

# FIDELITY NATIONAL TITLE GROUP, INC.

Chicago Title, Commonwealth Land Title and Fidelity National Title Insurance Companies  
Virginia Production Division

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## TITLE SEARCH REPORT

This Title Search Report is issued for the use of the agent to whom it is addressed. This Report is to be used only by the agent to determine the insurability of title to the property described herein in conjunction with issuance of commitments, policies and endorsements by the above named title insurers ("the Company"). The agent reviewing this Title Search Report must follow all underwriting guidelines set forth in the underwriting Manual and Bulletins issued by the Company. This is a report of matters appearing in the official land records of the county or city wherein the property is located. No search has been made for any matters recorded in the Federal District Courts. Not included in this Report are matters, such as mortgages, judgments and other liens, for which the Company has found recorded satisfactions or releases, and possible other matters which, according to custom and practice, would not appear in a title search. The amount shown in this Report for any deeds of trust, judgments and/or taxes is for informational purposes only. The recipient is responsible for confirming amounts for payoff and/or proration purposes. Use of this Title Search Report for any reason other than the issuance of a Company commitment, policy or endorsement is not authorized. The liability under this Title Search Report is limited to the liability under the policy or policies issued pursuant to this Title Search Report. This Title Search Report is not an opinion, warranty or guarantee of title. The liability under this Title Search Report shall cease and terminate six months after the ending date set forth in the Period of the Search, unless extended in writing by the Company

CASE NO: 11399311

CUSTOMER: *Acquisition Title & Settlement*

### TITLE TO THE BELOW DESCRIBED PROPERTY IS VESTED OF RECORD IN:

*FW Properties, LLC*

(X) llc

### (X) UNDER THE FOLLOWING DEEDS:

Grantor(s): *The Estate of Horace G. Fralin, The Estate of Elbert H. Waldron, Jean M. Waldron, Karen H. Waldron, & Morgan G. Hough*

Dated: 12/29/1997

Recorded: 1/12/1998

Deed Book & Pg./Inst. No: 277-77

Grantor(s): *The Estate of Horace G. Fralin, The Estate of Elbert H. Waldron, Jean M. Waldron, Karen H. Waldron, & Morgan G. Hough*

Dated: 12/29/1997

Recorded: 1/12/1998

Deed Book & Pg./Inst. No: 1564-1154

THE PROPERTIES LIE IN THE *City of Salem & County of Roanoke*, VIRGINIA. Recordation references are to the Clerk's Office of the Circuit Court thereof unless otherwise stated.

### BRIEF LEGAL DESCRIPTION:

225-3-5

*Remaining easterly portion of "Block A", Boulevard Estates, PB 6-52*

*LESS AND EXCEPT that portion conveyed to The Southland Corporation, DB 10-74*

*LESS AND EXCEPT that portion conveyed to Honeytree Childcare, DB 91-758*

*LESS AND EXCEPT that portion conveyed to Richard D. Ellis, DB 103-578*

*LESS AND EXCEPT that portion conveyed to Richard D. Ellis, DB 128-213*

547 LESS AND EXCEPT that portion conveyed to Richard Davis Ellis, Sr., DB 171-

(x) New legal description will need to be created

036.20-05-14.00-0000

Lot 20, Block 23, Map of Section No. 4, Montclair Estates, PB 7-10

(X) Use description in DBS recorded in/as 1564-1154

037.13-04-03.01-0000

Metes & bounds on Peters Creek Road, PB 21-25

TOGETHER WITH the right to use a 50' roadway... DB 1081-348

(x) New legal description will need to be created

Appurtenant easements examined: X YES

See add'l info in Other Matters.

DEEDS OF TRUST: (X) None

JUDGMENTS:

LIENS HAVE BEEN CHECKED IN THE NAME OF THE FOLLOWING PURCHASER(S): Woltz & Associates, Inc..

LIENS FOUND: None

UCC/FINANCING STATEMENTS: (X) None

TAX & ASSESSMENT INFORMATION: INFORMATION & PRINTOUT NOT WARRANTED. CONTACT TREASURER TO CONFIRM.

Assessed Owner: FW PROPERTIES LLC

Assessed Description: E PT BLK A 1.071 AC BOULEVARD ESTATES

Tax Map/ID#225-3-5

Land \$ 148,100

Improvements \$0

Total \$ 148,100

Annual Amt \$ 1,777.20

Taxes Payable on: 12/5 & 6/5

Taxes Paid Thru: 2<sup>nd</sup> half 2022/2023 FY

Delinquent Taxes: None

Taxes a Lien, Not Yet Due: 1<sup>st</sup> half 2023/2024 FY

Town Taxes, Exemptions, Rollback, Supplementals, Stormwater Fees, Etc: None

Property Address (not warranted): 2145 BLK Roanoke Boulevard

Assessed Owner: FW PROPERTIES LLC

Assessed Description: *LOT 20 BLK 23 SEC 4 MONTCLAIR ESTATES*

Tax Map/ID# *036200514000000*

Land \$*6,900*

Improvements \$*0*

Total \$*6,900*

Annual Amt \$*73.14*

Taxes Payable on: *6/5 & 12/5*

Taxes Paid Thru: *1<sup>st</sup> half 2023*

Delinquent Taxes: *None*

Taxes a Lien, Not Yet Due: *2<sup>nd</sup> half 2023*

Town Taxes, Exemptions, Rollback, Supplementals, Stormwater Fees, Etc: *None*

Property Address (not warranted): *2806 Embassy Drive*

Assessed Owner: *FW PROPERTIES LLC*

Assessed Description: *MAJOR PT PARCEL B LOWRY TR*

Tax Map/ID# *037130403010000*

Land \$*97,200*

Improvements \$*0*

Total \$*97,200*

Annual Amt \$*1,030.32*

Taxes Payable on: *6/5 & 12/5*

Taxes Paid Thru: *1<sup>st</sup> half 2023*

Delinquent Taxes: *None*

Taxes a Lien, Not Yet Due: *2<sup>nd</sup> half 2023*

Town Taxes, Exemptions, Rollback, Supplementals, Stormwater Fees, Etc: *None*

Property Address (not warranted): *Peters Creek Road*

**RESTRICTIONS AND/OR DECLARATIONS: 036.20-05-14.00-0000**

Dated: *1/2/1968* Recorded: *10/4/1968* Deed Book & Pg./Inst. No: *862-274*

Amendments at: *868-673*

Contain Reverter: (X) No

Contain Easements (not shown on subd. plat): (X) No

Contain Minimum Building Line not shown on subd. plat: (X) No

Contain Assessments: (X) No

**DEEDED EASEMENTS:**

*225-3-5*

From: *Julia H. Lloyd*

To: *Nora Hite Young, et al*

Dated: *4/5/1960* Deed Book & Pg./Inst. No: *638-73*

From: *Julia H. Lloyd*

To: *Jesse F. Rutledge, et ux*

Dated: 4/6/1960

Deed Book & Pg./Inst. No: 638-284

036.20-05-14.00-0000

From: *Fralin & Waldron, Inc.*

To: *Roanoke County Public Service Authority*

Dated: 5/24/1967

Deed Book & Pg./Inst. No: 842-315

From: *Fralin & Waldron, Inc.*

To: *Chesapeake & Potomac Telephone Company of VA*

Dated: 5/14/1968

Deed Book & Pg./Inst. No: 853-167

From: *Fralin & Waldron, Inc.*

To: *APCO*

Dated: 6/6/1968

Deed Book & Pg./Inst. No: 855-736

From: *Fralin & Waldron, Inc.*

To: *Roanoke County Public Service Authority*

Dated: 12/5/1968

Deed Book & Pg./Inst. No: 868-742

037.13-04-03.01-0000

From: *Layman Candy Co.*

To: *Fralin & Waldron, Inc.*

Dated: 5/4/1981

Deed Book & Pg./Inst. No: 1172-408

ITEMS SHOWN ON PLAT OF SUBDIVISION recorded in/as *PB 6-52*:

1. *Original Block A*
2. *Portion of 12' PUE in rear of lot*

ITEMS SHOWN ON PLAT OF SUBDIVISION recorded in/as *PB 7-10*:

1. *40' MBL from Embassy Drive*
2. *20' DE through lot*
3. *15' PUE on southern lot line*
4. *10' DE on eastern lot line*

ITEMS SHOWN ON PLAT OF SUBDIVISION recorded in/as *PB 21-25*:

1. *New boundary lines*

SHOWN ON OTHER PLATS OF RECORD as follows:

*Plats recorded with all out-conveyances for 225-3-5*

ACCESS:

(X) Public street(s) named: *Roanoke Boulevard & Embassy Drive*

(X) Appurtenant easement created by Deed Book & Pg./Inst. No.: *1081-348*



**OTHER MATTERS:**

*Oil/gas lease granted The Pure Oil Company, DB 10-68*

**SEARCH TYPE:** (X) Standard Residential

**BACK TITLE INFO RELIED UPON IS** Policy/Case # *N/A*.

**EFFECTIVE DATE:** *10/10/2023 @ 8:00 A.M.*

**SEARCHER:** Will Bullington

**THIS REPORT CONSISTS OF 5 PAGES,** excluding document copies, adverse sheets, etc



**CITY OF SALEM, VIRGINIA**  
**DANIELLE C. CRAWFORD, CITY TREASURER**

PO Box 869  
Salem, Virginia 24153-0869

**REAL ESTATE TAX STATEMENT**

**Account # : 38085**  
**Customer : FW PROPERTIES LLC**

MAP Number: 225-3-5  
Fiscal Year: 2023/2024  
Half: 1  
Period from 07/01/2023 to 12/31/2023  
Bill Date: 07/03/2023

Print Date: 10/12/2023

**LEGAL ADDRESS**

2145 BLK ROANOKE BLVD

**LEGAL DESCRIPTION**

E PT BLK A 1.071 AC BOULEVARD ESTATES

**PROPERTY OWNERS ON JULY 1**

FW PROPERTIES LLC

**CURRENT YEAR ASSESSMENT INFORMATION**

TAX RATE	LAND	VALUE BUILDINGS AND IMPROVEMENTS	TOTAL VALUE	ANNUAL TAX
\$1.20	148,100	0	148,100	\$1,777.20

TAX YEAR	TAX	RELIEF	PENALTY	INTEREST	FEES	CREDIT	TOTAL DUE
2023 / 1	\$888.60	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$888.60

For name changes or assessment inquiries please contact the Real Estate Assessor at 540-375-3058

For senior/disabled citizen tax relief please contact the Commissioner of Revenue at 540-375-3019

For payment inquiries, please contact the City Treasurer at 540-375-3024

**See Back Page For Online/Phone Payment Instructions and Other Important Information.**

Your cancelled check will serve as your receipt. If you would like a receipt, please enclose a self addressed, stamped envelope and return entire bill with your payment.

To avoid penalty of 10% or \$10.00, whichever is greater and 10% interest per annum, the 1st half installment must be received by 12/05/2023. The penalty shall in no case exceed the amount due.

Please make checks payable to "DANIELLE C. CRAWFORD, Treasurer" and return this portion with your payment

Account Number : 38085  
MAP Number : 225-3-5

1st Half Real Estate Tax Statement  
2145 BLK ROANOKE BLVD  
E PT BLK A 1.071 AC BOULEVARD ESTATES

Fiscal Year: 2023/2024  
Due Date: 12/05/2023  
Print Date: 10/12/2023

TAX YEAR	TAX	RELIEF	PENALTY	INTEREST	FEES	CREDIT	TOTAL DUE
2023 / 1	\$888.60 \$0.00	\$0.00 \$0.00	\$0.00 \$0.00	\$0.00 \$0.00	\$0.00 \$0.00	\$0.00 \$0.00	\$888.60 \$0.00
BILL NUMBER	TAX	RELIEF	PENALTY	INTEREST	FEES	CREDIT	PAY THIS AMOUNT
1117580	\$888.60	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$888.60

2023 Real Estate Taxes are due by December 05, 2023

**FW PROPERTIES LLC**  
**90 TOWN CENTER ST STE 200**  
**DALEVILLE, VA 24083**

Change of Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## **CONTACT INFORMATION**

If you have questions about payments on your tax account or about delinquent taxes (including penalties and interest), call (540) 375-3024. If you have questions concerning your real estate assessment, call (540) 375-3058. Staff is available between the hours of 8:00 a.m. and 5:00 p.m., Monday - Friday, to answer your call.

## **REAL ESTATE TAX FREEZE**

The City of Salem offers the Real Estate Tax Freeze to property owners who are 65 years of age or older, or permanently and totally disabled by the end of the preceding year. This program is based on the applicant(s) meeting certain income and net worth qualifications and is in the form of an exemption or partial exemption. For more details contact: the Commissioner of Revenue at (540) 375-3019.

## **DISABLED VETERANS REAL ESTATE EXEMPTION**

The Virginia state constitution was amended to exempt the primary residence of a disabled American Veteran who has been rated as having a 100% service-connected, permanent and total disability by the U.S. Department of Veterans Affairs for tax years beginning on or after 2011. The exemption applies to the veteran or surviving spouse (if the veteran's death occurs on or after January 1, 2011). For more details contact the Commissioner of Revenue at (540) 375-3019.

## **BILLING INFORMATION**

Salem City Code §82-3 provides for payment of Real Estate Taxes in two (2) installments. Your bill reflects the amount due for the current tax year and all delinquent Taxes, Liens, or Fees. The first installment is billed during October and is due on or before December 5th. The second installment is billed during April and is due on or before June 5th. Payments are due on the first business day following the due date if the due date falls on a weekend.

**If you have a Mortgage on your property and the Mortgage holder is escrowing funds for the payment of Real Estate taxes, it is important that you immediately forward this bill to your Mortgage Company for payment.**

**If the property has been sold during the year, please return this bill to the City of Salem Treasurer's office**

## **DUE DATES/PENALTIES AND INTEREST**

Payments for real estate tax must be received by the due date indicated on the original tax bill to avoid a late payment penalty. Envelopes with the United States Post Office postmark, not a postal meter stamp, dated on or before the due date are considered to be on time. Consult your bill paying service for recommended number of days for payments to reach the City's bank account. If a payment made by check is returned by a financial institution for insufficient funds, closed account, or stop payment, the payment will be reversed, penalties and interest applied, and a fee of \$40.00 will be charged to your account. The City pursues collection of delinquent real estate taxes by lien and all other legal means available.

## **PAYMENT INFORMATION**

**Pay In Person:** At the Treasurer's office, 114 N. Broad St

**Pay by Mail:** Mail check to City Of Salem Treasurer, P O Box 869, Salem, VA 24153

**Pay by Credit Card:** 1. In the office - No Fee  
2. Online: [salemva.gov](http://salemva.gov) - No Fee - Click on Make a Payment



# Real Estate

[View Bill](#)

[View bill image](#)

As of	10/17/2023
Bill Year	2023
Bill	23008983
Owner	FW PROPERTIES LLC
Parcel ID	036200514000000

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	6/5/2023	\$36.57	\$36.57	\$0.00	\$0.00	\$0.00
2	12/5/2023	\$36.57	\$0.00	\$36.57	\$0.00	\$36.57
TOTAL		\$73.14	\$36.57	\$36.57	\$0.00	\$36.57

Add to Cart



# Real Estate Assessment

Owner	FW PROPERTIES LLC
Parcel ID	036200514000000
Bill Year	2023

## Assessment Values

	Gross Assessment
Land	\$6,900.00
Building	\$0.00
Total	\$6,900.00

	Class	Description	Area	Deferments	Net Assessment
LAND	0100	SFRU	1.000 Acres	\$0.00	\$6,900.00
Total					\$6,900.00



# Real Estate

View Bill

View bill image

As of	10/17/2023
Bill Year	2023
Bill	23009919
Owner	FW PROPERTIES LLC
Parcel ID	037130403010000

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	6/5/2023	\$515.16	\$515.16	\$0.00	\$0.00	\$0.00
2	12/5/2023	\$515.16	\$0.00	\$515.16	\$0.00	\$515.16
TOTAL		\$1,030.32	\$515.16	\$515.16	\$0.00	\$515.16

Add to Cart



# Real Estate Assessment

Owner	FW PROPERTIES LLC
Parcel ID	037130403010000
Bill Year	2023

## Assessment Values

	Gross Assessment
Land	\$97,200.00
Building	\$0.00
Total	\$97,200.00

	Class	Description	Area	Deferments	Net Assessment
LAND	0400	CI	1.440 Acres	\$0.00	\$97,200.00
Total					\$97,200.00

KNOW ALL MEN BY THESE PRESENTS, TO WIT:  
THAT HERMAN AND WILDERON, INC., IS THE ASS SHARED  
OWNER AND PROPRIETOR OF THE LAND SHOWN HEREON  
TO BE SUBDIVIDED KNOWN AS "BOULEVARD ESTATES",  
SITUATED AS SHOWN HEREON IN PART BY OUTSIDE  
CORNERS 1 THRU 16 TO 1, INCLUSIVE, WHICH COMPREHENDS  
ALL THE LAND CONVEYED TO SAID OWNER BY DEED  
RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT  
COURT OF COMMONWEALTH OF VIRGINIA, DEED BOOK 183 PAGE 360.

THE SAID OWNER CERTIFIES THAT THE SUBDIVISION OF  
THE FOREGOING PARCELS OF LAND AS SHOWN HEREON  
IS ENTIRELY WITH THE FREE WILL AND CONSENT OF  
THE SAID OWNER CONFORMANCE PURSUANT TO AND IN  
CONFORMANCE WITH SECTIONS 15.770 THROUGH 15.794.3  
OF THE VIRGINIA CODE OF 1960 AS AMENDED TO DATE,  
AND FURTHER PURSUANT TO AND IN CONFORMANCE WITH  
TITLE 15, CHAPTER 22, "LAND SUBDIVISION REGULATIONS",  
AS AMENDED TO DATE, OF THE SEVERAL REVENUES OF  
THE TOWN OF SALEM. THE SAID OWNER DOES BY VIRTUE  
OF THE RECORDATION OF THIS DEED RESIGN IN FEE  
SIMPLE TO THE TOWN OF SALEM ALL OF THE LAND  
EMBRACED WITHIN THE STREETS OF THIS SUBDIVISION.

THE SAID OWNER DOES, AS A CONDITION PRECEDENT TO  
THE APPROVAL OF THIS DEED AND SUBDIVISION AND  
ACCEPTANCE OF THE DEDICATION OF THE STREETS SHOWN  
HEREON BY THE COUNCIL OF THE TOWN OF SALEM  
IN ITS OWN NAME AND FOR AND ON BEHALF OF  
ITS SUCCESSORS AND ASSIGNS, SPECIFICALLY RE-  
LEASE THE TOWN OF SALEM

FROM ANY AND ALL CLAIMS OR  
CLAIMS FOR DAMAGES WHICH SUCH OWNERS, OR suc-  
cessors AND ASSIGNS, MAY OR MIGHT HAVE AGAINST  
THE TOWN OF SALEM  
BY REASON OF ESTABLISHING PEACE GRADE LINES ON AND  
BENEATH SUCH STREETS AS SHOWN ON THE PLAT OF THIS  
LAND SUBDIVISION (OR SUCH CHANGED STREETS AS MAY BE  
NEEDED UPON IN THE FUTURE) AND BY REASON OF BEING  
NECESSARY GRADING, CUTTING OR FILLING FOR THE PURPOSE  
OF FURNISHING SUCH STREETS UPON THE PEACE GRADE AS  
AND FROM TIME TO TIME, AS ESTABLISHED BY SAID  
TOWN OF SALEM  
AND SAID  
TOWN OF SALEM  
SHALL  
NOT BE REQUIRED TO CONSTRUCT ANY RETAINING WALL OR  
WALLS ABOVE THE STREETS AND PROPERTY LINES  
THEREON.

IN WITNESS WHEREOF THE SAID HERMAN AND WILDERON, INC. HAS PLACED THE  
FOLLOWING SIGNATURES AND DATES ON JULY 12, 1965.

HERMAN AND WILDERON, INCORPORATED

BY: Robert F. Waldron  
PRESIDENT

ATTEST: Samuel E. Tabor  
SECRETARY & TREASURER



- RESERVATIONS & RESTRICTIONS**  
THE FOLLOWING RESERVATIONS AND RESTRICTIONS ARE  
MADE CONCURRENT WITH THE PLAT OF THIS  
DEED SHOWN HEREON FOR A PERIOD OF TWENTY (20)  
YEARS FROM THE DATE OF RECORDATION OF THIS DEED.
1. LOTS SHOWN HEREON ARE FOR RESIDENTIAL PURPOSES ONLY.
  2. THE GRADES AND DRAINAGE OF IMPROVED PAVED OR  
LIVING STREETS SHALL BE SUCH THAT THE DRAINAGE SHALL  
NOT BE IMPAIRED OR OBSTRUCTED BY ANY OWNER OR  
OWNERS UNLESS SAID ALTERATION IS IN ACCORD-  
ANCE WITH A PLAN OF A CERTIFIED ENGINEER,  
ARCHITECT OR LANDSCAPE ARCHITECT WHICH PROVIDES  
ADEQUATE DRAINAGE OR DRAINAGE STRUCTURES AS NEEDED  
FOR THE DISPOSITION OF SUCH WATERS, AND SHALL  
SUCH ALTERATIONS BE ALLOWED UNLESS REFERRED TO  
IN WRITING BY THE OWNER OR OWNERS OF THE AD-  
JACENT LOTS OR THOSE DIRECTLY ADJACENT TO THIS  
SUBDIVISION.
  3. NO PART OF ANY BUILDING SHALL BE CONSTRUCTED  
NEARER THE FRONT OR SIDE STREET LINE THAN TWENTY  
FOOT (20) FEET.
  4. NO FENCE, WALL, GATE OR OTHER OBSTACULAR STRUCTURE SHALL  
BE PERMITTED ON ANY LOT SHOWN HEREON.
  5. NO FENCE OR HEDGE SHALL BE PERMITTED ON THE  
FRONT PORTION OF ANY LOT OR THE FRONT 40 FEET  
OF THE DIVISION LINE OF ANY LOT EXCEPT THAT  
30 INCHES IN HEIGHT, SAID FENCE MATERIAL AND  
CONSTRUCTION TO BE DETERMINED BY ADJACENT  
OWNERS IN WRITING BEFORE INSTALLATION.
  6. NO RESIDENTS SHALL BE CONFINED ON ANY LOT  
OR PORTIONS OF LOTS WHERE LIVABLE AREA FOR A  
1 STORY HOUSE IS LESS THAN 800 SQUARE FEET,  
EXCLUDING OF PORCHES AND GARAGES.
  7. NO GARAGES SHALL BE USED AS LIVING QUARTERS  
AND SHALL ANY TEMPORARY LIVING QUARTERS ON  
ANY LOT BE PERMITTED.
  8. THE FOREGOING BUILDING RESTRICTIONS AND CON-  
DITIONS ARE SUBORDINATE TO AND THE VAILIDITY  
OF THE SAME ARE SUBORDINATE TO ANY LAW, ORDINANCE  
OR RESOLUTION PASSED BY ANY LOT IN THIS SUB-  
DIVISION.

