recorded in Deed Book 19-513: None

**ACCESS:**

- Public street(s) named:** Clearview Drive
- Appurtenant easement created by Deed Book & Pg./Inst. No.:**
- Road Maintenance Agreement in Deed Book & Pg./Inst. No.:**

**OTHER MATTERS:**

1. The research for this title report began with the deed from George W. Muse and Mary J. Muse, his wife, to John D. Dillon and Lola J. Dillon dated July 25, 1918, recorded in/as Deed Book 91, page 23. The research for this report covers a period of approximately 103 years.
2. Reservation for Gross Richardson Heirs family burying ground and access thereto as reserved in the deed from George W. Muse and Mary J. Muse, his wife, to John D. Dillon and Lola J. Dillon dated July 25, 1918, recorded in Deed Book 91, page 23.
3. John D. Dillon, also known of record as J. D. Dillon, and Lola J. Dillon, also known of record as Lola Jane Dillon (his wife, but not stated in the deed) acquired the base acreage in Deed Book 91, page 23 as stated above. Lola J. Dillon died testate sometime prior to September 17, 1935 as evidenced by her will probated in Will Book 4, page 568. Gladys A. Dillon acquired the base acreage of the subject property by devise from her husband, John D. Dillon, in 1949 as evidenced by his will probated in Will Book 8, page 507. By deed dated October 30, 1964 recorded in Deed Book 755, page 574, she conveyed the original base acreage with certain exceptions to W. E. Cundiff Company, Incorporated. The exceptions to the description contained in that deed did not include the subject property. Accordingly, the property appears to have been vested in W. E. Cundiff Company, Incorporated. That company has been adversed since the date of this deed and no conveyance of the subject property was found.

Gladys A. Dillon died testate on May 25, 1980 as evidenced by her will probated in Will Book 34, page 750. After specific bequests which did not include the subject property, she devised the remainder of her estate in equal shares to the following:

- her sister, Urna E. Meador, or her survivors *per stirpes*
- her brother and sister-in-law, Wistar P. Amos and Catherine Amos, or their survivors, *per stirpes*
- her brother and sister-in-law, H. Lester Amos and Elsie Amos, or their survivors, *per stirpes*

All of these individuals were adversed to the date of this Report.

By deed dated May 20, 1983 recorded in Deed Book 1192, page 1483, the devisees or their survivors conveyed the remaining property of the 14.862 acre tract reserved in the deed recorded in Deed Book 755, page 574 to Leon T. McGhee and Ginger H. McGhee. This does not include the subject property. This deed sets out the survivors of the devise as set out in Will Book 34, page 750.

By deed dated December 8, 2005 recorded as Instrument No. 200521311, Byron Amos and Judy Amos, husband and wife, conveyed the subject property to Gerald D. Simmons and Carol M. Simmons, husband and wife. In this deed, Byron Amos purports to be the last surviving heir of John D. Dillon. However, John D. Dillon had devised all of his property to his wife, Gladys A. Dillon. The record does not support this statement based upon the other individuals shown in the deed recorded in Deed Book 1192, page 1483. The chain of title from this deed to the current deed covers a period of 16 years.

To further add to the confusion of title, staff in both the Treasurer's Office for the Town of Vinton and the Commissioner of the Revenue for Roanoke County show no assessment record for the subject property until 2006 when it appears in the name of Simmons.

5. A copy of the subdivision plat of Section 1, Dillon Woods recorded in Plat Book 6, page 50 is attached for informational purposes only. This section of Dillon Woods adjoins the subject property on its easterly (rear) property line.
6. The record does not disclose the current status of Nella, LLC which purports to be a limited liability company under the laws of the Commonwealth. Also, the record does not disclose the current status of W. E. Cundiff Company, Incorporated which has been purported to be a corporation under the laws of the Commonwealth of Virginia.
7. Clearview Road was formerly known as Vinyard Road.
8. Such state of facts as would be disclosed by a current survey and physical inspection of the subject property.

**BACK TITLE INFO:**    **Exact**    **Full**    **Limited**    **None X**                    **Policy/Case #**  
**EFFECTIVE DATE:**    March 25, 2021 @ 8:00 A.M.

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This report consists of 4 pages.