STATE OF VIRGINIA } TO WIT:  
COUNTY OF DANVILLE, }  
I, JAMES WILLIAM MUTH, a Notary Public in and for the State of Virginia, do hereby certify that Robert F. Waldron and Samuel E. Tabor, President and Secretary & Treasurer, respectively, of Herman and Wilderon, Inc., whose names as such are shown to the foregoing plat of the Boulevard Estates, 183, have been personally known to me in my professional capacity and state and acknowledged the same on July 12, 1965.

JULY 12, 1965  
BY NOTARIAL SIGNATURE

James William Muth  
NOTARY PUBLIC



IN THE CLERK'S OFFICE OF THE  
CIRCUIT COURT FOR DANVILLE  
COUNTY, VIRGINIA, THIS DEED  
IS RECORDED IN DEED BOOK 183,  
PAGE 360, AND WITH THE RECORDATION  
OF RECORDATION, AND  
DEDICATION THEREON, AND  
IS HEREBY TO BECOME A PUBLIC  
DEED OF RECORD.

BY: David Dick  
CLERK

JULY 12, 1965  
I HEREBY CERTIFY THAT THIS  
PLAT OF SURVEY IS CORRECT.

David Dick  
STATE CLERK AND CLERK OF SURVEY

APPROVED:-

David M. Lewis DEPT. 10-15-65  
SHERIFF-DANVILLE COUNTY, VIRGINIA

James M. Wall DEPT. 10-15-65  
SHERIFF-DANVILLE COUNTY, VIRGINIA

David M. Wall DEPT. 10-14-65  
SHERIFF-DANVILLE COUNTY, VIRGINIA

F. A. Gingle DEPT. 10-14-65  
TOWN CLERK OF SALEM, VIRGINIA

SHEET NO. 1 OF 2 SHEETS

PLAT  
of  
**BOULEVARD ESTATES**  
PROPERTY OF  
HERMAN AND WILDERON, INC.  
TOWN OF SALEM  
DANVILLE CO., VIRGINIA  
DATE: JULY 12, 1965 SCALE: 1"=100'



SHEET 172 OF 2 SHEETS

PLAN  
of  
BOULEVARD ESTATES

PROPERTY OF  
FRAZEE & WILCOX, INC.  
TOWN OF SALEM  
ROANOKE CO., VIRGINIA

SALES BY C. HARRY A. WELLS  
AT CIVIL ENGINEER'S SURVEYS

DATE: JULY 12, 1965 SCALE: 1"=100'

LEGEND  
P.U.E. DENOTES PUBLIC UTILITY EASEMENT.  
G.A.E. DENOTES GUY ANCHOR EASEMENT.  
D.E. DENOTES DRAIN EASEMENT (OPEN DITCH).  
M.B.L. DENOTES MINIMUM BUILDING LINE.  
S.E. DENOTES SEWER EASEMENT.

NOTE: SEGMENTS OF TEMPORARY TURNAROUND SHALL REVERT TO ADJOINING OWNER WHEN ROADS ARE EXTENDED.



CURVE DATA						
CURVE	LOT	BLK	DELTA	TAN.	RAD.	ARC
W 28	19		315.26.20"	16.94	50.00	32.64
X 28	19		212.22.30"	18.13	50.00	32.14
Y 29	17		152.00	29.30	206.76	58.22
Z 34	17		112.00	17.11	206.76	39.63
AA 1	20		108.30	25.00	25.00	25.00
BB 1	20		455.31	71.00	182.35	127.16
CC 1	20		215.01	35.45	182.35	61.11
DD 1	20		50.25	35.45	10.00	6.08
EE 5	21		402.00	25.00	25.00	25.00
FF 5	21		402.00	25.00	25.00	25.00
GG 1	22		84.00.30"	25.00	25.00	25.00
HH 1	23		402.00	25.00	25.00	25.00
II 1	23		402.00	25.00	25.00	25.00
JJ 1	23		382.10.30"	25.00	25.00	25.00
KK 1	23		182.58	25.00	25.00	25.00
LL 1	23		102.58	25.00	25.00	25.00
MM 1	23		232.21.30"	25.00	25.00	25.00
NN 1	23		120.4.30"	25.00	25.00	25.00
OO 1	23		620.4.30"	25.00	25.00	25.00
PP 1	23		182.45.58"	25.00	25.00	25.00
QQ 1	23		112.18	25.00	25.00	25.00
RR 1	23		112.18	25.00	25.00	25.00
SS 1	23		112.18	25.00	25.00	25.00
TT 20	23		126.1.00"	25.00	25.00	25.00
UU 20	23		142.58.20"	25.00	25.00	25.00

CURVE DATA						
CURVE	LOT	BLK	DELTA = Δ	TAN.	RAD.	ARC
A	3	14	90°00"	25.00	25.00	25.00
B	1	15	90°00"	25.00	25.00	25.00
C	4	15	75°35"	70.00	282.95	185.60
D	4	15	4°02"	8.20	282.95	16.40
E	11	15	182°11"	32.15	282.95	63.01
F	12	15	182°11"	32.15	282.95	63.01
G	12	15	7°00"	14.45	232.95	28.81
H	12	15	125°31"	53.85	250.00	31.21
I	4	16	90°00"	25.00	25.00	25.00
J	7	16	90°00"	25.00	25.00	25.00
K	3	17	93°00"	25.00	25.00	25.00
L	3	18	90°00"	25.00	25.00	25.00
M	5	18	16°11"	47.00	344.84	45.00
N	5	18	12°18"	36.00	344.84	11.00
O	5	18	3°55"	11.57	344.84	2.30
P	5	18	70°20"	25.00	25.00	25.00

100  
FEET  
DRIVE

100  
FEET  
DRIVE

CURVE DATA						
CURVE	LOT	BLK	DELTA = Δ	TAN.	RAD.	ARC
A	3	14	90°00"	25.00	25.00	25.00
B	1	15	90°00"	25.00	25.00	25.00
C	4	15	75°35"	70.00	282.95	185.60
D	4	15	4°02"	8.20	282.95	16.40
E	11	15	182°11"	32.15	282.95	63.01
F	12	15	182°11"	32.15	282.95	63.01
G	12	15	7°00"	14.45	232.95	28.81
H	12	15	125°31"	53.85	250.00	31.21
I	4	16	90°00"	25.00	25.00	25.00
J	7	16	90°00"	25.00	25.00	25.00
K	3	17	93°00"	25.00	25.00	25.00
L	3	18	90°00"	25.00	25.00	25.00
M	5	18	16°11"	47.00	344.84	45.00
N	5	18	12°18"	36.00	344.84	11.00
O	5	18	3°55"	11.57	344.84	2.30
P	5	18	70°20"	25.00	25.00	25.00

KNOW ALL MEN BY THESE PRESENTS, TO WIT:

THAT FRALIN AND WALDRON, INC. IS THE OWNER OF THE TRACT OF LAND SHOWN HEREON, BOUNDED CORNERS 1 THRU 24, INCLUSIVE, SUBDIVIDED INTO LOTS AND KNOWN AS MAP OF SECTION NO. 4, MONTCLAIR ESTATES, CONTAINING 39.7 ACRES, SUBJECT ONLY TO A CERTAIN DEED OF TRUST DATED APRIL 1, 1967, FROM SAID OWNER TO T. L. PLUNKETT, JR., SOLE TRUSTEE, SECURING H. F. PLUNKETT AND HESTER E. PLUNKETT, BENEFICIARY, OF RECORD IN DEED BOOK 824, PAGE 523.

THE SAID OWNER HEREBY CERTIFIES, THAT IT HAS SUBDIVIDED THIS LAND INTO LOTS AS SHOWN HEREON ENTIRELY WITH ITS OWN FREE WILL AND ACCORD AS REQUIRED BY SECTIONS 15-179 THROUGH 15-194.3 OF THE 1950 CODE OF VIRGINIA, AS AMENDED TO DATE.

THE SAID OWNER WITH THE CONSENT OF THE UNDERSIGNED TRUSTEE AND BENEFICIARIES, HEREBY DEDICATES TO AND VESTS IN COUNTY OF ROANOKE, VA., SUCH PORTIONS OF THE PREMISES PLATTED AS ARE ON THIS PLAT SET APART FOR STREETS, EASEMENTS, OR OTHER PUBLIC USE.

THE SAID OWNER DOES AS A CONDITION PRECEDENT TO THE APPROVAL OF THIS PLAT AND SUBDIVISION AND ACCEPTANCE OF THE DEDICATION OF THE STREETS SHOWN HEREON BY THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, ON ITS OWN BEHALF AND FOR AND ON ACCOUNT OF ITS SUCCESSORS AND ASSIGNS, SPECIFICALLY RELEASE THE COUNTY OF ROANOKE AND THE VIRGINIA DEPT. OF HIGHWAYS FROM ANY AND ALL CLAIM OR CLAIMS FOR DAMAGES WHICH SAID OWNER, ITS SUCCESSORS AND ASSIGNS, MAY OR MIGHT HAVE AGAINST THE COUNTY OR VIRGINIA DEPT. OF HIGHWAYS BY REASON OF ESTABLISHING PROPER GRADE LINES ON AND ALONG SUCH STREETS AS SHOWN ON THE PLAT OF THE LAND SUBDIVIDED (OR SUCH CHANGED STREETS AS MAY BE AGREED UPON IN THE FUTURE) AND REASON OF DOING NECESSARY GRADING, CUTTING OR FILLING FOR THE PURPOSE OF PLACING SUCH STREETS UPON THE PROPER GRADE AS MAY FROM TIME TO TIME, BE ESTABLISHED BY SAID COUNTY OR VIRGINIA DEPT. OF HIGHWAYS, AND SAID COUNTY OR VIRGINIA DEPT. OF HIGHWAYS SHALL NOT BE REQUIRED TO CONSTRUCT ANY RETAINING WALL OR WALLS ALONG THE STREETS AND PROPERTY LINES THEREOF.

WITNESS THE SIGNATURES AND SEALS ON THIS 11th DAY OF April, 1968.

FRALIN AND WALDRON, INC.

BY: Elbert H. Waldron  
ITS PRESIDENT

ATTEST: James H. Plunkett  
ITS SECRETARY

T. L. Plunkett, Jr.  
T. L. PLUNKETT, JR., TRUSTEE

H. F. Plunkett  
H. F. PLUNKETT, BENEFICIARY

Hester E. Plunkett  
HESTER E. PLUNKETT,  
BENEFICIARY

STATE OF VIRGINIA TO WIT:

Cynthia S. Bracke, A NOTARY PUBLIC IN AND FOR THE AFORESAID STATE AND County, DO HEREBY CERTIFY THAT ELBERT H. WALDRON, HORACE G. FRALIN, T. L. PLUNKETT, JR., H. F. PLUNKETT, AND HESTER E. PLUNKETT, WHOSE NAMES ARE SIGNED TO THE FOREGOING WRITING DATED April 11, 1968, HAVE EACH PERSONALLY APPEARED BEFORE ME IN MY STATE AND County AND ACKNOWLEDGED THE SAME ON THIS 11th DAY OF April, 1968.

MY COMMISSION EXPIRES: January 6, 1969.

Cynthia S. Bracke  
NOTARY PUBLIC

IN THE CLERK'S OFFICE FOR THE CIRCUIT COURT OF ROANOKE COUNTY, VIRGINIA, THIS MAP WAS PRESENTED AND WITH THE CERTIFICATE OF ACKNOWLEDGMENT THEREON ANNEXED, ADMITTED TO RECORD AT 4:10 O'CLOCK, P. M., ON THIS 23 DAY OF May, 1968.

Elizabeth H. Stokes, Clerk

TESTE: By Hilda E. Lambford  
CLERK

APPROVED:

F. A. Spiggle  
CITY ENGINEER OF SALEM, VIRGINIA

5-20-68  
DATE

William F. Clark  
EXEC. SECRETARY, CITY OF SALEM PLANNING COMM.

5-20-68  
DATE

William F. Clark  
CITY ENGINEER OF ROANOKE, VIRGINIA

5-22-68  
DATE

Dexter H. Williams  
AGENT FOR ROANOKE CITY PLANNING COMM.

5-23-68  
DATE

Joe B. Eaddy  
CHAIRMAN OF BOARD OF SUPERVISORS OF ROKE CO.

1/16/69  
DATE

Joe B. Eaddy  
SECY. OF ROANOKE CO. PLANNING COMM.

1/16/68  
DATE

PLAT BOOK 7, PAGE 10  
BOUNDARY DATA

CORNERS	BEARING	DISTANCE	NORTH	SOUTH	EAST	WEST
1-2	S. 42° 08' E.	591.63		438.74	346.90	
2-3	S. 41° 55' W.	216.00		144.90		160.18
3-4	S. 42° 08' E.	7.21		5.35	4.84	
4-5	S. 41° 55' W.	140.00		93.92		103.82
5-6	N. 42° 08' W.	38.54	28.58			25.85
6-7	S. 41° 55' W.	460.00		308.69		341.13
7-8	S. 42° 08' E.	350.00		259.55	234.80	
8-9	S. 20° 00' W.	119.78		112.56		40.97
9-10	S. 21° 50' E.	198.07		183.86	73.66	
10-11	N. 85° 47' 30" E.	116.51	8.55		116.20	
11-12	S. 25° 50' 10" W.	124.20		124.05		6.14
12-13	S. 56° 24' 1" W.	385.10		211.44		321.18
13-14	N. 81° 15' 30" W.	141.37	21.48			139.73
14-15	S. 42° 40' 30" W.	226.11		165.88		153.65
15-16	S. 23° 14' 30" E.	226.90		208.44	89.54	
16-17	N. 84° 50' 30" W.	60.39	0.92			60.38
17-18	S. 11° 00' E.	199.67		196.08	38.10	
18-19	N. 84° 15' 15" W.	74.14	0.97			74.13
19-20	S. 83° 21' 15" W.	123.97		14.35		123.14
20-21	S. 64° 13' W.	175.28		76.24		157.83
21-22	N. 24° 55' 30" W.	817.13	741.02			344.36
22-23	N. 65° 44' 30" E.	475.60	200.18		430.76	
23-24	N. 67° 03' W.	557.62	217.43			513.48
24-1	N. 41° 44' E.	1775.29	1324.81		1181.74	
TOTALS		2543.44	2543.97	2566.54	2566.68	

SHEET 1 OF 2 SHEETS  
MAP OF  
SECTION NO. 4

MONTCLAIR ESTATES

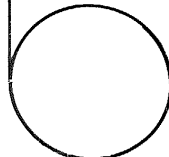
PROPERTY OF  
FRALIN AND WALDRON, INC.  
ROANOKE COUNTY, VIRGINIA.

SCALE: 1" = 100' JAN. 2, 1968

BY: T. P. PARKER  
STATE CERT. ENGR.



SEAL



KNOW ALL YE MEN THESE PRESENTS TO WIT:

I, a Representative of the City of Roanoke do hereby certify that the City of Roanoke, is the Fee Simple owner of the land shown hereon, and is the same land conveyed to Said owner by Deeds recorded in the Clerk's Office of the Circuit Court of the County of ROANOKE, VIRGINIA in Deed Book 1554 at Page 236, and Deed Book 1567 at Page 222.  
That, F.W. PROPERTIES, L.L.C., are the Fee Simple of the land shown hereon, and is a portion of the same land conveyed to Said owners by Deeds recorded in the Clerk's Office of the Circuit Court of the County of ROANOKE, VIRGINIA in Deed Book 1554 at Page 1215, and Deed Book 1554 at Page 1219.

The Platting and Dedication of the land shown hereon is with the free will and consent and in accord with the desire of the undersigned owners as required by Sections 15.6-2264 of the Code of Virginia (1950) as amended to date, and the Subdivision Ordinance of the County of Roanoke, Virginia.

In witness whereof is hereby placed the Signatures of the said owners on this the 13th Day of May, 1998.

D. A. Bowers  
FOR: THE CITY OF ROANOKE  
DAVID A. BOWERS, MAYOR  
5/13/98  
DATE  
F.W. Properties, L.L.C.  
Andrew C. Kelderhouse  
BY FRALIN & WALDRON, INC.  
MANAGER  
BY ANDREW C. KELDERHOUSE  
VICE PRESIDENT  
May 13, 1998  
DATE

City of Roanoke,  
State of Virginia

I, Joyce S. Johnson, a Notary Public in and for the aforesaid County, and State, do hereby Certify that DAVID A. BOWERS, whose name is signed to the foregoing writing dated the 13th Day of May, 1998, Has personally appeared before me in my City and State, and have acknowledged the same on this the 13th Day of May, 1998.

My Commission Expires: February 28, 2001

Notary Public: Joyce S. Johnson

County of Roanoke,  
State of Virginia

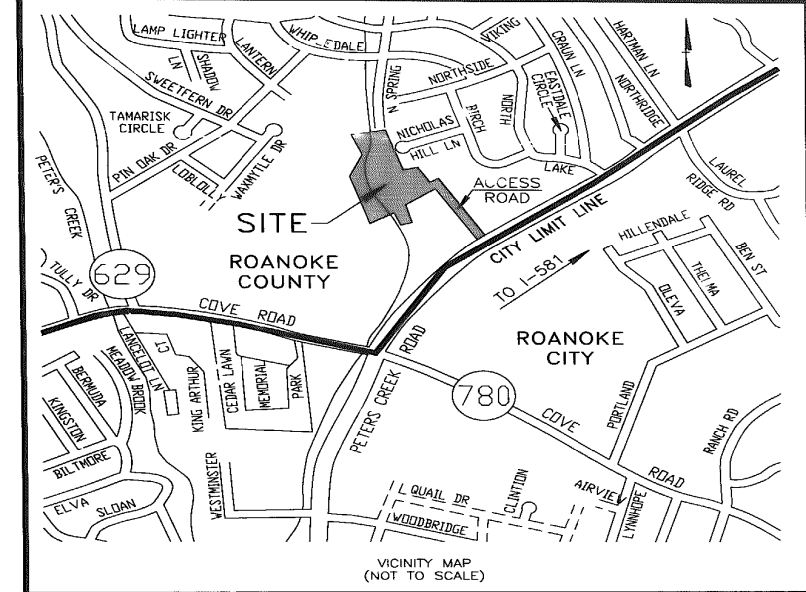
I, Nona Lisa Mauk, a Notary Public in and for the aforesaid County, and State, do hereby Certify that ANDREW C. KELDERHOUSE, whose name is signed to the foregoing writing dated the 13th Day of May, 1998, Has personally appeared before me in my City and State, and have acknowledged the same on this the 13th Day of May, 1998.

My Commission Expires: August 31, 1999

Notary Public: Nona Lisa Mauk

In The CLERK'S Office of the CIRCUIT COURT for the COUNTY of ROANOKE, VIRGINIA this map presented on this 13th Day of June, 1998, and with the certificate of Dedication and Acknowledgment thereto annexed, admitted to record 10:00 O'Clock A.M.

TESTE: Christa A. Boehmgen, DC  
CLERK FOR THE COUNTY OF ROANOKE

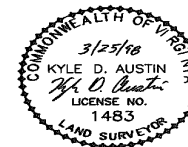


VICINITY MAP  
(NOT TO SCALE)

"Approval hereof by the Roanoke County Subdivision Agent is for purposes of ensuring compliance with the Roanoke County Subdivision Ordinance. Private matters, such as compliance with restrictive covenants or other title requirements, applicable to the properties shown hereon, are not reviewed or approved with regard to this subdivision or resubdivision."

APPROVED: George Assad  
AGENT FOR ROANOKE COUNTY  
PLANNING COMMISSION  
14 MAY 1998  
DATE

NOTE: The Utility Lot shown hereon is hereby created for the exclusive use as a utility lot for the North Lakes Regional Detention Basin, and is not to be used for commercial or residential purposes.



I, KYLE D. AUSTIN, a duly Certified Surveyor in the State of Virginia, do hereby certify that the property shown hereon was carefully surveyed, and is correct to the best of my knowledge and belief.

Kyle D. Austin  
KYLE D. AUSTIN LLS 1483

PLAT OF NEW UTILITY LOT A  
FOR  
NORTH LAKES REGIONAL DETENTION BASIN  
CATAWBA MAGISTERIAL DISTRICT  
ROANOKE COUNTY, VIRGINIA  
SCALE: 1" = 50' DATE: MARCH 18, 1998

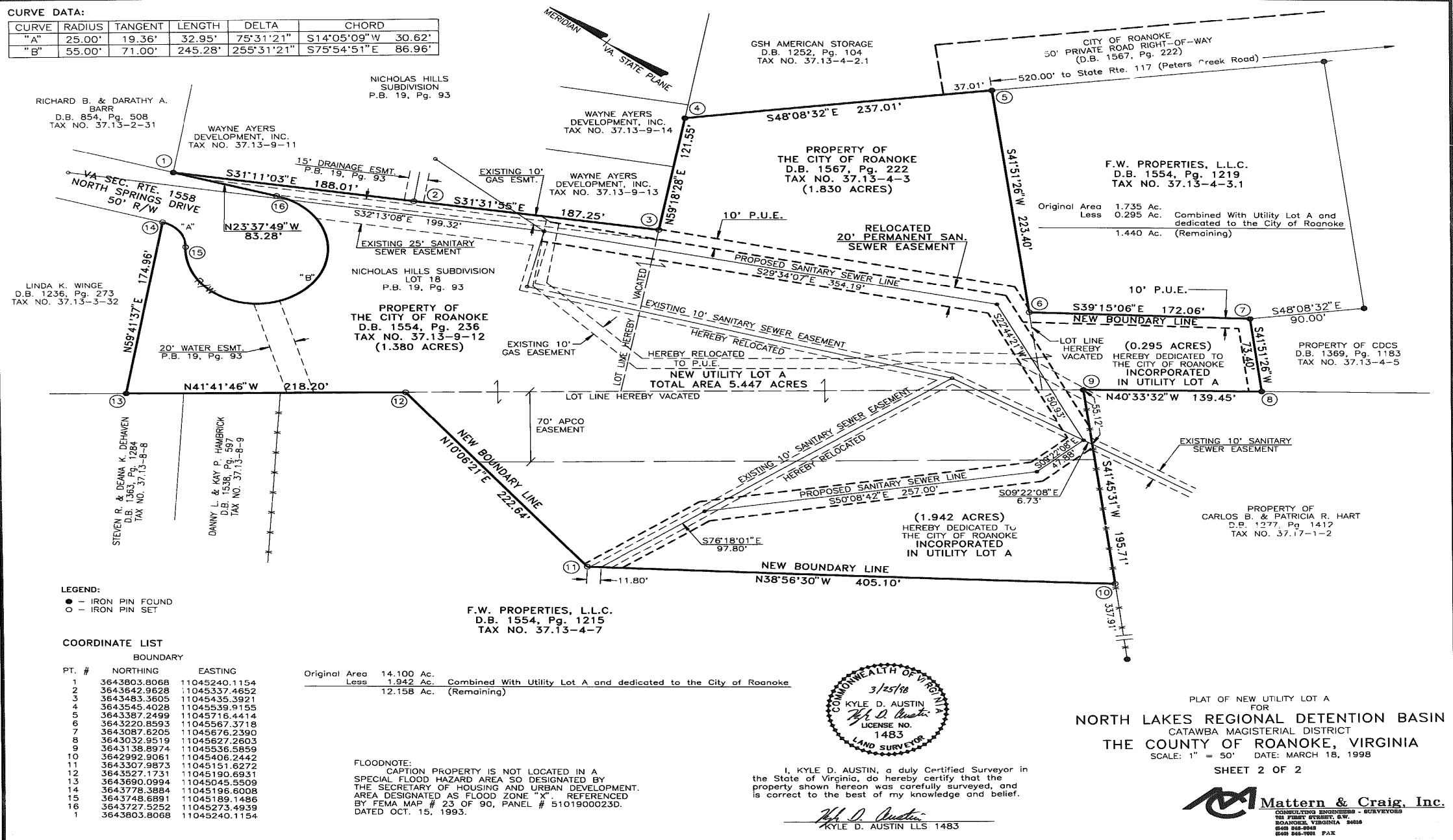
SHEET 1 OF 2

Mattern & Craig, Inc.  
CONSULTING ENGINEERS - SURVEYORS  
701 WEST STANLEY, S.W.  
ROANOKE, VIRGINIA 24004  
(804) 546-2500  
(804) 546-7001 FAX

PB 21 PG 25

R: DWGS/1073HS/SUB2

CURVE	RADIUS	TANGENT	LENGTH	DELTA	CHORD
"A"	25.00'	19.36'	32.95'	75°31'21"	S14°05'09" W 30.62'
"B"	55.00'	71.00'	245.28'	255°31'21"	S75°54'51" E 86.96'



PLAT OF NEW UTILITY LOT A  
FOR  
NORTH LAKES REGIONAL DETENTION BASIN  
CATAWBA MAGISTERIAL DISTRICT  
THE COUNTY OF ROANOKE, VIRGINIA  
SCALE: 1" = 50' DATE: MARCH 18, 1998

SHEET 2 OF 2



**Mattern & Craig, Inc.**  
CONSULTING ENGINEERS - SURVEYORS  
701 FIRST STREET, S.W.  
ROANOKE, VIRGINIA 24010  
(800) 541-2048  
(800) 541-1991 FAX

R: DWGS/1073HS/SUB2

PB 21 PG 25

Returned 3-9-98  
FW Properties, L.L.C.  
P.O. Box 20069  
Roanoke, VA. 24018

BOOK 277 PAGE 877

86

MAIL TO: FW Properties, L.L.C.  
P.O. Box 20069  
Roanoke, VA 24018

This Deed is tax exempt pursuant to 58.1-811.A(10) Code of Virginia, as amended.

THIS DEED made and entered into this 29th day of December, 1997, by and between The Estate of Horace G. FRALIN, The Estate of Elbert H. WALDRON, Jean M. WALDRON, Karen H. WALDRON, and Morgan G. HOUGH, hereinafter "Grantors", and FW PROPERTIES, L.L.C. (a Virginia Limited Liability Company) hereinafter "Grantee".

W I T N E S S E T H

NOW, THEREFORE, FOR AND IN CONSIDERATION of the sum of Ten and 00/100 Dollars (\$10.00) cash in hand paid by the Grantee to Grantors, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantors do hereby grant bargain, sell and convey with Special Warranty as to The Estates of Horace G. Fralin and Elbert H. Waldron, and with General Warranty and English Covenants of Title as to the remaining Grantors, unto Grantee, FW Properties, L.L.C., a Virginia limited liability company, its successors or assigns forever, all of the following lot or parcel of land situated in the CITY of SALEM, State of Virginia, and described as follows, to-wit:

See Schedule A attached

This Deed is made subject to all easements, restrictions, and conditions of record affecting the herein conveyed property.

WITNESS the following signature and seal:

ESTATE OF HORACE G. FRALIN

By W. Heywood Fralin (SEAL)  
W. Heywood Fralin, Executor

ESTATE OF ELBERT H. WALDRON

By Karen H. Waldron (SEAL)  
Karen H. Waldron, Executrix

Jean M. Waldron (SEAL)  
Jean M. Waldron

Karen H. Waldron (SEAL)  
Karen H. Waldron

Morgan G. Hough (SEAL)  
Morgan G. Hough

STATE OF VIRGINIA )  
COUNTY OF ROANOKE ) TO WIT

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of December, 1997, by W. Heywood Fralin, Executor of the Estate of Horace G. Fralin, by Karen H. Waldron, Executrix of the Estate of Elbert H. Waldron, Jean M. Waldron, and Karen H. Waldron.

My commission expires: 12-31-01

Mary J. Snider  
Notary Public

BOOK 277 PAGE 79

STATE OF Virginia )  
County of Loudoun ) TO WIT

The foregoing instrument was acknowledged before me this  
21<sup>st</sup> day of December, 1997, by Morgan G. Hough.

My commission expires: 12-31-01

Mary J. Baiden  
Notary Public



## SCHEDULE "A"

Situated in the City of Salem, State of Virginia, to-wit:

Parcel No. 1:

Lots 2 and 3, according to Plat of Section No. 2, Boulevard Estates, property of Fralin & Waldron, Inc., prepared by David Dick and Harry A. Wall, Civil Engineers & Surveyors, recorded in Plat Book \_\_\_\_\_, page \_\_\_\_\_, in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia;

Parcel No. 2:

New Lot 1A, containing 1.704 acre, located on the north side of Boulevard - Roanoke, as shown on "Plat showing the Resubdivision of Property of Fralin & Waldron, Inc., creating 'New Lots 1A and 1B' Being Original Block 'B', Boulevard Estates, P.B. 6, pg. 52" prepared by Lumsden Associates, P.C., Engineers-Surveyors-Planners, dated April 4, 1990, and recorded in the Clerk's Office of the Circuit Court for the City of Salem, Virginia, in Plat Book \_\_\_\_\_, page \_\_\_\_\_;

Parcel No. 3:

That certain parcel located at the intersection of Boulevard - Roanoke and Citadel Lane, fronting on Boulevard - Roanoke 145.00 ft., and running back between parallel lines 200.00 feet, and being the remaining easterly portion of Block "A", as shown on Plat of Boulevard Estates, recorded in Plat Book 6, page 52, in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia;

BEING the property conveyed to Grantors by Deed recorded in Deed Book 225, page 331, in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia;

039 State Tax	\$ _____	In the Clerk's Office of the Circuit Court for the City
214 City Tax	\$ _____	of Salem, VA., this <u>12</u> day of _____, 19__
212 Transfer Fee	\$ <u>1.00</u>	this instrument was presented, with the Certificate
301 Clerk's Fee	\$ <u>12.00</u>	of acknowledgement thereto annexed and admitted
301 Plats	\$ _____	to record at <u>2:34</u> o'clock <u>P</u> . M. I hereby certify
038 Add. St. Tax 58.1-802	\$ _____	that the tax imposed under Sec. 58.1-802 in the
220 Local 58.1-802	\$ _____	amount of \$ _____ has been paid to this office.
145 Archives	\$ <u>1.00</u>	Teste: CHANCE CRAWFORD, Clerk
106 Tech Fund	\$ <u>3.00</u>	By <u>M. J. Bates</u> , Deputy Clerk
Total	\$ <u>17.00</u>	

00387'98JAN12 14:42

BK1564PG1154

MAIL TO: FW Properties, L.L.C. /14  
P.O. Box 20069  
Roanoke, VA 24018

This Deed is tax exempt pursuant to 58.1-811.A(10) Code of Virginia, as amended.

THIS DEED made and entered into this 29th day of December, 1997, by and between The Estate of Horace G. FRALIN, The Estate of Elbert H. WALDRON, Jean M. WALDRON, Karen H. WALDRON, and Morgan G. BOUGH, hereinafter "Grantors", and FW PROPERTIES, L.L.C. (a Virginia Limited Liability Company) hereinafter "Grantee".

W I T N E S S E T H

NOW, THEREFORE, FOR AND IN CONSIDERATION of the sum of Ten and 00/100 Dollars (\$10.00) cash in hand paid by the Grantee to Grantors, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantors do hereby grant bargain, sell and convey with Special Warranty as to The Estates of Horace G. Fralin and Elbert H. Waldron, and with General Warranty and English Covenants of Title as to the remaining Grantors, unto Grantee, FW Properties, L.L.C., a Virginia limited liability company, its successors or assigns forever, all of the following lot or parcel of land situated in the       COUNTY       of       ROANOKE      , State of Virginia, and described as follows, to-wit:

See Schedule A attached

BK 1564 PG 1155

This Deed is made subject to all easements, restrictions, and conditions of record affecting the herein conveyed property.

WITNESS the following signature and seal:

ESTATE OF HORACE G. FRALIN

By W. Haywood Fralin (SEAL)  
W. Haywood Fralin, Executor

ESTATE OF ELBERT H. WALDRON

By Karen H. Waldron (SEAL)  
Karen H. Waldron, Executrix

Jean M. Waldron (SEAL)  
Jean M. Waldron

Karen H. Waldron (SEAL)  
Karen H. Waldron

Morgan G. Hough (SEAL)  
Morgan G. Hough

STATE OF VIRGINIA     )  
                              ) TO WIT  
COUNTY OF ROANOKE    )

The foregoing instrument was acknowledged before me this 27<sup>th</sup> day of December, 1999, by W. Haywood Fralin, Executor of the Estate of Horace G. Fralin, by Karen H. Waldron, Executrix of the Estate of Elbert H. Waldron, Jean M. Waldron, and Karen H. Waldron.

My commission expires: 12-31-01

Mary J. Parker  
Notary Public

BK 1564 PG 1156

STATE OF Virginia )  
County of Loudoun ) TO WIT

The foregoing instrument was acknowledged before me this  
27<sup>th</sup> day of December, 1997, by Morgan G. Hough.

My commission expires: 12-31-01

Mary J. Gailer  
Notary Public

BK 1564 PG 1157

**SCHEDULE "A"**

Situated in the County of Roanoke, State of Virginia, to-wit:

**Parcel No. 1:**

**BEGINNING** at the point of intersection of the northerly right-of-way of the south bound lane of Interstate Hwy. No. 81, and the easterly right-of-way of Va. Sec. Hwy. No. 640; thence continuing with Va. Sec. Hwy. No. 640, the following courses and distances; with a curved line to the right, whose chord bearing and distance is N. 21 deg. 13' W., approximately 139.58 feet to a point; thence N. 13 deg. 27' 30" W. 220.84 feet; with a curved line to the left, whose chord bearing and distance is N. 16 deg. 38' W. 110.11 feet to a point; thence S. 70 deg. 19' W. 28.50 feet to a point; thence N. 13 deg. 59' W. 133.51 feet to a point; thence N. 4 deg. 44' W. 40.59 feet to a point; thence leaving Va. Sec. Hwy. No. 640, N. 14 deg. 06' W. 337.00 feet to a point; thence N. 13 deg. 01' W. 121.00 feet to a point; thence N. 14 deg. 01' W. 317.00 feet to a point; thence with the southerly property lines of now or formerly C. P. LaPrade and Marvin W. Meade (D. B. 693, page 4), in an easterly direction to the westerly boundary of Block 10, Map of Beverly Heights North; thence with the westerly boundary of Block 10, Beverly Heights North in a southerly direction to the northerly right-of-way of the south bound lane of Interstate Hwy. No. 81; thence with the same S. 61 deg. 16' W. 563.62 feet to a point; thence S. 55 deg. 56' W. 379.29 feet to the place of **BEGINNING**, and containing 23.91 acres, and being Roanoke County Tax Parcel # 44.03-4-37; and

**BEING** the same property conveyed to Grantors by Deed recorded in Deed Book 1554, page 1222, the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia.

**Parcel No. 2:**

**BEGINNING** at a highway monument located at the intersection of the southerly side of the southbound lane of Va. Rte. 419, with the easterly side of Chaparral Drive (Va. Sec. Rte. No. 800); thence with the southbound lane of Va. Rte. 419, N. 81 deg. 09' 58" E. 204.16 feet to a point; thence S. 73 deg. 04' 42" E. 49.54 feet to another highway monument at the boundary of Norfolk & Western Railroad right of way; thence with the same, S. 20 deg. 16' E. 177.00 feet to a point; the leaving said Norfolk & Western Railroad right of way, S. 75 deg. 44' W. 291.56 feet to a point; thence N. 70 deg. 41' 30" W. 82.77 feet to a point on the easterly side of Chaparral Drive (Va. Sec. Rte. No. 800); thence with the same N. 14 deg. 33' 30" E. 200.00 ft. to the place of **BEGINNING**, and containing 1.466 acres,

**TOGETHER WITH** and **SUBJECT TO** all existing Reciprocal Easements

DK1564PG1158

for ingress and egress and parking facilities to and from the hereinabove described property;

BEING the same property conveyed to Grantors by Deed recorded in Deed Book 1554, page 1212, in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia.

Parcel No. 3:

BEGINNING at a point on the north side of Cove Road (Va. Sec. Rte. 116 - 80 ft. r/w) said point being corner to the property now or formerly Pittsburgh Testing Laboratory; thence leaving Cove Road, and with the westerly property lines of Pittsburgh Testing Laboratory, and William Kenney, N. 34 deg. 45' 50" E. 580.62 feet to a point; thence N. 41 deg. 35' 10" W. 259.85 feet to a point; thence N. 44 deg. 34' 05" E. 532.71 feet to a point; thence N. 38 deg. 48' 30" W. 638.86 feet to a point; thence S. 55 deg. 04' 58" W. 465.37 feet to a point; thence S. 51 deg. 50' 40" E. 296.36 feet to a point; thence S. 38 deg. 08' 20" W. 648.09 feet to a point; thence S. 74 deg. 48' 40" E. 450.00 feet to a point; thence S. 22 deg. 51' 20" W. 463.93 feet to a point on the north side of Cove Road; thence with the same, S. 74 deg. 48' 40" E. 168.47 feet to the place of BEGINNING, and containing approximately 14.5 acres;

BEING the property conveyed to Grantors by Deed recorded in Deed Book 1554, page 1215, in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia.

Parcel No. 4:

BEGINNING at a point on the northwesterly side of Peters Creek Road, N. W., (Virginia Sec. Route #117), said point being common corner to property now or formerly W. Linwood Draper and William Kenney and being corner (5); thence with the northwesterly side of Peters Creek Road, N. W., with a curved line to the left, whose radius is 2334.83 feet, and whose chord bearing and distance is S. 43 deg. 05' 07" W. 52.60 feet, an arc distance of 52.60 feet to a point, corner (1); thence leaving Peters Creek Road, N. W., and with a curved line to the left, whose radius is 22.49 feet, and whose chord bearing and distance is N. 0 deg. 28' 02" E. 33.44 feet, an arc distance of 36.63 feet to a point, corner (2); thence N. 41 deg. 30' 20" W. 203.01 feet to a point on the line of property of Fralin & Waldron, Inc. corner (3); thence with the same N. 35 deg. 12' 10" E. 30.83 feet to a point on the line with property of Draper, corner (4); thence with same, S. 41 deg. 30' 20" E. 230.00 feet to corner (5) the place of BEGINNING, and containing 0.159 acre, and more fully shown on a plat showing property (0.159 AC.) being conveyed to Fralin & Waldron, Inc., by William Kenney and Evelyn G. Kenney, situated along Peters Creek Road, near Cove Road, prepared by Buford T. Lumsden & Associates, P.C., Engineers-Surveyors, dated October 15, 1986, attached to and made a part of the hereinafter

BK 1564 PG 1159

described Deed;

BEING the property conveyed to Grantors by Deed recorded in Deed Book 1554, page 1215, the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia.

Parcel No. 5:

Lot 20, Block 23, according to Map of Section No. 4, Montclair Estates, which plat is recorded in Plat Book 7, page 10, in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia.

Parcel No. 6:

BEGINNING at a point on the northerly side of Peters Creek Road, N.W. (Va. Rte. #117) said point being 1,145 ft., more or less north of Cove Road; thence leaving Peters Creek Road N. 45 deg. 37' 00" W. 260.0 ft. to Point 2 as shown on survey dated February 18, 196, made by Buford T. Lumsden and Associates, P.C., said point also being on the southerly boundary of Parcel "B", said point being THE ACTUAL PLACE OF BEGINNING; thence S. 44 deg. 23' 00" W. 125.00 feet to Point 3; thence N. 45 deg. 37' 00" W. 090.00 ft. to Point 4; thence S. 44 deg. 23' 00" W. 73.40 ft. to Point 5; thence N. 37 deg. 02' 00" W. 139.45 ft. to Point 6; thence N. 38 deg. 02' 00" W. 31.98 ft. to Point 6A; thence N. 44 deg. 23' 00" E. 301.30 ft. to Point 6A; thence S. 45 deg. 37' 00" E. 260.00 ft. to Point 8B; thence S. 44 deg. 23' 00' W. 125.00 feet to the ACTUAL PLACE OF BEGINNING.

TOGETHER with the right to use a 50 ft. roadway shown as reserved in deed dated November 30, 1977 of record in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia, in Deed Book 1081, page 348, and on the plat attached to deed dated February 21, 1986 of record in the aforesaid Clerk's Office in Deed Book 1232, page 1986, for access to the property conveyed.

BEING the same property conveyed to Grantors by Deed recorded in Deed Book 1554, page 1219, in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia.

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF  
ROANOKE COUNTY, VA. THIS 12 DAY OF Jan,  
19 98, THIS INSTRUMENT WAS PRESENTED WITH  
THE CERTIFICATE OF ACKNOWLEDGEMENT ANNEXED &  
ADMITTED TO RECORD AT 14:42. THE TAX  
IMPOSED UNDER SEC. 58.1-802 HAS BEEN PAID.

STEVEN A. MCGRAW, CLERK

Rebecca Fay Mahone, Deputy Clerk

35

THIS AGREEMENT made this 3rd day of October, 1969,  
by and between FRALIN & WALDRON, INC., a Virginia corporation, herein-  
after referred to as Fralin, and THE PURE OIL COMPANY, A DIVISION OF  
UNION OIL COMPANY OF CALIFORNIA, a California corporation, hereinafter  
referred to as Pure,

WITNESSETH THAT

WHEREAS Fralin owns and has title to a certain tract of land wholly  
situate in the City of Salem, Virginia, hereinafter referred to as Block A,  
more particularly described as follows:

BEGINNING at a point of reverse curve on the northerly  
line of Boulevard Roanoke, 55 feet from the centerline of  
said Boulevard and 29.46 feet easterly from the sub-  
tangent intersection point at the northeasterly corner of  
Hemlock Road and Boulevard Roanoke; thence with a  
curved line to the right whose radius is 25.00 and whose  
chord bearing and distance is N. 52° 53' 45" W. 38.12  
feet, an arc distance of 43.35 feet to a point of tangent on  
the easterly line of Hemlock Road; thence with the same,  
running parallel to and 30 feet distant from the centerline  
of Hemlock Road N. 3° 13' W. 173.25 feet to a point at  
the southwesterly corner of Lot 1, Block 8, Boulevard  
Estates; thence with the southerly line of Block 8,  
Boulevard Estates, a curved line whose radius is 1159.26  
feet and whose chord bearing and distance is N. 85° 21' 55"  
E. 323.42 feet, an arc distance of 319.40 feet to a point;  
thence S. 86° 37' E. 160.19 feet to a point on a curve;  
thence with a curve whose radius 474.88 feet and whose  
chord bearing and distance is N. 77° 14' E. 264.18 feet,  
an arc distance of 267.70 feet to a point; thence N. 61°  
05' E. 145.00 feet to a point on Citadel Lane; thence  
S. 28° 55' E. 175 feet to a point on a curve; thence with  
a curve whose radius is 25.00 feet and whose chord  
bearing and distance is S. 16° 05' W. 35.36 feet, an arc  
distance of 39.27 feet to a point; thence S. 61° 05' W.  
120.00 feet to a point on a curve; thence with a curve  
whose radius is 674.88 feet and whose chord bearing and  
distance is S. 77° 14' W. 375.44 feet, an arc distance of  
380.46 feet to a point; thence N. 86° 37' W. 160.19 feet  
to a point on a curve; thence with a curve whose radius is  
959.26 feet and whose chord bearing and distance is  
S. 85° 24' 15" W. 266.32 feet, an arc distance of 267.18  
feet to a point on a curve being the point of BEGINNING;  
and



BEING a portion of the same property conveyed to Fralin by Tom Stockton Fox, Special Commissioner, et al, by deed dated September 7, 1965, of record in the Clerk's Office of the Circuit Court of Roanoke County, Virginia, in Deed Book 783, page 360; and

BEING Block A, Boulevard Estates, Salem, Virginia, as shown on a plat thereof recorded in the aforesaid Clerk's Office in Plat Book 6, page 52, and as also shown on a plat made by David Dick and Harry A. Wall, Civil Engineers and Surveyors, dated November 1, 1969, and recorded herewith.

WHEREAS, Pure leases a part of the above described tract owned by Fralin, more particularly described as follows:

BEGINNING at a point of reverse curve on the northerly line of Boulevard Roanoke, 55 feet from the centerline of said Boulevard and 29.46 feet easterly from the sub-tangent intersection point at the northeasterly corner of Hemlock Road and Boulevard - Roanoke; thence with a curved line to the right whose radius of 25.00 and whose chord bearing and distance is N. 52° 53' 45" W. 38.12 feet, an arc distance of 43.35 feet to a point of tangent on the easterly line of Hemlock Road; thence with the same, running parallel to and 30 feet distant from the centerline of Hemlock Road N. 3° 13' W. 173.25 feet to a point at the southwesterly corner of Lot 1, Block 8, Boulevard Estates; thence with the rear line of Lots 1, 2, and 3, with a curved line to the right whose radius is 1159.26 feet and whose chord bearing and distance is N. 82° 31' 55" E. 199.44 feet, an arc distance of 199.68 feet to a point; thence with a new division line through Block A S 3° 13' E. 200.02 feet to a point on the northerly line of Boulevard - Roanoke; thence with the same with a curved line to the left whose radius is 959.26 feet and whose chord bearing and distance is S. 82° 31' 05" W. 170.31 feet, an arc distance of 170.54 feet to the point of BEGINNING; and

BEING the same property leased to Pure by Fralin by lease dated August 31, 1966, a memorandum of which is of record in the aforesaid Clerk's Office in Deed Book 818, page 458; and

BEING the westerly part of Block A, Boulevard Estate, Salem, Virginia, as shown on a plat thereof recorded in the aforesaid Clerk's Office in Plat Book 6, page 52, and as also shown on a plat made by David Dick and Harry A. Wall, Civil Engineers and Surveyors, dated November 1, 1969, and recorded herewith.

NOW, THEREFORE, for and in consideration of the sum of Ten (\$10.00) Dollars in hand paid each to the other, receipt of which is hereby acknowledged, and of the mutual covenants, agreements, conditions and stipulations herein contained, it is mutually COVENANTED, STIPULATED and

LAW OFFICES  
WOODS, ROGERS,  
MUSE, WALKER  
& THORNTON  
ROANOKE, VA.

AGREED by and between the parties hereto as follows:

FIRST: Fralin hereby does BARGAIN, SELL, GRANT and CONVEY unto Pure, its successors and assigns, a non-exclusive perpetual easement and right of way, running with the land, together with the full and free right for them and their tenants, employees, representatives, contractors, creditors, licensees and invitees, in common with all others having the like right, at all times hereafter, with or without automobile or other vehicles, or on foot, for the purpose of ingress and egress to, from, and through Block A along and over a strip of land located over the northerly portion of Block A and more particularly described as follows:

BEGINNING at a point on the east side of Hemlock Road, said point being N. 3° 13' W. 167.24 feet from the intersection of the north side of Boulevard Roanoke and the east side of Hemlock Road; thence with the east side of Hemlock Road N. 3° 13' W. 25.33 feet to a point, said point being S. 3° 13' E. 10.14 feet from the southwest corner of Lot 1, Block 8, Boulevard Estates; thence leaving Hemlock Road and with four (4) lines through Block A, running parallel to and 10 feet south of the southerly line of Block 8, Boulevard Estates, as follows: with a curved line to the right having a radius of 1149.26 feet, a chord bearing and distance of N. 85° 27' E. 317.24 feet and an arc distance of 318.26 feet to a point; thence S. 86° 37' E. 160.19 feet to a point; thence with a curved line to the left having a radius of 484.88 feet, a chord bearing and distance of N. 77° 14' E. 269.74 feet, an arc distance of 273.35 feet to a point; thence N. 61° 05' E. 145.00 feet to a point on the westerly side of Citadel Lane; thence with same S. 28° 55' E. 25.00 feet to a point; thence leaving Citadel Lane, and running four (4) lines through Block A, Boulevard Estates as follows: S. 61° 05' W. 145.00 feet to a point; thence with a curved line to the right having a radius of 509.88 feet, a chord bearing and distance of S. 77° 14' W. 283.65 feet and an arc distance of 287.44 feet to a point; thence N. 86° 37' W. 160.19 feet to a point; thence with a curved line to the left having a radius of 1124.26 feet, a chord bearing and distance of S. 85° 20' 45" W. 314.38 feet, an arc distance of 315.42 feet to the point of BEGINNING; and

BEING a 25-foot wide right of way easement running across Block A, Boulevard Estates as shown on a plat made by David Dick and Harry A. Wall, Civil Engineers, and Surveyors dated November 1, 1969, and recorded herewith;

LAW OFFICES  
WOODS, ROGERS,  
MUSE, WALKER  
& THORNTON  
ROANOKE, VA.

BEING a portion of the same property conveyed to Fralin by Tom Stockton Fox, Special Commissioner, et al, by deed dated September 7, 1965, of record in the aforesaid Clerk's Office in Deed Book 783, page 360.

SECOND: Pure hereby does join in this agreement to subordinate its leasehold interest in the westerly portion of Block A as described above to the easement granted and described above.

THIRD: It is further understood and agreed by and between the parties hereto that the easement granted herein is to be held by the respective parties, their successors and assigns, as appurtenant to the land owned and leased by said respective parties.

FOURTH: It is further understood and agreed by and between the parties hereto that no buildings, fences or barriers of like nature will be constructed or placed over the easement herein granted which in any way would obstruct the full use and enjoyment of said easements.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals.

FRALIN & WALDRON, INC.

By [Signature]

ATTEST: [Signature]

THE PURE OIL COMPANY, A  
DIVISION OF UNION OIL COMPANY  
OF CALIFORNIA

By [Signature]  
Vice President  
UNION OIL COMPANY OF CALIFORNIA

ATTEST: [Signature]  
Asst. Secretary  
UNION OIL COMPANY OF CALIFORNIA

LAW OFFICES  
WOODS, ROGERS,  
MUEE, WALKER  
& THORNTON  
ROANOKE, VA.

STATE OF VIRGINIA )

To-wit:

County of Roanoke )

I, the undersigned Notary Public in and for the jurisdiction aforesaid, do hereby certify that Edmund N. Waldron and Narace A. Fralin, President and Secretary, respectively, of Fralin & Waldron, Inc., whose names are signed to the foregoing agreement dated Oct. 3, 1969, have personally acknowledged the same before me in my jurisdiction aforesaid.

Given under my hand this 14th day of November, 1969.

Cynthia S. Brooks  
Notary Public

My commission expires:

January 16, 1973

State of Illinois )  
County of Cook ) To-wit:

I, the undersigned Notary Public in and for the jurisdiction aforesaid, hereby certify that W. E. BOLSINGER and Roy Bryntesen, VICE PRESIDENT and ASSISTANT SECRETARY, respectively of ~~The Pure Oil Company, A Division of~~ Union Oil Company of California, whose names as such are signed to the foregoing agreement dated Oct 3, 1969 have personally acknowledged the same before me in my jurisdiction aforesaid.

Given under my hand and notarial seal this 10 day of

December, 1969.

Maury D. Hartman  
Notary Public

My commission expires:

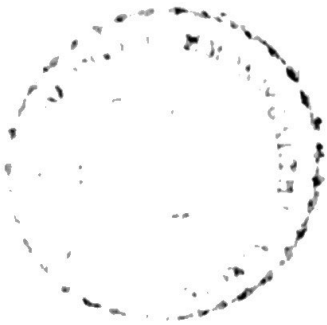
3/27/72

LAW OFFICES  
WOODS, ROGERS,  
MUSE, WALKER  
& THORNTON  
ROANOKE, VA.

State Tax	\$ .15	In the Clerk's Office of the Circuit Court for the City of Salem, Va., this <u>12</u> day of <u>Jan.</u> , 1970
City Tax	\$ .05	this instrument was presented, with the Certificate of
Transfer Fee	\$ —	Acknowledgement thereto annexed, Taxes and Fees
Clerk's Fee	\$ 7.00	Paid as shown and admitted to Record at <u>3:15</u>
Plats	\$ 1.00	o'clock <u>P.</u> M.
Add. St. Tax 58-54 (b)	\$ —	Teste: <u>James F. Tobey</u> , Clerk
Local 58-54 (b)	\$ —	By <u>Mamie E. Kellner</u> , Deputy Clerk
Local 58-54 (b)	\$ —	
Total	\$ 8.20	

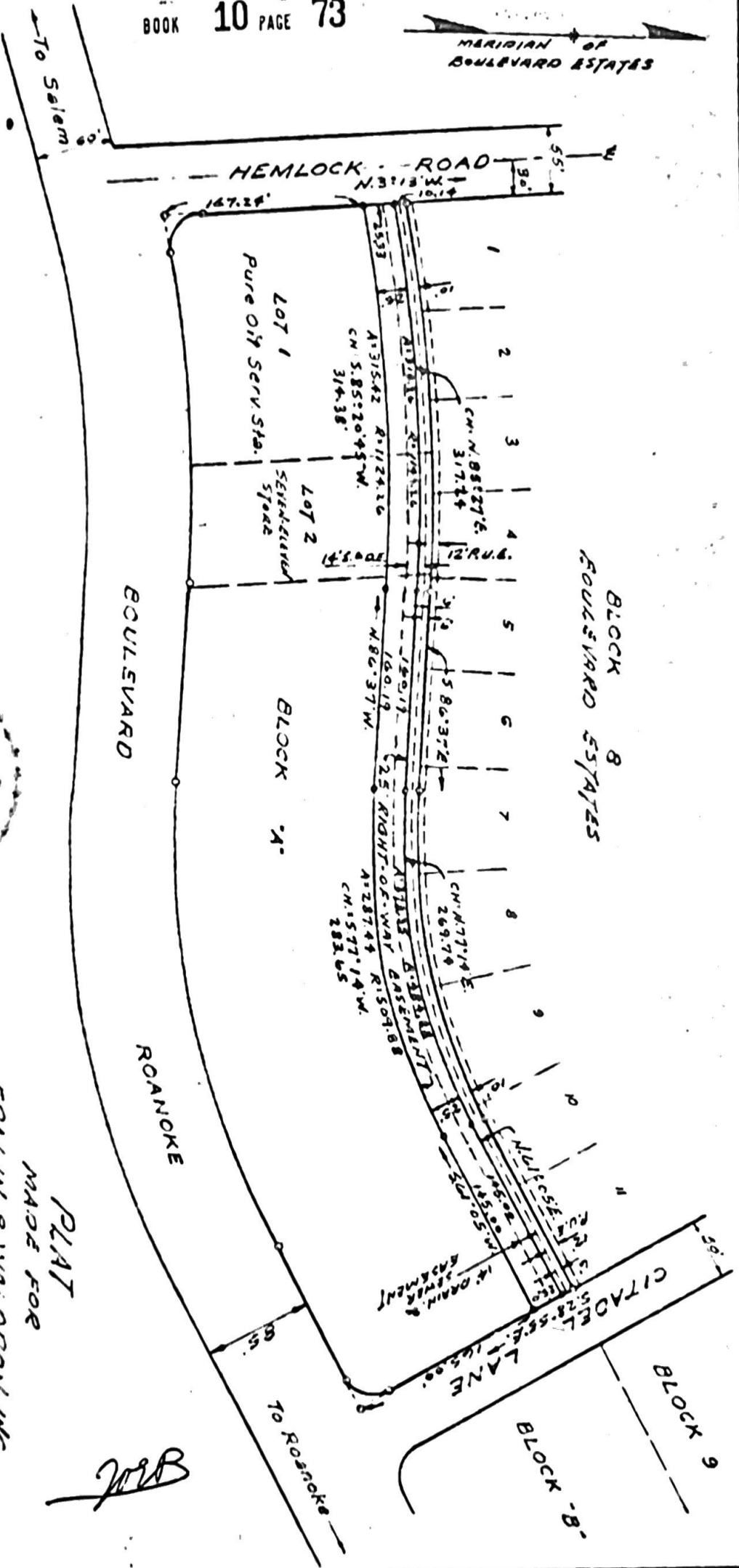
MERIDIAN OF  
BOULEVARD ESTATES

NOV. 1, 1929  
I HEREBY CERTIFY THAT  
THIS PLAN IS CORRECT.  
*David Dick*  
CART. ENGR. & SURV.



PLAT  
MADE FOR  
EXALIN & WALDRON, INC.  
SHOWING 25' RIGHT-OF-WAY EASEMENT THRU  
BLOCK A BOULEVARD ESTATES  
SALEM VIRGINIA  
BY DAVID DICK & HARRY A. WALK  
CIVIL ENGINEERS & SURVEYORS  
DATE: NOV. 1, 1929 SCALE: 1" = 100'

JOB 8033



26

THIS DEED made and entered into this the 28th day of October, 1969 by and between FRALIN & WALDRON, INC., party of the first part, and THE SOUTHLAND CORPORATION, a Texas Corporation, party of the second part.

: W I T N E S S E T H :

THAT FOR AND IN CONSIDERATION of the sum of Thirty-one Thousand Five hundred and 00/100 Dollars (\$31,500.00) cash in hand paid by the party of the second part to the party of the first part, the receipt of which is hereby acknowledged, the party of the first part does hereby grant, bargain, sell and convey, with General Warranty of Title and with English covenants of title, unto The Southland Corporation, its successors or assigns forever, all of the following lot or parcel of land situated in the City of Salem, State of Virginia and described as follows, to-wit:

STARTING at a point of reverse curve on the northerly line of Boulevard Roanoke, 55 feet from the center line of said Boulevard and 29.46 feet easterly from the sub-tangent intersection point at the northeasterly corner of Hicklock Road and Boulevard - Roanoke; thence with a curved line to the right, whose radius is 959.26 feet, and whose chord bearing and distance is N. 82° 31' 05" E. 170.31 feet, and arc distance of 170.54 feet to the ACTUAL PLACE OF BEGINNING; thence continuing with the northerly line of Boulevard - Roanoke, and with a curved line to the right, whose radius is 959.26 feet, and whose chord bearing and distance is S. 89° 30' 10" E. 96.60 feet, and arc distance of 96.64 feet to a point; thence still with Boulevard - Roanoke, S. 86° 37' E. 3.62 feet to a point; thence leaving Boulevard - Roanoke, and with a new line through Block "A", according to Map of Boulevard Estates, N. 3° 13' W. 201.19 feet to a point; thence with a curved line to the left, whose radius is 1159.26 feet, and whose chord bearing and distance is S. 89° 56' 30" W. 100.15 feet, an arc distance of 100.16 feet to a point; thence S. 3° 13' E. 200.02 feet to the ACTUAL PLACE OF BEGINNING, and being a portion of Block "A", according to the Map of Boulevard Estates, which map is recorded in Plat Book 6, page 57,, in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia, and more particularly shown on Plat showing Property of Fralin & Waldron, Inc., Lots 1 and 2, Block "A", Boulevard Estates, made by David Dick and Harry A. Wall, C. E. & S., dated September 11, 1969, attached hereto and made a part hereof, said property being shown as Lot 2 thereon.



BEING a part of the same property conveyed to the party of the first part by Deed from Tom Stockton Fox, Special Commissioner and Executor under Will of Julia H. Lloyd, et als, dated September 7, 1965, and recorded in Deed Book 783, page 360, in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia.

This Deed is made subject to a 25 ft. easement across the rear of the property, the northern 6 ft. of which is a public utility easement

This Deed is made subject to all easements, restrictions and conditions of record affecting the hereinabove described property.

The party of the first part does hereby agree to restrict any other property owned by it within a radius of one-half mile of the property hereinabove described against the use of any other convenience food store within a period of ten (10) years from this date.

WITNESS the following signature and seal:



FRALIN & WALDRON, INC.

By

President

ATTEST:

Secretary

STATE OF VIRGINIA

CITY OF ROANOKE

TO WIT:

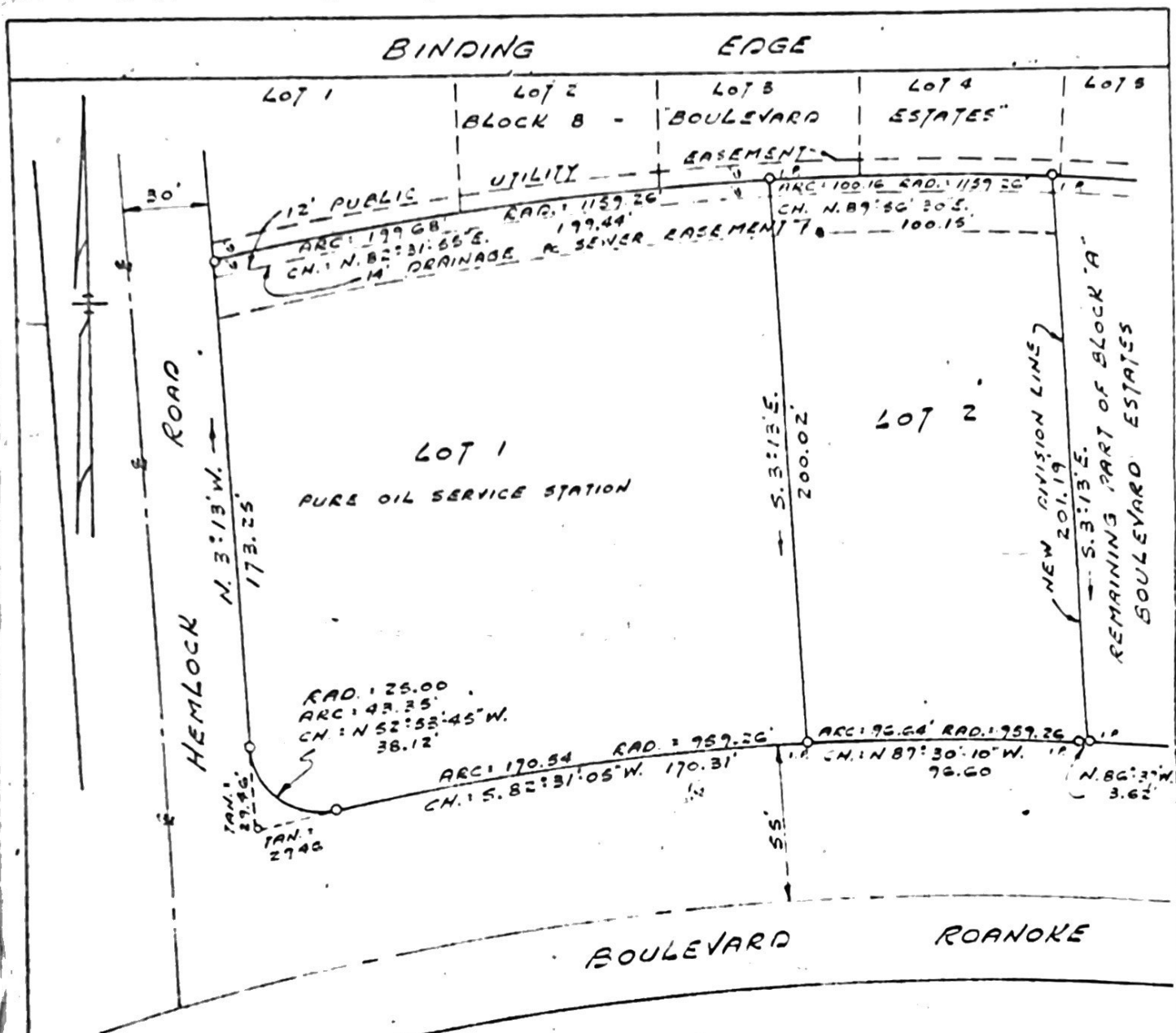
I, Rebecca S. Jamison, a Notary Public in and for the City and State aforesaid do hereby certify that Elbert H. Waldron and Horace G. Fralin, President and Secretary respectively of Fralin & Waldron, Inc., whose names are signed to the foregoing Deed bearing date of October 28, 1969, have each this day personally appeared before me in my City and State aforesaid and acknowledged the same.

Given under my hand this the 9<sup>th</sup> day of January, 1970.

My commission expires: March 21, 1970.

Rebecca S. Jamison  
Notary Public

State Tax	\$ 47.25	In the Clerk's Office of the Circuit Court for the City
City Tax	\$ 15.75	of Salem, Va., this <u>12</u> day of <u>Jan.</u> , 19 <u>70</u>
Transfer Fee	\$ 1.00	this instrument was presented, with the Certificate of
Clerk's Fee	\$ 5.00	Acknowledgement thereto annexed, Taxes and Fees
Plats	\$ 1.00	Paid as shown and admitted to Record at <u>3:20</u>
Add. St. Tax 58-54 (b)	\$ 15.25	o'clock <u>P</u> M.
Local 58-54 (b)	\$ 15.25	Tester: <u>James F. Tobey</u> , Clerk
Local 58-54 (b)	\$	By: <u>Mamie E. Kellner</u> , Deputy Clerk
Total	\$ 100.50	



APPROVED:

*William F. Fortenberry* DATE: 9-26-69  
EXECUTIVE SECRETARY - CITY OF SALEM PLANNING COMM.

JOB # 8033

*F. A. Spiggle* DATE: 9-26-69  
CITY ENGINEER SALEM, VIRGINIA

HEREBY CERTIFY THAT THIS  
PLAT OF SURVEY IS CORRECT.

*David Dick*  
CERT. ENGR. & SURV.



**PLAT**  
SHOWING PROPERTY OF  
**FRALIN & WALDRON, INC.**  
LOTS 1 & 2, BLOCK "A"  
BOULEVARD ESTATES

**SALEM**

**VIRGINIA**

BY: **DAVID DICK & HARRY A. WALL**  
CIVIL ENGINEERS & SURVEYORS

DATE: SEPT. 11, 1969

SCALE: 1" = 50'



740

THIS DEED made and entered into this the 24th day of April, 1984, by and between FRALIN & WALDRON, INC., a Virginia Corporation, party of the first part and HONEYTREE CHILD CARE CENTER, INC., party of the second part.

: W I T N E S S E T H :

THAT FOR AND IN CONSIDERATION of the sum of Ten and 00/100 Dollars (\$10.00) cash in hand paid by the party of the second part to the party of the first part, and other good and valuable consideration, the receipt of which is hereby acknowledged, the party of the first part does hereby grant, bargain, sell and convey, with General Warranty of Title and with English Covenants of Title, unto HONEYTREE CHILD CARE CENTER, INC., its successors or assigns, all of the following lot or parcel of land situated in the City of Salem, State of Virginia, and described as follows, to-wit:

✓ BEGINNING at a point on the northerly side of Boulevard Roanoke, said point being 55 ft. north of the centerline of said Boulevard Roanoke, and being the southeasterly corner of property now or formerly owned by Richard K. Ridenhour (Deed Book 76 at Page 570), thence with the easterly line of said Ridenhour proeprty, N. 3° 13' W. 201.19 ft. to an iron pin set on the rear line of Lot 4, Block 8, Boulevard Estates; thence with the southerly line of part of said Lot 4, and part of Lot 5, Block 8, Boulevard Estates, and with a curve to the right whose radius is 1159.26 ft and whose chord bearing and distance is S. 87° 06' E. 19.56 ft., an arc distance of 19.56 ft. to a point; thence with the southerly line of part of said Lot 5, and part of Lot 6, Block 8, Boulevard Estates, S. 86° 37' E. 81.09 ft. to an iron pin set; thence with a new line through Block "A", Boulevard Estates, S. 3° 13' E. 201.36 ft. to an iron pin set on the northerly side of Boulevard Roanoke; thence with the northerly side of Boulevard Roanoke, N. 86° 37' W. 100.67 ft. to an iron pin set, the PLACE OF BEGINNING, and being New Lot 3, containing 0.462 acres, Block "A", Map of Boulevard Estates as shown on Survey for Fralin & Waldron, Inc., dated April 5, 1984, made by Jack G. Bess, Certified Land Surveyor, a copy of which is attached hereto and made a part hereof; and

BEING a part of the same property conveyed unto Fralin & Waldron, Inc., by Deed dated September 7, 1965 from Tom Stockton Fox, Special Commissioner and Executor under Will of Julia H. Lloyd, and recorded in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia in Deed Book 783 at Page 360

This Deed is made subject to all easements, restrictions and conditions of record affecting the hereinabove described property.

WITNESS the following signature:

FRALIN & WALDRON, INC.  
By James A. Beavers  
Vice President

STATE OF VIRGINIA )  
CITY OF ROANOKE ) TO WIT:

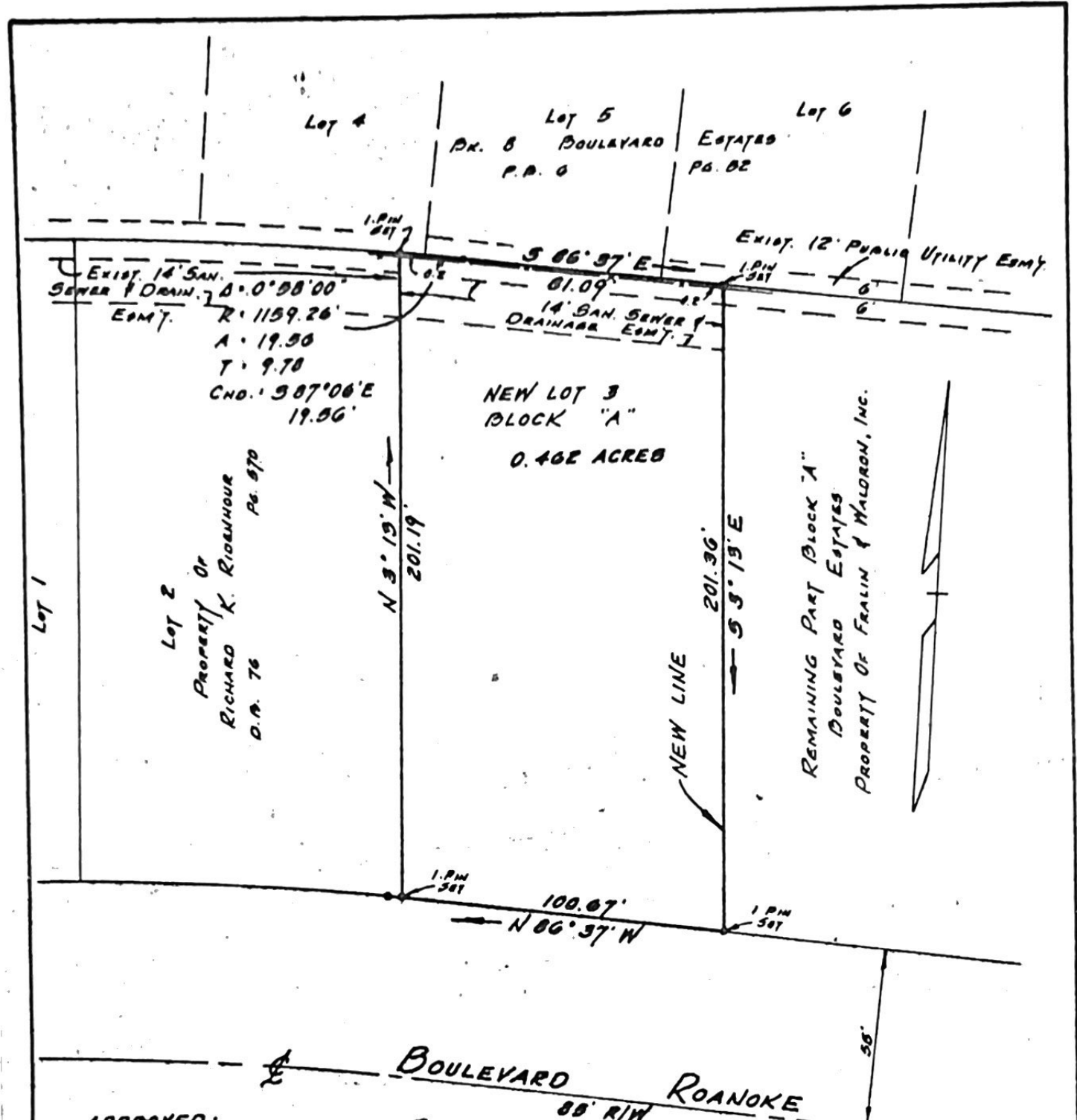
The foregoing instrument was acknowledged before me this 7 day of May, 1984 by James A. Beavers, Vice President of Fralin & Waldron, Inc., a Virginia Corporation, on behalf of said Corporation.



Barth N. Baldwin  
Notary Public

My commission expires: February 6 1987

State Tax	\$ <u>33.45</u>	In the Clerk's Office of the Circuit Court for the City of Salem, Va., this <u>8</u> day of <u>May</u> , 1984 this instrument was presented, with the Certificate of acknowledgement thereto annexed and admitted to record at <u>11:23</u> o'clock <u>A</u> M. I hereby certify that the tax imposed under Sec. 58-54.1 in the amount of \$ <u>22.50</u> has been paid to this office.
City Tax	\$ <u>11.15</u>	
Transfer Fee	\$ <u>1.00</u>	
Clerk's Fee	\$ <u>10.00</u>	
Plats	\$ <u>2.00</u>	
Add. St. Tax 58-54.1	\$ <u>11.25</u>	
Local 58-54.1	\$ <u>11.25</u>	
Local 58-54.1	\$	Teste: <u>JAMES F. TOBEY</u> , Clerk
Total	\$ <u>80.10</u>	By <u>Melinda Yates</u> , Deputy Clerk



APPROVED: Randolph M. Smith 4/9/84  
LAWYER EX. SEC. CITY OF SALEM PLANNING COMMISSION DATE  
John D. R. Smith 4/9/84  
CITY ENGINEER - CITY OF SALEM DATE

LEGAL REFERENCE:  
P.B. 6 Pg. 62

NOTE: THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA SO DESIGNATED BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT.



SURVEY FOR  
**FRALIN AND WALDRON, INC.**

OF NEW LOT 3, BEING 0.402 ACRES, BLOCK "A" MAP OF BOULEVARD ESTATES, BEING CONVEYED TO HONEYTREE CHILD CARE CENTER, INC.

SALEM,  
SCALE: 1"=40'

VIRGINIA  
APRIL 8, 1984

BY: JACK G. BESS  
CERTIFIED LAND SURVEYOR N.B.W. 79 D-84185

8-9-85

BOOK 103 PAGE 578

1356

THIS DEED made and entered into this the 28th day of June, 1985, by and between FRALIN & WALDRON, INC, party of the first part, and RICHARD D. ELLIS, as his sole and separate equitable estate, party of the second part.

W I T N E S S E T H

THAT FOR AND IN CONSIDERATION of the sum of Ten and 00/100 Dollars (\$10.00) cash in hand paid by the party of the second part to the party of the first part, and other good and valuable consideration, the receipt of which is hereby acknowledged, and in further consideration of the sum of \$20,000.00, evidenced by one interest bearing negotiable note in the amount of \$20,000.00, executed by the party of the second part, and payable to the party of the first part, and secured by a deferred purchase money deed of trust on the hereinafter described property, the party of the first part does hereby grant, bargain, sell and convey, with General Warranty and English Covenants of Title, unto Richard D. Ellis, as his sole and separate equitable estate as recognized by the 1950 Code of Virginia, as amended, all of the following lot or parcel of land situated in the City of Salem, State of Virginia, and described as follows, to-wit:

✓ STARTING at the point of intersection of the north line of Boulevard Roanoke and the east line of Hemlock Road; thence along the north line of Boulevard Roanoke, 400.93 feet to the ACTUAL PLACE OF BEGINNING; thence leaving the north line of Boulevard Roanoke and with the Division between New Lots 3 & 4, Block "A", of Boulevard Estates, N. 3° 13' W. 201.36 feet to a point in the south line of Lot 6, Block 8, Map of Boulevard Estates; thence with said line, S. 86° 37' E. 79.04

feet to a point of a curve to the left, whose arc distance is 15.51 feet, and radius is 474.88 feet and chord bearing is S. 87° 33' 08" E. 15.51 feet to a point the new division line between New Lots 4 & 5; thence with said line, S. 6° 32' 34" E. 201.42 feet to a point on the north line of Boulevard Roanoke; thence with said line and a curve to the right whose arc distance is 50.27 feet, and radius is 674.88 feet, and chord bearing is N. 88° 45' 02" W. 50.26 feet to a point of tangent; thence N. 86° 37' W. 55.90 feet to the ACTUAL PLACE OF BEGINNING, and containing 0.4609 acres, as shown on a Survey by Jack G. Bess, C. L. S., dated June 28, 1985, attached hereto and made a part hereof; and

BEING a part of the same property conveyed to Fralin & Waldron, Inc., by Deed from Tom Stockton Fox, Special Commissioner and Executor under Will of Julia H. Lloyd, dated September 7, 1965, and recorded in Deed Book 783, page 360, in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia.

This Deed is made subject to all easements, restrictions, and conditions of record affecting the hereinabove described property.

It is further distinctly understood and agreed that the conveyance of the interest in the above described property to Richard D. Ellis is made to him as his sole and separate equitable estate, free from the debts and controls of marital rights, including dower of his present wife, or any future wife, that he may encumber his interest in said property or convey the same by his sole act without the union of said wife or any future wife in any conveyance which he may make with reference thereto, and that he in all respects shall hold and dispose of same just as though he homo sole.

LAW OFFICES  
JOLLY, PLACE,  
FRALIN & PRILLAMAN, P.C.

WITNESS the following signature:

FRALIN & WALDRON, INC.

By

James A. Beavers  
Title Vice President

STATE OF VIRGINIA )  
CITY OF ROANOKE ) TO WIT:

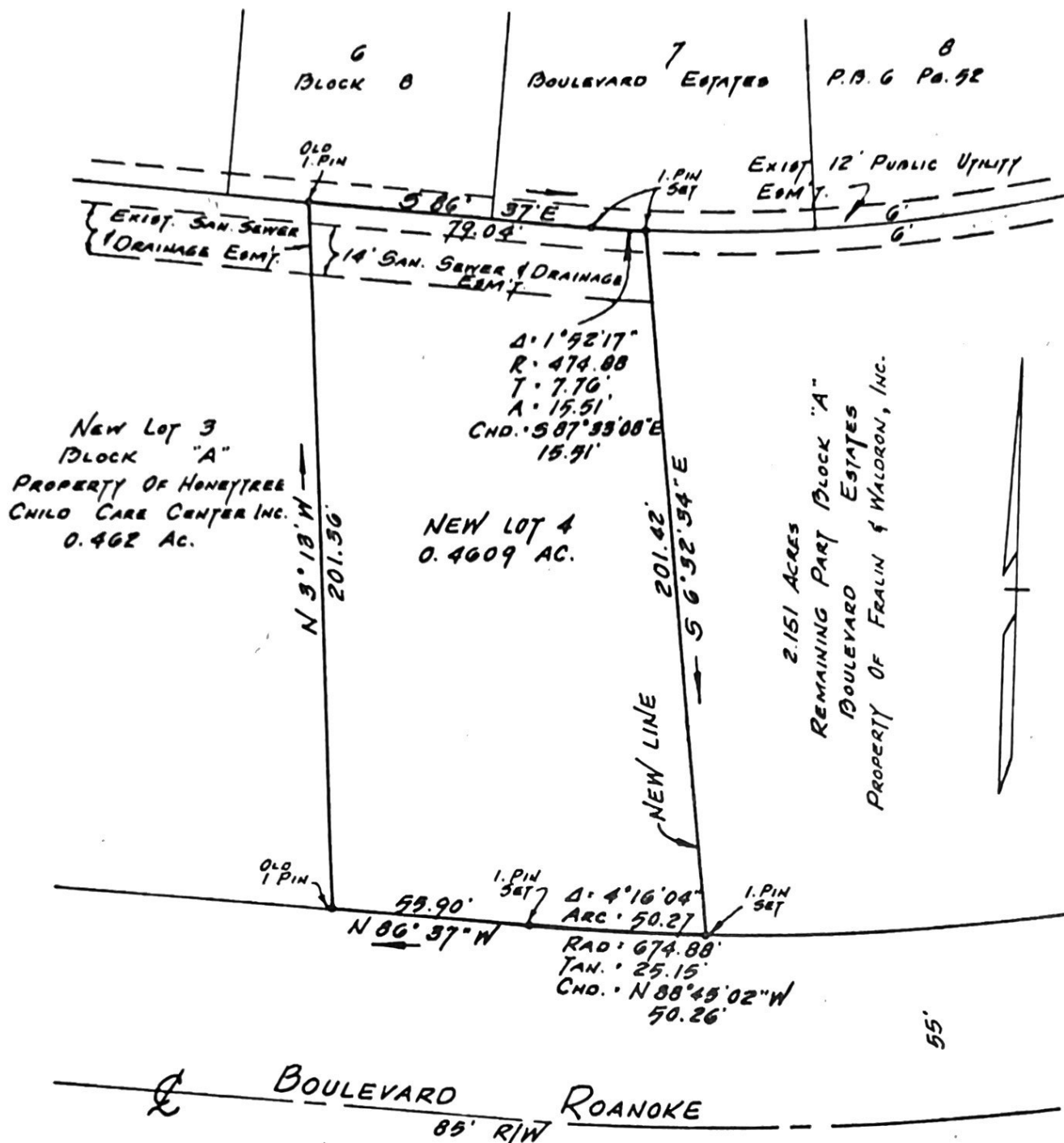
The foregoing instrument was acknowledged before me this  
3rd day of July, 1985, by James A. Beavers,  
Vice President of Fralin & Waldron, Inc., a Virginia  
Corporation, on behalf of said corporation.

Linda C. Wheeling  
Notary Public

My commission expires: December 11, 1988

State Tax	\$ <u>36.00</u>	In the Clerk's Office of the Circuit Court for the City
City Tax	\$ <u>12.00</u>	of Salem, Va., this <u>1</u> day of <u>Aug.</u> , 19 <u>85</u>
Transfer Fee	\$ <u>1.00</u>	this instrument was presented, with the Certificate
Clerk's Fee	\$ <u>10.00</u>	of acknowledgement thereto annexed and admitted
Plats	\$ <u>3.00</u>	to record at <u>4:18</u> o'clock <u>P.</u> M. I hereby certify
Add. St. Tax 58.1-802	\$ <u>12.00</u>	that the tax imposed under Sec. 58.1-802 in the
Local 58.1-802	\$ <u>12.00</u>	amount of \$ <u>24.00</u> has been paid to this office.
Local 58.1-802	\$ <u>      </u>	Teste: <u>James A. Beavers</u> , Clerk
Total	\$ <u>85.00</u>	By <u>      </u> , Deputy Clerk





APPROVED:

Randolph M. Smith 7/9/85  
 Asst. Ex. Sec. CITY OF SALEM PLANNING COMMISSION DATE  
John D. Albright 7/9/85  
 CITY ENGINEER, CITY OF SALEM DATE

LEGAL REFERENCE:  
 P.B. 6 Pg. 52

NOTE: THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA SO DESIGNATED BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT.



SURVEY FOR  
**FRALIN AND WALDRON, INC.**  
 OF NEW LOT 4, BEING 0.4609 ACRES, BLOCK "A",  
 MAP OF BOULEVARD ESTATES

SALEM,  
 SCALE: 1"=40'

VIRGINIA  
 JUNE 28, 1985

By: JACK G. BESS  
 CERTIFIED LAND SURVEYOR

N.B.W-79 0-85422

BOOK 128 PAGE 213

1859

THIS DEED made and entered into this the 2nd day of March, 1987, by and between FRALIN & WALDRON, INC., a Virginia Corporation, party of the first part, and Richard D. ELLIS, as his sole and separate equitable estate, party of the second part.

W I T N E S S E T H

THAT FOR AND IN CONSIDERATION of the sum of Ten and 00/100 Dollars (\$10.00) cash in hand paid by the party of the second part to the party of the first part, and other good and valuable consideration, the receipt of which is hereby acknowledged, the party of the first part does hereby grant, bargain, sell and convey, with General Warranty and English Covenants of Title, unto Richard D. Ellis, as his sole and separate equitable estate as recognized by the 1950 Code of Virginia, as amended, all of the following lot or parcel of land situated in the City of Salem, State of Virginia, and described as follows, to-wit:

BEGINNING at an old iron pin on the north line of Boulevard Roanoke at the southeast corner of New Lot 4 conveyed to the party of the second part by Deed from Fralin & Waldron, Inc., dated June 28, 1985; thence with the division line between New Lot 4 and New Lot 5, N. 6° 32' 34" W. 201.42 feet to an old iron pin on the south line of Lot 7, Block 8, Boulevard Estates (P. B. 6, page 52); thence with same and with Lot 8 in part, and a curved line to the left, an arc distance of 94.56 feet to an iron pin set; thence with a new line through property of Fralin & Waldron, Inc., S. 9° 53' 50" E. 200.00 feet to an iron pin set on the north line of Boulevard Roanoke; thence with the same and with a curved line to the right, whose radius is 674.88 feet, and whose chord bearing and distance is S. 84° 36' 33" W. 106.05 feet, an arc distance of 106.16 feet to the place of BEGINNING, and being New Lot 5, containing 0.46079 acre, and more fully shown on Survey by Jack G.



BOOK 128 PAGE 214

Bess, C. L. S., dated December 29, 1986, attached hereto and made a part hereof; and

BEING a part of the same property conveyed to the party of the first part by Deed from Tom Stockton Fox, Special Commissioner and Executor under Will of Julia H Lloyd, dated September 7, 1965, and recorded in Deed Book 783, page 360, in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia.

This Deed is made subject to all easements, restrictions, and conditions of record affecting the hereinabove described property.

It is further distinctly understood and agreed that the conveyance of the interest in the above described property is made to Richard D. Ellis as his sole and separate equitable estate, free from the debts and controls of marital rights, including dower of his present wife, or any future wife, that he may encumber his interest in said property or convey the same by his sole act without the union of said wife or any future wife in any conveyance which he may make with reference thereto, and that he in all respects shall hold and dispose of same just as though he homo sole.

WITNESS the following signature:

FRAZIN & WALDRON, INC.

By

*James A. Lavers*

Title: *Vice Pres.*

LAW OFFICES  
JOLLY, PLACE,  
FRAZIN & PRILLAMAN, P.C.

123 215

STATE OF VIRGINIA )  
CITY/COUNTY OF ROANOKE ) TO WIT:

The foregoing instrument was acknowledged before me this  
8 day of June, 1987, by James B. Bess,  
as Vice - President of Fralin & Waldron, Inc., a Virginia  
corporation, on behalf of said corporation.

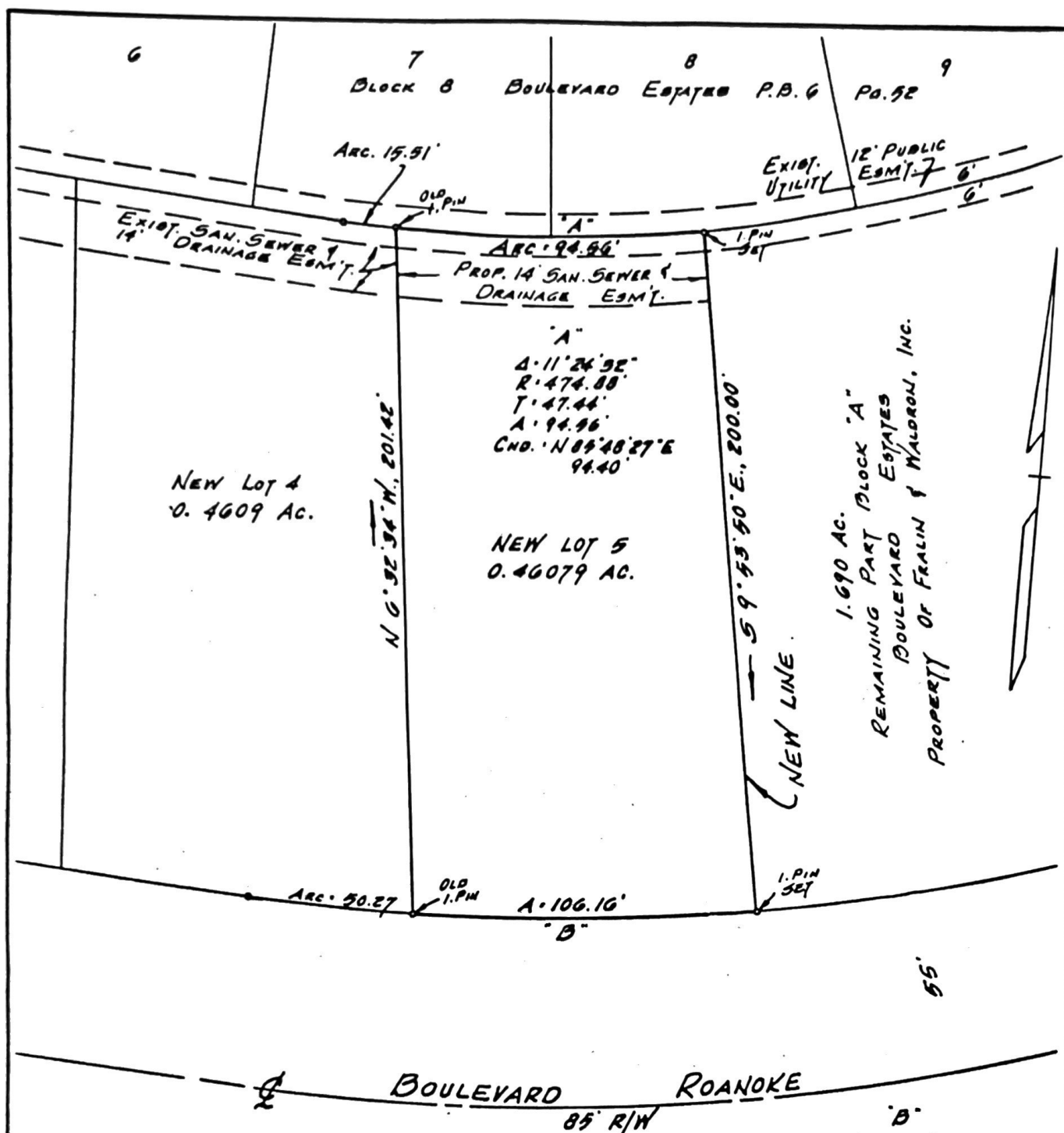
My commission expires: January 11, 1991.



Dorothy W. Baldwin  
Notary Public

State Tax	\$ 376.5	In the Clerk's Office of the Circuit Court for the City
City Tax	\$ 125.5	of Salem, Va., this <u>19</u> day of <u>June</u> , 19 <u>87</u>
Transfer Fee	\$ 100	this instrument was presented, with the Certificate
Clerk's Fee	\$ 1000	of acknowledgement thereto annexed and admitted
Plats	\$	to record at <u>2:33</u> o'clock <u>P</u> .M. I hereby certify
Add. St. Tax 58.1-802	\$ 1275	that the tax imposed under Sec. 58.1-802 in the
Local 58.1-802	\$ 1275	amount of \$ <u>2550</u> has been paid to this office.
Local 58.1-802	\$	Teste: <u>JAMES F. TOBEY</u> , Clerk
Total	\$ 8670	By <u>KAREN M. WHITE</u> , Deputy Clerk

LAW OFFICES  
JOLLY, PLACE,  
FRALIN & PRILLAMAN, P.C.



APPROVED

Ex. Sec. CITY OF SALEM PLANNING COMMISSION DATE

CITY ENGINEER, CITY OF SALEM VA. DATE

LEGAL REFERENCE  
P.B. 6 PG. 92

NOTE: THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA SO DESIGNATED BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

SURVEY FOR  
**SOUTHERN DISTRIBUTING CO.**

OF NEW LOT 5, BLOCK "A", MAP OF BOULEVARD ESTATES  
BEING CONVEYED BY FRALIN AND WALDRON, INC.

SALEM.  
SCALE: 1" = 40'

VIRGINIA  
DEC. 29, 1986



BY: JACK G. BESS  
CERTIFIED LAND SURVEYOR

D-861619

BOOK 171 pg 547

1188

THIS DEED, made and entered into on May 21, 1991, by and between FRALIN & WALDRON, INC., a Virginia corporation, (hereinafter "Grantor"), and Richard Davis Ellis, Sr., as his sole and separate equitable estate (hereinafter "Grantee").

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

THAT FOR AND IN CONSIDERATION of the sum of Ten Dollars cash in hand paid by the Grantee to the Grantor, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey, with General Warranty and English Covenants of Title, unto the Grantee, as his sole and separate equitable estate as recognized by the 1950 Code of Virginia, as amended, all of the following lot or parcel of land situated in the City of Salem, State of Virginia, and described as follows:

✓ NEW LOT 6 (0.4597 AC.) as shown on plat showing property to be conveyed to Richard Davis Ellis, Sr., being part of original Block "A," Boulevard Estates (Roanoke County Plat Book 6, page 52), dated May 2, 1991, prepared by Lumsden & Associates, P.C., Engineers-Surveyors-Planners a copy of which is attached hereto and made a part hereof; and

BEING a part of the same property conveyed unto the Grantor herein by deed of record in the Clerk's Office of the Circuit Court of Roanoke County, Virginia, in Deed Book 783, page 360.

This Deed is made subject to all easements, restrictions, and conditions of record affecting the hereinabove-described property.

LAW OFFICES  
JOLLY, PLACE  
FRALIN & BRILLMAN  
P.C.

It is expressly understood and agreed that the conveyance of the interest in the above-described property to the Grantee is made to him as his sole and separate equitable estate, free from the debts and controls of marital rights, including dower of any present wife, or any future wife; that he may encumber his interest in said property or convey the same by his sole act without the union of any wife or any future wife in any conveyance which he may make with reference thereto; and that he in all respects shall hold and dispose of same just as though he were a *homme sole*.

WITNESS the following signature and seal:

FRALIN & WALDRON, INC.  
a Virginia corporation

By: James A. Beavers (SEAL)  
VICE PRES. (TITLE)

STATE OF VIRGINIA  
CITY/COUNTY OF Roanoke }

The foregoing instrument was acknowledged before me on May 29, 19 91, by James A. Beavers, Vice Pres. (title) of FRALIN & WALDRON, INC., a Virginia corporation, on behalf of the corporation.

My commission expires October 24, 1992.

Jinda C. Wheeling  
Notary Public

LOT 8  
TAX # 225-3-1  
MARGARET B. STRINGER  
D.B. 32 PG. 103

BLOCK 8

BOULEVARD ESTATES P.B. 6 PG. 52

LOT 9 TAX # 225-3-2

ANN B. BURCH, D.B. 132 PG. 416

EXISTING  
12' PUBLIC UTILITY EASEMENT

EX. 14' S.S. &  
D.E.

NEW 14' SAN. SEWER & DRAINAGE  
EASEMENT HEREBY DEDICATED

## BOUNDARY COORDINATES

## ORIGIN OF COORDINATES ASSUMED

CORNER	NORTHING	EASTING
1	839.372'	1,257.480'
2	809.212'	1,144.025'
3	1,006.239'	1,109.646'
4	1,027.461'	1,189.479'

TOTAL AREA = 0.4597 AC.

NEW LOT 6  
0.4597 AC.

MERIDIAN OF  
BOULEVARD ESTATES  
P.B. 6 PG. 52

LOT 5  
TAX # 224-4-12  
RICHARD D. ELLIS  
D.B. 128 PG. 213

TAX # 225-3-5  
1.071 AC.  
REMAINING PART OF  
BLOCK "A"  
BOULEVARD ESTATES  
PROPERTY OF  
FRALIN & WALDRON, INC.  
ROKE CO. D.B. 783 PG. 360

BOULEVARD

85' R/W

ROANOKE

## CURVE DATA

CURVE	ANGLE	RADIUS	ARC	TAN	CHORD	CH. BEARING
C-1	9°58'45"	674.88'	117.54'	58.92'	117.40'	S 75°06'48" W
C-2	9°58'45"	474.88'	82.71'	41.46'	82.61'	N 75°06'49" E

## NOTES:

- 1) THIS PROPERTY IS NOT LOCATED WITHIN THE LIMITS OF A 100 YEAR FLOOD BOUNDARY AS DESIGNATED BY FEMA. THIS OPINION IS BASED ON AN INSPECTION OF THE FLOOD INSURANCE RATE MAP AND HAS NOT BEEN VERIFIED BY ACTUAL FIELD ELEVATIONS.
- 2) THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND THERE MAY EXIST ENCUMBRANCES NOT SHOWN HEREON.

## APPROVED:

*John D. Albright*  
CITY ENGINEER,  
CITY OF SALEM

DATE

3-16-91

*Forest D. Jones*  
EXECUTIVE SECRETARY,  
PLANNING COMMISSION

DATE

5-16-91

PLAT SHOWING  
NEW LOT 6 (0.4597 AC.)  
TO BE CONVEYED TO

RICHARD DAVIS ELLIS, SR.

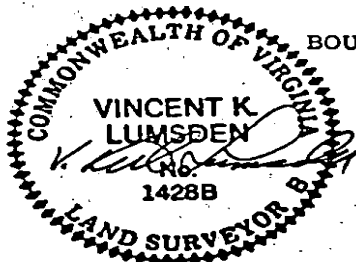
BY

FRALIN &amp; WALDRON, INC.

BEING PART OF ORIGINAL BLOCK "A",  
BOULEVARD ESTATES (RKE. CO. P.B. 6, PAGE 52)  
SALEM,  
VIRGINIA

SCALE: 1" = 40'

DATE: 2 MAY 1991



LUMSDEN ASSOCIATES, P. C.  
ENGINEERS-SURVEYORS-PLANNERS  
ROANOKE, VIRGINIA

State Tax  
City Tax  
Transfer Fee  
Clerk's Fee  
Plats  
Add. St. Tax 58.1-802  
Local 58.1-802  
Local 58.1-802  
Total

\$ 52.95  
\$ 17.65  
\$ 1.00  
\$ 13.00  
\$  
\$ 17.75  
\$ 17.75  
\$  
\$ 120.10

In the Clerk's Office of the Circuit Court for the City of Salem, Va., this 7 day of June, 1991, this instrument was presented, with the Certificate of Sale, with the note annexed and admitted to the Court at 10:24 o'clock A.M. I hereby certify that the tax imposed under Sec. 58.1-802 in the amount of \$ 25.50 has been paid to this office.  
Teste: CHANCE CRAWFORD, Clerk  
By: Doren W. Haffer, Deputy Clerk

5482

THIS DEED, made and entered into this the 7<sup>th</sup> day of September, 1965, by and between TOM STOCKTON FOX, Special Commissioner, as hereinafter set forth, and Executor under the will of Julia H. Lloyd, deceased, party of the first part, and DEAN S. LLOYD and DOLORES H. LLOYD, his wife, parties of the second part, and FRALIN & WALDRON, INCORPORATED, a corporation organized and existing under the laws of the Commonwealth of Virginia, party of the third part.

WITNESSETH

THAT, WHEREAS, by the various hereinafter mentioned deeds there were conveyed to J. Lewis Lloyd, and to J. Lewis Lloyd and Julia H. Lloyd, as husband and wife, tenants by the entireties, various tracts of land, now lying partially in the Town of Salem and partially in the County of Roanoke, State of Virginia, on the northerly side of the Boulevard Roanoke and the easterly side of Hemlock Road, State Secondary Highway No. 767; and

WHEREAS, the said J. Lewis Lloyd died intestate on July 1, 1959, and the titles to the lands so owned by him individually descended to Jack C. Lloyd, incompetent, and Dean S. Lloyd, his sons and sole heirs at law; and

WHEREAS, by reason of the death of J. Lewis Lloyd, the titles to the lands so owned by him and Julia H. Lloyd as tenants by the entireties descended to Julia H. Lloyd as survivor; and

WHEREAS, the said Julia H. Lloyd departed this life testate on January 22, 1964, and by her will, probated in the Circuit Court Clerk's Office of Roanoke County, Virginia on January 30, 1964, she authorized and empowered Tom Stockton Fox, therein appointed Executor, to sell and convey any part or all of her estate, both real and personal, upon such terms and conditions as he, in his sole discretion, might deem best in order to carry out the provisions of her said will, giving and granting



unto the said Executor full power and authority to make conveyances and transfers of any and all portions of her estate, and directed that no purchaser from her said Executor should be required to see to the application of the purchase money; and

WHEREAS, in order to carry out the provisions of the said last will and testament, sale of that portion of the lands of Julia H. Lloyd included in the hereinafter described property was made by said Executor, together with the remaining portion of the hereinafter described lands by the parties of the second part hereto, and by Dean S. Lloyd as Receiver-Committee for Jack C. Lloyd, incompetent, unto the party of the third part hereto; and

WHEREAS, by decree entered on September 7<sup>th</sup>, 1965, it was decreed and ordered by the Circuit Court of Roanoke County, Virginia, in a certain cause therein pending on the chancery side of the said Court under the style of Tom Stockton Fox, Executor under the will of Julia H. Lloyd, deceased, et al, vs. Jack C. Lloyd, incompetent, et al, that Tom Stockton Fox, who was thereby appointed Special Commissioner for that purpose, upon the payment to him by the party of the third part hereto of the sum of \$85,408.40, should convey on behalf of Jack C. Lloyd, incompetent, and as Executor under the will of Julia H. Lloyd, deceased, together with the parties of the second part hereto, unto the party of the third part hereto the hereinafter described property; and

WHEREAS, the said party of the third part hereto has paid said sum of \$85,408.40 unto the party of the first part hereto; and

WHEREAS, the said Special Commissioner has executed the bond required of him by the said decree, and all the terms, requirements and conditions of the said decree have been fulfilled,

and, in accordance with the directions so contained in the said decree, this deed is executed.

NOW, THEREFORE, that for and in consideration of the sum of Eighty-Five Thousand, Four Hundred Eight Dollars and Forty Cents (\$85,408.40), cash in hand paid by the party of the third part hereto unto the party of the first part hereto, the receipt whereof is hereby acknowledged, the said parties of the first and second part do hereby bargain and sell, grant and convey, the party of the first part with special warranty of title, and the parties of the second part with general warranty of title as to the undivided one-half interest of Dean S. Lloyd in and to the westerly 17.98 acre portion of the hereinafter conveyed property, unto the party of the third part hereto, its successors and assigns forever, all that certain tract or parcel of land lying and being partly in the Town of Salem and partly in the County of Roanoke, State of Virginia, and more particularly bounded and described as follows:

Beginning at an iron pin at the point of intersection at the northerly line of Boulevard Roanoke and the easterly side of Hemlock Road (State Secondary Route No. 767); thence with the easterly side of Hemlock Road, N.  $03^{\circ} 13'$  W. 879.66 feet to a point on the same at an iron pin; thence continuing with the same, N.  $02^{\circ} 55'$  W. 485.89 feet to an iron pin on the same at the intersection of the same with the corporate line of the Town of Salem; thence continuing with the said easterly side of Hemlock Road, N.  $03^{\circ} 37'$  W. 153 feet to a point on the same; thence leaving said easterly side of Hemlock Road, S.  $83^{\circ} 05'$  E. 212 feet to a point; thence S.  $60^{\circ} 14'$  E. 612.37 feet to a point; thence N.  $86^{\circ} 47'$  E. 201.91 feet to a point; thence S.  $03^{\circ} 59' 30''$  E. 103.45 feet to a point; thence S.  $74^{\circ} 04'$  E. 177.60 feet to a point at a wooden post; thence N.  $87^{\circ} 02'$  E. 500.48 feet to an iron pin; thence S.

09° 38' E. 144.87 feet to a point at an iron pin; thence S. 04° 50' W. 445.28 feet to an iron pin on the northerly side of Boulevard Roanoke; thence with the same, S. 61° 05' W. 722.86 feet to an iron pin on the same; thence the three following courses, continuing with the northerly side of the Boulevard Roanoke, with a curve to the right, whose radius is 699.88 feet, whose chord is S. 77° 14' W. 389.34 feet, an arc distance of 394.55 feet, to an iron pin on the north side of a concrete monument; thence N. 86° 37' W. 160.19 feet to an iron pin by a concrete monument; thence with a curve to the left, whose radius is 934.26 feet, whose chord is S. 84° 12' 50" W. 297.78 feet, an arc distance of 299.06 feet, to the point of beginning, and containing 38.822 acres, by plat prepared by David Dick and Harry A. Wall, Civil Engineers and Surveyors, dated October 7, 1964, revised June 22, 1965, a copy of which is attached hereto and made a part hereof, and being portions of properties conveyed to J. Lewis Lloyd, who died intestate July 1, 1959, survived by Jack C. Lloyd, incompetent, and Dean S. Lloyd, his sons and heirs at law, by the following deeds:

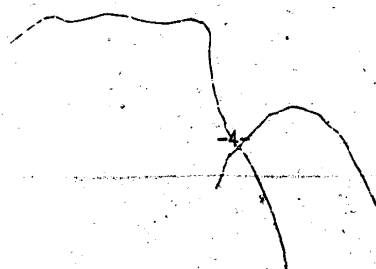
(1) John L. Walker, Special Commissioner, by deed recorded in Deed Book 324, Page 7; 107.06 acres;

(2) E. A. Rhoades, Jr., Deed Book 356, Page 230, 4.28 acres;

And by all or portions of properties conveyed to J. Lewis Lloyd and Julia H. Lloyd, husband and wife, tenants by the entireties or survivor, the said Julia H. Lloyd having survived J. Lewis Lloyd, by the following deeds:

(1) E. A. Rhoades, Jr., Deed Book 444, Page 110, 5.72 acres.

(2) J. R. Ford, Trustee, Deed Book 349, Page 81, 16.89 acres.



(3) B. A. Rhoades, Jr., Deed Book 480, Page 323, 13.06 acres.

(4) B. A. Rhoades, Jr., Deed Book 480, Page 323, 7.10 acres.

(5) George R. Stalnaker, Deed Book 513, Page 149, 2.542 acres.

It is understood and agreed, however, between the parties hereto that the above conveyed property is subject to the easements for ingress, egress and regress to the properties adjoining the above conveyed property on the northerly side thereof as conveyed by Julia H. Lloyd, widow, in her deeds as follows:

(1) To Nora Hite Young et al, dated April 30, 1960, and of record in said Clerk's Office in Deed Book 638, Page 73;

(2) To Jesse F. Rutledge et al, dated April 6, 1960, and of record in said Clerk's Office in Deed Book 638, Page 284;

To have and to hold unto the said party of the third part hereto, its successors and assigns forever.

As to the interest conveyed by Dean S. Lloyd in a portion of the above conveyed lands, the parties of the second part covenant that they are seized in fee simple of the said interest in the land herein described; that they have the right to convey the said interest in the said land to the grantee; that they have done no act to encumber the said interest in the said land, except as herein set forth; that the said grantee shall have quiet and peaceable possession of the said interest in the said land, free from all encumbrances, except as herein set forth; and that they, the said parties of the second part, will execute such further assurances of title to the said interest in the said land as may be necessary or requisite.

This deed is executed on behalf of Jack C. Lloyd, incompetent, Dean S. Lloyd, Dolores H. Lloyd, and the said estate of

Julia H. Lloyd.

Witness the signatures and seals of the parties of the first and second parts hereto, the day and year first above written:



Tom Stockton Fox (SEAL)  
Tom Stockton Fox  
Special Commissioner, and Executor under  
the will of Julia H. Lloyd, deceased.

Dean S. Lloyd (SEAL)  
Dean S. Lloyd

Dolores H. Lloyd (SEAL)  
Dolores H. Lloyd



STATE OF VIRGINIA,

CITY OF ROANOKE, to-wit:

I, Melva G. Philpott, a Notary Public in and for the City of Roanoke, in the State of Virginia, do hereby certify that Tom Stockton Fox, Special Commissioner, and Executor under the will of Julia H. Lloyd, deceased, whose name is signed as such to the foregoing deed, bearing date on the 7th day of September, 1965, has this day personally appeared before me in my City and State aforesaid and acknowledged the same.

Given under my hand this 7th day of September, 1965.My commission expires June 8, 1968.

Melva G. Philpott  
Notary Public



STATE OF VIRGINIA,

CITY OF ROANOKE, to-wit:

I, Melva G. Philpott, a Notary Public in and for the City of Roanoke, in the State of Virginia, do hereby certify that Dean S. Lloyd and Dolores H. Lloyd, his wife, whose names are signed to the foregoing deed, bearing date on the 7th day of September, 1965, have each this day personally appeared before me in my City and State aforesaid and acknowledged the same.

Given under my hand this 7th day of September, 1965.My commission expires June 8, 1968.

Melva G. Philpott  
Notary Public

State Tax	\$ <u>128.25</u>	In the Clerk's Office of the Circuit Court for the County of
County Tax	\$ <u>42.75</u>	Roanoke, Va., this <u>21</u> day of <u>Sept</u> 196 <u>5</u> this deed was
Transfer Fee	\$ <u>1.00</u>	presented, and with the certificate of acknowledgement thereto
Clerk's Fee	\$ <u>8.00</u>	annexed, admitted to record at <u>4:20</u> o'clock <u>P.</u> M.
Plats	\$ <u>-</u>	Having affixed thereto duly cancelled United States
Total	\$ <u>180.00</u>	Internal Revenue Stamps of the value of \$ <u>94.05</u>

Test: M. G. Logan Clerk  
M. G. Philpott Deputy Clerk

mailed 12-12-77 to Layman Candy Co, P.O. 1015, Salem VA

BOOK 1081 PAGE 348

7426

THIS DEED, made and entered into this 30th day of November, 1977, by and between ROBERT E. MORRIS and GLADYS W. MORRIS, husband and wife, parties of the first part, and LAYMAN CANDY CO. INC., party of the second part.

W I T N E S S E T H :

WHEREAS, a tract of land containing approximately 11.041 acres was heretofore conveyed to Roy L. Webber by deed of record in Deed Book 599, page 596 of the Clerk's Office of the Circuit Court of Roanoke County; and

WHEREAS, the said Roy L. Webber died intestate on October 18, 1975; and

WHEREAS, Gladys Webber, his wife, died intestate on November 18, 1975; and

WHEREAS, Gladys W. Morris is the sole surviving heir at law of the aforesaid Roy L. and Gladys Webber.

NOW, THEREFORE, in consideration of the sum of TEN DOLLARS (\$10.00) cash in hand paid, receipt of which is hereby acknowledged, the parties of the first part do hereby BARGAIN, GRANT, SELL and CONVEY, with General Warranty of Title and with Modern English Covenants of Title, unto the party of the second part, all the following described lot or parcel of land situate in Roanoke County:

Beginning at the southeast corner of a 0.777 acre parcel of land owned by Jack L. Hartman; thence N. 45° 37' W. 350 feet to a point; thence S. 44° 23' W. 73.40 feet to a point; thence N. 38° 02' W. 139.45 feet to a point; thence N. 38° 58' 30" W. 354.15 feet to a point; thence N. 61° 50' E. 276.77 feet to a point; thence with a new line through the 11.041 acre parcel S. 45° 37' E. 757.01 feet to a point on the north right of way line of Virginia Highway No. 117; thence with the right of way of said highway S. 44° 23' W. 250 feet to the place of beginning, containing 5.052 acres and being shown on a plat prepared by Buford T. Lumsden & Associates, P.C., dated November 22, 1977 and being attached hereto and made a part hereof.

Being a portion of the same property conveyed to Roy L. Webber by deed dated July 1, 1958, of record in Deed Book 599, page 596 of the Clerk's Office of the Circuit Court of Roanoke County.

LAW OFFICES  
OSTERHOUDT,  
FERGUSON & NAY  
SALEM, VIRGINIA

It is expressly agreed that the party of the second part shall have the right to use the 50-foot roadway shown as reserved on the plat attached hereto for access to the property herein conveyed; said right to be a perpetual right of way to the party of the second part, its successors and assigns.

TO HAVE AND TO HOLD by the party of the second part, its successors and assigns, in fee simple forever.

WITNESS the following signatures and seals:

Robert E. Morris (SEAL)  
Robert E. Morris

Gladys W. Morris (SEAL)  
Gladys W. Morris

STATE OF VIRGINIA

CITY/COUNTY OF Roanoke, to-wit:

This day personally appeared before me, the undersigned Notary Public, Robert E. Morris and Gladys W. Morris and acknowledged the foregoing deed.

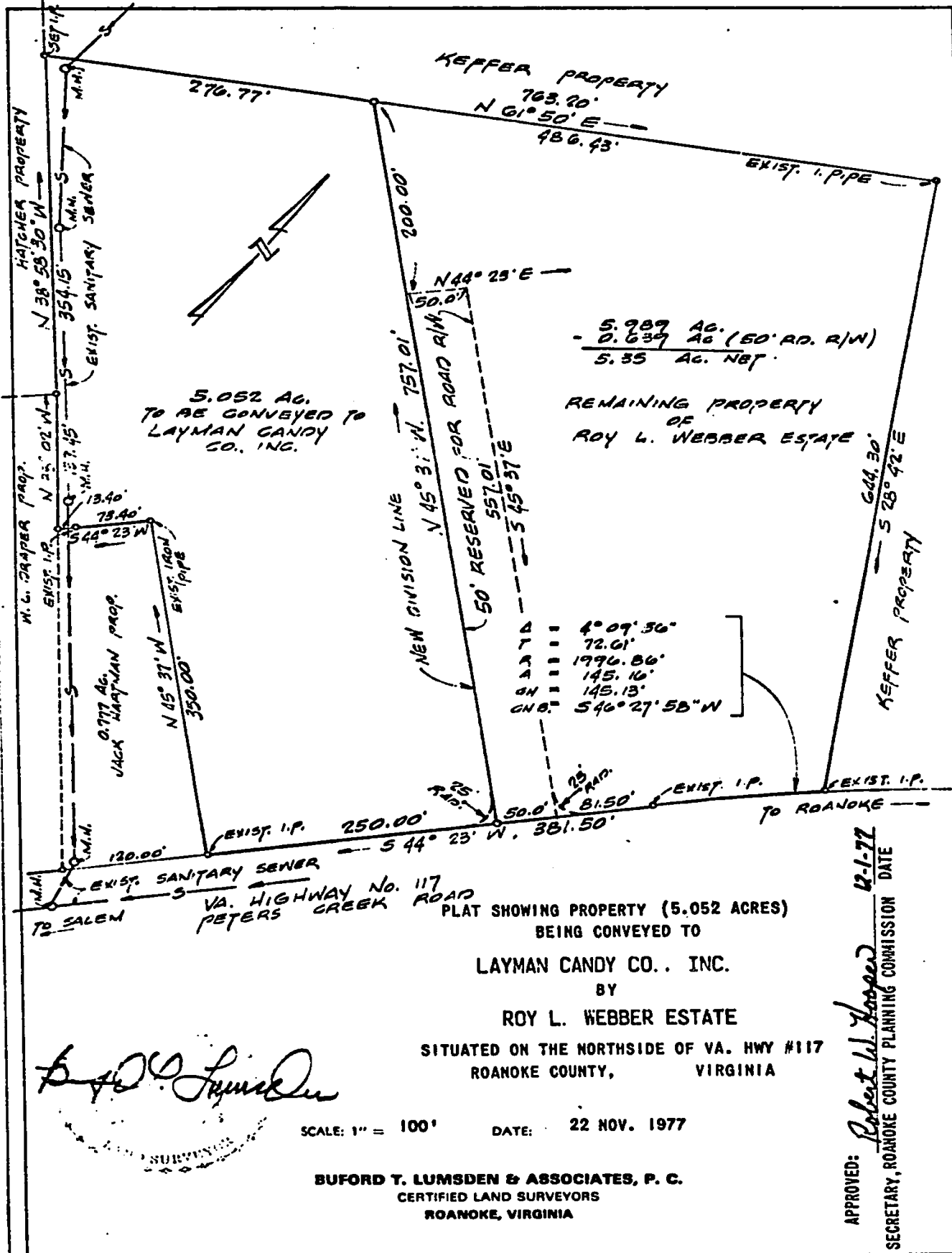
Given under my hand this 30<sup>th</sup> day of November, 1977.

My commission expires July 4, 1978

William D. Rue  
Notary Public

State Tax	\$ <u>127.50</u>	In the Clerk's Office of the Circuit Court for the County of Roanoke, Va. this
County Tax	\$ <u>42.50</u>	<u>5</u> day of <u>Dec</u> , 1977 this instrument was presented, and
Transfer Fee	\$ <u>1.00</u>	with the Certificate of acknowledgment thereto annexed, admitted to record at
Clerk's Fee	\$ <u>10.00</u>	<u>11:49</u> o'clock <u>A</u> .M. The taxes imposed by par. 58-54 and 58-54.1
Plats	\$ <u>2.00</u>	of the code have been paid.
120 & 220A	\$ <u>85.00</u>	
Total	\$ <u>268.00</u>	

Teste: Elizabeth B. Stiles Clerk  
By Gene Buchanan Dep. Clerk





1258

THIS DEED, made and entered into this the 5th day of April, 1960, by and between JULIA H. LLOYD, widow, party of the first part, and NORA HITE YOUNG, PAUL ALLEN HITE and JOHN MARVIN HITE, parties of the second part.

### W I T N E S S E T H

That for and in consideration of the sum of ELEVEN THOUSAND (\$11,000.00) DOLLARS, paid and to be paid as follows: \$3,000.00 cash in hand paid by the parties of the second part unto the party of the first part, the receipt whereof is hereby acknowledged, and the balance of \$8,000.00 is evidenced by one certain interest bearing negotiable note of even date herewith, executed by the parties of the second part and payable to the order of the party of the first part, with interest thereon until paid at the rate of 5 $\frac{1}{2}$ % per annum, said principal and interest payable in monthly installments of \$66.44 (with the privilege of making larger payments of any amount at any time) on the 6th day of each and every month after date, with the entire indebtedness, both principal and interest, due fifteen years from date, each installment when so paid to be applied, first, to the payment of the interest on the amount of principal remaining unpaid, and the balance thereof credited to the principal, and secured by a deed of trust upon the hereinafter described property to T. Howard Boyer and Tom Stockton Fox, Trustees, the said party of the first part hereby bargains and sells, grants and conveys, with general warranty of title, unto the parties of the second part, all of that certain tract or parcel of land, with the appurtenances thereto belonging, and subject to the easement set forth hereinafter, lying and being in the Salem Magisterial District, County of Roanoke, State of Virginia, and more particularly bounded and described as follows:

BEGINNING at an iron pipe on the Corporation Line of the Town of Salem, north of the Veterans Administration Hospital, said beginning point is 394.6 feet westerly from the intersection of the Salem Corporation Line with the easterly property line of the Lloyd property; thence with the Salem Corporation Line S. 87° 02' W. 105.88 feet to an iron pipe at

Original from  
 Paul Allen Hite  
 11/11/60

an angle point in the Salem Corporation Line; thence continuing with the Corporation Line N. 74° 04' W. 177.6 feet to an iron pipe; thence leaving the Corporation Line and with a new division line through the property of Mrs. Julia H. Lloyd N. 03° 59' 30" W.; crossing a drainage ditch at 527.8 feet, in all a total distance of 768.8 feet to an iron pipe on the southerly line of the property of E. W. Shields; thence with the same S. 89° 00' E. 136.0 feet to an iron pipe at the rear corner between the properties of E. W. Shields and M. C. Myers; thence with the southerly line of the Myers property S. 88° 23' E. 137.9 feet to an iron pipe; thence with a new division line through the property of Mrs. Julia H. Lloyd S. 03° 59' 30" E., crossing a drainage ditch at 100 feet, in all a total distance of 905.95 feet to the point of BEGINNING, containing 5.0 acres as shown by plat of survey made by David Dick, State Certified Engineer and Surveyor, February 23, 1960; a copy of which is attached hereto and made a part hereof, and being a portion of the 13.106 acres conveyed to J. Lewis Lloyd and Julia H. Lloyd, husband and wife, tenants by the entireties or the survivor, by A. E. Roades, Jr. by deed of record in the Clerk's Office of the Circuit Court of Roanoke County, Virginia, in Deed Book 483, Page 323, the interest of J. Lewis Lloyd having descended to Julia H. Lloyd upon the death of the said J. Lewis Lloyd on July 1, 1959.

TOGETHER with a twenty-five (25) foot in width road right of way easement for the purposes of ingress, regress and egress to and from the above described land, extending from the southeasterly corner thereof in an easterly direction 394.6 feet, and thence in a southerly direction to State Secondary Highway Route #742, as set forth on the said plat of February 23, 1960, attached hereto and made a part hereof; it being distinctly understood and agreed that the said easement and right of way will cease and determine upon the dedication of any public road which shall give access to the above conveyed land.

It is further distinctly understood and agreed between the parties hereto that there is reserved from the above conveyance a right of way and easement twenty (20) feet in width as an easement appurtenant to the remaining lands of the party of the first part lying westerly from the hereinabove conveyed land, which said easement so reserved unto the party of the first part as appurtenant unto her land is for the purpose of drainage and the installation, construction and maintenance of and the necessary rights of egress, regress and ingress therefor, for sewer lines, shown, described and located as

"drainage ditch", set forth on the said plat of February 23, 1960, copy of which is attached hereto and made a part hereof.

The said party of the first part covenants that she is seised in fee simple of the property herein described; that she has the right to convey the said land to the grantees; that she has done no act to encumber the said land, except as herein set forth; that the said grantees shall have quiet and peaceable possession of the said land, free from all encumbrances, except as herein set forth; and that she, the said party of the first part, will execute such further assurances of title to the said land as may be necessary or requisite.

Witness the following signature and seal the day and year first above written:

Julia H. Lloyd (SEAL)  
Julia H. Lloyd

STATE OF VIRGINIA,

County OF ROANOKE, to-wit:

I, Thom W. Whitcraft, a Notary Public in and for the City of Roanoke, Roanoke County the State of Virginia, do hereby certify that JULIA H. LLOYD, widow, whose name is signed to the foregoing writing, bearing date on the 5th day of April, 1960, has this day personally appeared before me in Roanoke County and State aforesaid, and acknowledged the same:

Given under my hand this 5th day of April, 1960.

My commission expires March 28, 1964.

Thom W. Whitcraft  
Notary Public



Tax \$ 16.50  
 3 5.50  
 3 1.00  
 3 3.50  
 3 1.00  
 Total \$ 27.50

In the Clerk's Office of the Circuit Court for the County of Roanoke, Va., this 7 day of April, 1960 this deed was presented, and with the Certificate of acknowledgement thereto annexed, admitted to record at 11:20 o'clock P.M. Having affixed thereto duly cancelled United States Internal Revenue Stamps of the value of \$12.10

Tested: Ray H. [illegible] Clerk  
By [illegible] Deputy Clerk

BOOK 638 PAGE 284

1241

THIS DEED, made and entered into this the 11th day of April, 1960, by and between JULIA H. LLOYD, widow, party of the first part, and JESSE P. RUTLEDGE and M. MADELINE RUTLEDGE, husband and wife, tenants by the entireties or the survivor, parties of the second part.

W I T N E S S E T H

That for and in consideration of the sum of Eleven Thousand, Nine Hundred Seventy-Three (\$11,973.00) Dollars, paid and to be paid as follows: \$1,500.00 cash in hand paid by the parties of the second part unto the party of the first part, the receipt whereof is hereby acknowledged, and the balance of \$10,473.00 is evidenced by one certain interest bearing negotiable note of even date herewith, executed by the parties of the second part and payable to the order of the party of the first part, with interest thereon until paid at the rate of six per cent (6%) per annum, said principal and interest payable in monthly installments of \$80.00 (with the privilege of making larger payments of any amount on any monthly payment date) beginning on the 11th day of May, 1960, and on the 11th day of each and every month thereafter until paid, each installment when so paid to be applied, first, to the payment of the interest on the amount of principal remaining unpaid, and the balance thereof credited to the principal, and secured by a deed of trust upon the hereinafter described property to T. Howard Boyer and Tom Stockton Fox, Trustees, the said party of the first part hereby bargains and sells, grants and conveys, subject to the hereinafter set forth reservations, conditions and limitations, with general warranty of title, unto the said parties of the second part, husband and wife, tenants by the entireties or the survivor, all of that certain tract or parcel of land, with the appurtenances thereunto belonging, lying and being in the Salem Magisterial District, County of Roanoke, State of Virginia, adjoining the Town of Salem corporate line, and more particularly bounded and described as follows, to-wit:

BEGINNING at an iron pipe in the Corporation Line of the Town of Salem, north of the Veterans Administration Hospital, said beginning point being on the boundary line between the property of Mrs. Julia H. Lloyd and the 10 acre tract conveyed to G. A. Cook by deed recorded in the Clerk's Office of the Circuit Court of Roanoke County in Deed Book 121, Page 426, and being also 0.61 feet west of the iron pipe marking the corner of the Salem Corporation line; thence with said Corporation Line, S. 87° 02' W. 394.6 feet to an iron stake; thence leaving the Corporation Line and with the new division line along the east side of the 5.000 acres conveyed to P. A. Hite, N. 05° 59' 30" W., crossing a drainage ditch at 705.95 feet, in all a total distance of 805.95 feet to an iron pipe on the southerly line of the property of J. C. Myers; thence with same S. 88° 23' E., crossing the drainage ditch at 223 feet, in all a total distance of 319.0 feet to an iron stake at a fence corner, corner to the said Cook property; thence with the same S. 09° 38' E. 785.6 feet to the point of BEGINNING, containing 6.473 acres as shown by the plat of survey made by David Dick, State Certified Engineer and Surveyor, dated February 23, 1960, copy of which is attached hereto and made a part hereof, and being a portion of the 13.106 acres conveyed to J. Lewis Lloyd and Julia H. Lloyd, husband and wife, tenants by the entireties or the survivor, by E. A. Roades, Jr. and wife by deed dated October 13, 1952, of record in the Clerk's Office of the Circuit Court of Roanoke County, Virginia, in Deed Book 480, Page 323, and also being a portion of the 2.542 acres conveyed to J. Lewis Lloyd and Julia H. Lloyd, husband and wife, tenants by the entireties or the survivor, by George R. Stalnaker and wife by deed dated September 7, 1954, of record in the said Clerk's Office in Deed Book 513, Page 149, title to the same having descended to Julia H. Lloyd, survivor, upon the death of J. Lewis Lloyd on July 1, 1959.

TOGETHER with a twenty-five (25) foot in width road right of way easement for the purpose of ingress, regress and egress to and from the above described land, extending from the southeasterly corner thereof in a southerly direction 394.6 feet to State Secondary route #742, as set forth on the said plat of February 23, 1960, attached hereto and made a part hereof; it being distinctly understood and agreed that the said easement and right of way will cease and determine upon the dedication of any public road which shall give access to the above conveyed land.

It is further distinctly understood and agreed between the parties hereto that the above conveyed property is subject to the twenty-five (25) foot easement along the southerly twenty-five (25) feet thereof appurtenant to the property conveyed by the party of the first part hereto to Nora Hite, Young, Paul Allen Hite and John Marvin

Hite by deed dated April 5th, 1960, and now of record in the said Clerk's Office.

It is further distinctly understood and agreed between the parties hereto that the parties of the second part, by accepting this deed, assume and undertake any and all of the obligations of the party of the first part hereto to furnish water to Mrs. Emma Cook Crouch to now secure water from the well located on the hereinabove conveyed property, and the said parties of the second part hereby undertake and agree to indemnify and save harmless the party of the first part hereto from all claims in connection therewith.

It is further distinctly understood and agreed between the parties hereto that there is reserved from the above conveyed property a right of way and easement twenty (20) feet in width as an easement appurtenant to the remaining lands of the party of the first part and the adjoining lands so conveyed by the party of the first part hereto to Nora Hite Young, Paul Allen Hite and John Marvin Hite, all of which lie westerly from the hereinabove conveyed land, which easement so reserved unto the said parties as appurtenant to their said lands is for the purposes of drainage of the said lands and for the installation, construction and maintenance of and the necessary rights of egress, regress and ingress therefor for sewer lines as shown, described and located as the "drainage ditch, 20 foot drainage and sewer easement" set forth on the said plat of February 23, 1960, copy of which is attached hereto and made a part hereof.

It is further distinctly understood and agreed between the parties hereto that the party of the first part shall retain and have the full right to the use and possession of the barn and other outbuildings located upon the hereinabove conveyed property until October 1, 1960.

To have and to hold unto the said parties of the second part and their assigns, jointly during their joint lives, and then to the survivor of the said parties, his or her heirs or assigns, in fee simple forever; it being the intention of this deed, however, to

convey to the said parties of the second part as tenants by the entireties, with the right of survivorship as such as approved by Section 55-21 of the Code of Virginia, and not as tenants in common.

The said party of the first part covenants that she is seised in fee simple of the property herein described; that she has the right to convey the said land to the grantees; that she has done no act to encumber the said land, except as herein set forth; that the said grantees shall have quiet and peaceable possession of the said land, free from all encumbrances, except as herein set forth; and that she, the said party of the first part, will execute such further assurances of title to the said land as may be necessary or requisite.

Witness the following signature and seal the day and year first above written:

Julia H. Lloyd (SEAL)  
Julia H. Lloyd

STATE OF VIRGINIA,

City OF ROANOKE, to-wit:

I, Harry W. Whitcomb Jr., a Notary Public in and for the City of Roanoke, in the State of Virginia, do hereby certify that JULIA H. LLOYD, widow, whose name is signed to the foregoing writing, bearing date on the 6th day of April, 1960, has this day personally appeared before me in Roanoke County and State aforesaid and acknowledged the same.

Given under my hand this 6th day of April, 1960.

My commission expires March 28, 1964.

Harry W. Whitcomb Jr.  
Notary Public

State Tax \$ 18.00  
County Tax \$ 6.00  
Recorder's Fee \$ 1.00  
Clerk's Fee \$ 4.00  
Fees \$ 1.00  
Total \$ 29.00

In the Clerk's Office of the Circuit Court for the County of Roanoke, Va., this 12 day of April 1960 this deed was presented, and with the Certificate of acknowledgement thereto annexed, admitted to record at 2:00 o'clock P. M. Having affixed thereto duty cancelled United States

Internal Revenue Stamp of the value of \$13.20

Teste: Ray H. Brown Clerk  
By James E. Lacey Deputy Clerk

11

BOOK 842 PAGE 315

Mailed to  
Jas. A. Barnes  
Roanoke, Va.  
12-6-67

5672

THIS DEED made this 24th day of May, 1967, by and between

FRALIN & WALDRON, INC.

hereinafter designated as "Developer," and the ROANOKE COUNTY PUBLIC SERVICE AUTHORITY,  
hereinafter designated as "Authority."

: W I T N E S S E T H :

THAT WHEREAS the Developer ~~have~~ has acquired a tract of land designated  
as:

61.49 acres as recorded in Deed Book 824, Page 519, in the Clerk's Office for the  
Circuit Court of Roanoke County, a portion of said acreage being subdivided as Montclair  
Estates, Section 3, as yet unrecorded; and,

WHEREAS the Developer is causing sanitary sewer lines to be installed  
within the streets and rights-of-way of the said 61.49 acres  
in accordance with plans and profiles  
as prepared by T. P. Parker, State Certified Engineer, under  
date of February 2, 1967 and has connected said lines  
to an existing  
sanitary sewer owned and operated by the Authority; and,

WHEREAS said Developer desires sanitary sewer service within the aforesaid  
61.49 acres, including the said Montclair Estates, <sup>Sec. 3</sup> area and desires that the Authority own  
in fee simple said sewer lines to maintain, operate, and repair the same, and to cause  
sewage to be discharged into the system owned by said Authority and through it be  
transmitted to the City of Roanoke Sewage Treatment Plant and there treated and  
disposed of by the City pursuant to the contract between the City of Roanoke and the  
County of Roanoke as now in effect for said purpose; and,

WHEREAS the Authority is willing to accept title to and ownership of said  
sewer lines located or to be located within said <sup>area</sup> ~~subdivided~~ streets and to receive  
sewage through said lines and cause the same to be transmitted to the Roanoke City  
Sewage Treatment Plant in accordance with the terms of the aforesaid sewage treatment  
contract.

NOW, THEREFORE, considering the premises, the said Developers do hereby  
grant, convey, assign and transfer in fee simple unto the Authority all the sewer  
lines serving or to serve said 61.49 acres including the said Montclair Estates, Sec. 3 area  
and lying within the streets or rights-of-way as above noted.



The Authority on its part doth hereby accept the lines herein granted, conveyed and assigned unto it and doth agree to accept domestic sewage originating from said area and cause the same to be transmitted and disposed of as hereinabove set out.

The Developer on its part does hereby agree that sewer connection fees, sewage service charges, and inspection fees as existing or as hereafter changed in accordance with law will be charged by the Authority for connections made to the sanitary sewer system within the aforesaid 61.49 acre area, including the said Moreclair Estates, Section 3.

Also, the Developer hereby covenants and warrants that it will indemnify and save harmless the Authority for any and all claims for damages of any nature that might arise as a result of the construction of said line and said liability shall continue in full force and in effect for a period of one year from date of this Deed.

This indenture constitutes the entire agreement between the Developers and the Authority and is to be recorded in the aforesaid Clerk's Office and no other instrument of title to said sewer lines shall be required.

WITNESS the following signatures and seals:



FRALIN & WALDRON, INC.  
HARVEY O. FRALIN, Secretary  
STATE OF VIRGINIA

County of Loudoun

FRALIN & WALDRON, INC.

Robert H. Waldron, President

I, Cynthia S. Brantley, a Notary Public in and for the State of Virginia aforesaid, do hereby certify that Edwin H. Waldron, President, and Harvey O. Fralin, Secretary, whose names are signed to the foregoing writing bearing date of May 24, 1967, have each this day personally appeared before me in my State and County aforesaid, and acknowledged the same.

Given under my hand this 1st day of June 1967.

My Commission expires January 6, 1969.

Cynthia S. Brantley  
Notary Public

State Tax \$  
County Tax \$  
Transfer Fee \$  
Clerk's Fee \$  
Plate \$  
Total \$

In the Clerk's Office of the Circuit Court for the County of Loudoun, Va., this 1st day of June 1967, this instrument was presented, and with the Certificate of acknowledgment thereto annexed, admitted to record at 10 o'clock A.M.  
Test: May 18, 1967 Clerk  
By May 18, 1967 Day, Clerk

2058

Macedo  
C. & P. Telephone Co  
Roanoke Va  
5-29-68

Received of The Chesapeake and Potomac Telephone Company of Virginia One Dollar (\$1.00) in consideration of which the undersigned hereby grant and convey unto said Company, its successors, assigns, lessees and agents, a right of way and easement to construct, operate, maintain, replace and remove a communication system consisting of such poles, fixtures, guys, anchors, wires, cables, buried cables, buried wires, posts, terminals, location markers, conduits, manholes, and other appurtenances, as the grantees may from time to time require, upon, under, across and over the land which the undersigned own or in which the undersigned have any interest; said land being located and described as follows: MAP OF SECTION No 4 - MONTCLAIR ESTATES

DISTRICT of SALEM, County of ROANOKE, and State of Virginia and upon, under, along and over the roads, streets and highways adjoining the said land, together with the following rights: Of ingress and egress over, under, and across the lands of the undersigned to and from said systems for the purpose of exercising the rights herein granted; to open and close fences, to cut down and keep cut down all trees and undergrowth within 5 feet of said system; to carry in said system the wires, cables, circuits and appurtenances of any other Company; including all electric wires; said system being located on said land as follows:

CABLE PLACED IN PUBLIC UTILITY EASEMENTS AS RECORDED ON MAP.  
ADDITIONAL 10' UTILITY EASEMENT ACROSS REAR OF LOTS 17 & 18 BLOCK 12  
CABLE BURIED ALSO IN 15' SEWER DRAINAGE EASEMENT ACROSS REAR OF LOTS 17 & 18  
BLOCK 12.

THIS PERMIT GRANTS ALL OF PLANT TO BE PLACED IN SECTION No 4, MONTCLAIR ESTATES.

Post Office Address: 3615 BRAMBLETON AV., S.W.

Witness \_\_\_\_\_ hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Witness: \_\_\_\_\_

Witness: \_\_\_\_\_

Witness: \_\_\_\_\_

Robert H. Waldron, Inc. (PRES) (Seal)

Robert H. Waldron, Inc. (SECT) (Seal)

Robert H. Waldron, Inc. (SECT) (Seal)

State of Virginia, COUNTY of ROANOKE, To Wit:  
I, B. R. WILLS, a NOTARY of the State of Virginia in and for  
the COUNTY aforesaid, do hereby certify that ELBERT H. WALDRON AND HORACE  
G. FRALIN whose names ARE signed to the within writing bearing date on the 14<sup>th</sup> day of MAY  
1968, has acknowledged the same before me in my COUNTY  
and State aforesaid.

Given under my hand \_\_\_\_\_ at \_\_\_\_\_ day of MAY, 1968.

B. R. Wills  
Notary Public

State Tax \$ 15  
County Tax \$ 25  
Transfer Fee \$ 5.00  
Clerk's Fee \$ 5.00  
Plate \$ 5.00  
Total \$ 53.00

My commission expires 13<sup>th</sup> day of APRIL, 1972.  
In the Clerk's Office of the Circuit Court for the County of  
Roanoke, Va., this 19 day of May, 1968 this instrum-  
ent was presented, and with the Certificate of acknowledg-  
ment thereto annexed, admitted to record at 2:12 o'clock P.M.  
Teste: Elizabeth M. Jones Clerk  
By Deborah R. Jones Dep. Clerk

Mailed to  
A.P. Co.  
Roanoke, Va.  
7-23-68

2759

THIS DEED, made this 6th day of June, 1968, by and between FRALIN & WALDRON, INC., a Virginia Corporation, party of the first part, and APPALACHIAN POWER COMPANY, a corporation duly chartered and existing under the laws of the State of Virginia, and having its chief office at Roanoke, Virginia, party of the second part:

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

OK  
THAT, for and in consideration of the sum of ONE DOLLAR (\$1.00) cash in hand paid, the receipt of which is hereby acknowledged, the said party of the first part does GRANT unto the said APPALACHIAN POWER COMPANY, its successors and assigns, the right and easement to construct, operate, maintain and remove an electric power line or lines, with all necessary poles, anchors, guys, conduits, fixtures, wires, cables and other appurtenances, in, on, along, over, through or across all of the streets, avenues, drives, roads, lanes and strips designated as "Public Utility Easement" or "P.U.E.", and Guy Anchor Easement", or "G.A.E.", laid out or to be laid out on that certain map entitled, "Map of Section No. 4, Montclair Estates, property of Fralin & Waldron, Inc., Roanoke County, Virginia, By: T. P. Parker, State Cert. Engr., January 2, 1968" and appears of record in the office of the Clerk of the Circuit Court for the County of Roanoke, Virginia, in Plat Book 7, page 10.

Also, the right and easement to overhang with electric wires the southern portion of lot three, block twenty-one of the above described subdivision.

Together with right of ingress and egress along, in and over said strips or areas of land and the right to cut or trim any trees that might interfere with the safe and proper operation of said electric power line or lines.

TO HAVE AND TO HOLD the same unto said APPALACHIAN POWER COMPANY, its successors and assigns.

It is agreed that the foregoing is the entire contract between the parties hereto, and that this written agreement is complete in all its terms and provisions.

IN WITNESS WHEREOF, the party of the first part has caused its corporate name and seal hereto affixed the day and year first above written.

FRALIN & WALDRON, INC.

By: [Signature] (SEAL)  
President



STATE OF VIRGINIA)

County OF ROANOKE )

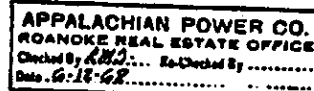
TO WIT:

I, Cynthia S. Brubaker, a Notary Public in and for the State and County of Roanoke, aforesaid, do certify that ELBERT H. WALDRON AND HORACE G. FRALIN, whose names are signed to the writing above, bearing date on the 6th day of June, 1968, as President and Secretary, respectively of FRALIN & WALDRON, INC., have this day acknowledged the same before me in my County of Roanoke aforesaid.

Given under my hand this 6th day of June, 1968.

Cynthia S. Brubaker  
Notary Public

My Commission Expires: January 10, 1969



State Tax \$ 15  
County Tax \$ 05  
Transfer Fee \$ 5.00  
Clerk's Fee \$ 5.00  
Plats \$ 5.00  
Total \$ 5.20

In the Clerk's Office of the Circuit Court for the County of Roanoke, Va., this 12th day of June, 1968, this instrument was presented, and with the Certificate of acknowledgment thereto annexed, admitted to record at 2:06 o'clock P.M.  
Tested: [Signature] Clerk  
By: [Signature] Dep. Clerk

THIS DEED made this fifth day of December, 1968, by and between  
FRALIN & WALDRON, INC.  
hereinafter designated as "DEVELOPER" and the ROANOKE COUNTY PUBLIC SERVICE AUTHORITY,  
hereinafter designated as "AUTHORITY".

: WITNESSETH :

THAT for and in consideration of the mutual benefits to accrue, the DEVELOPER does hereby grant, convey, assign and transfer, with covenants of GENERAL WARRANTY of title, in fee simple unto the AUTHORITY all the ~~WATER lines and/or~~ SEWER lines, laterals, valves, fittings, connections, ~~storage facilities, sources of water supply, pumps,~~ manholes, and any and all other equipment and appurtenances thereunto in and to the water and sewer systems in the streets, avenues and public utility or ~~water and sewer line~~ easement areas that have been or may hereafter be installed by the DEVELOPER, and located and described as follows, to wit:

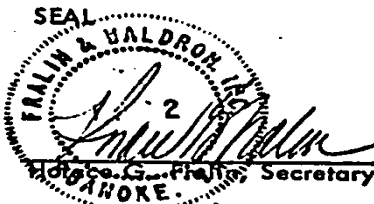
Within Montclair Estates, Section No. 4, Subdivision as recorded in Plat Book 7, Page 10, of the records of the Clerk's Office for the Circuit Court of Roanoke County

To have and to hold unto the Authority, its successors and assigns forever.

Received the original deed 2-21-69

Edward G. Leach  
Tested James M. McQuinn Deputy

WITNESS the following signatures and seals.



FRALIN &amp; WALDRON, INC.

Elbert H. Waldron, President

STATE OF Virginia

To wit:

County OF RoanokeI, Cynthia S. Branta, a Notary Public in and for the Stateand County Roanoke aforesaid, do hereby certify that Elbert H. Waldron and  
Harold J. Fralin whose names are signed to the foregoing writingbearing date of 12/5/68 have each this day personally appeared before me in my Stateand County Roanoke aforesaid, and acknowledged the same.Given under my hand this 30th day of December, 1968My Commission expires January 6, 1969.

  
Notary Public

State Tax	\$	_____
County Tax	\$	_____
Transfer Fee	\$	_____
Clerk's Fee	\$	<u>5.00</u>
Plats	\$	_____
Total	\$	<u>5.00</u>

In the Clerk's Office of the Circuit Court for the County of  
Roanoke, Va., this 23rd day of January, 1969, this instru-  
ment was presented, and with the Certificate of acknowledg-  
ment thereto annexed, admitted to record at 12:40 o'clock P.M.  
Teste: Charles H. Stiles Clerk  
By Charles H. Stiles Dep. Clerk

The Grantee agrees, as evidenced by the acceptance of this easement, to repair or replace fences, walks, pavement, and water supply or other improvements, exclusive of trees and shrubbery, upon the property which may be

damaged in the construction of, or in the course of ingress and egress for subsequent inspection, repair and maintenance, etc. of the above said project.

Grantor agrees that the Grantee will not be expected to restore the property to the identical original condition, but rather as near thereto as is practicable. Grantor further agrees to cooperate with the Grantee in effectuating such restoration.

The easement area is identified as follows:

Beginning at the north corner of the W.L. Draper tract, N38°-48'-30" W, 492.54' from the north right-of-way line of Va. Route 117; thence with a line N38° 48'-30" W, 92.8' to the actual place of Beginning; thence with the outside lines of the easement the following four courses and distances:

N 38°-48' 30" W, 15.18'  
N 60°-11' 30" E, 7.08'  
S 38°-48' 30" E, 15.18'  
S 60°-11' 30" W, 7.08'

To have and to hold unto the Grantee and its assigns forever.

WITNESS the following signatures and seals, this 4 day of May, 1981.

1981.

LAYMAN CANDY COMPANY, INC.

\_\_\_\_\_  
(Seal)  
\_\_\_\_\_  
(Seal)

Janita Neeley (Seal)  
Janita Neeley, President (Seal)

State of Virginia,

County of Roanoke, to-wit:

The foregoing instrument was acknowledged before me this 4th day of May, 1981, by Janita Neeley.

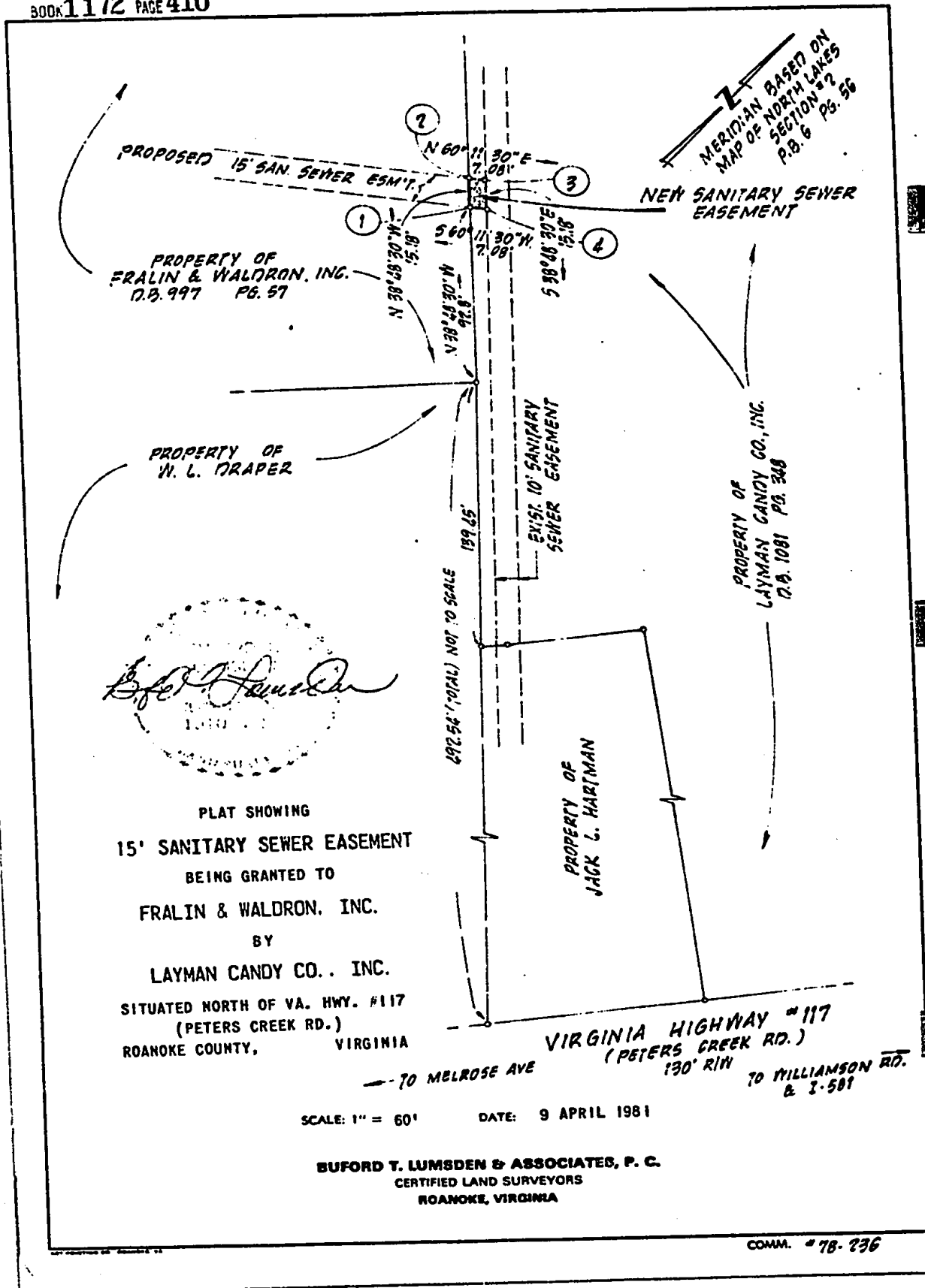
Lynne W. Shiffert  
Notary Public

My Commission Expires July 12, 1983

State Tax \$ \_\_\_\_\_  
County Tax \$ \_\_\_\_\_  
Transfer Fee \$ \_\_\_\_\_  
Clerk's Fee \$ 10.00  
Plats \$ 2.00  
Total \$ 12.00

In the Clerk's Office of the Circuit Court for the County of Roanoke, Va., this 30 day of July, 1981, this instrument was presented to me with the following acknowledgment: 3:34 P.M.  
Tested: Charles B. Stephens Clerk  
By: Gene Duckland Dep. Clerk





See Agmt # 926  
Sec. 3-24-70  
Restrictions on  
Montclair Estates  
892-313

BOOK 862 PAGE 274

4485

The undersigned, Fralin & Waldron, Inc. does of its own free will impose the covenants and restrictions as to the use of the following property as shown on the Map of Section No. 4, Montclair Estates, dated January 2, 1968, recorded May 23, 1968, in Plat Book 7, page 10, in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia, for the protection of all lot owners and residents within said subdivision.

1. All lots in said subdivision shall be used for residential purposes only.
2. No residence shall be erected, changed or altered, or be permitted to remain on any lot, other than one detached single family dwelling not to exceed 2 stories in height or one duplex or two family dwelling, not to exceed 2 stories in height, and a private garage for not more than two cars for the single family dwelling or four cars for the duplex or two family dwelling.
3. No one story dwelling shall be erected on any lot in said subdivision which has less than 900 sq. ft. of livable area on the first floor and which excludes porches and carports, and no dwelling shall be erected having more than one story in height with the first floor livable area of less than 650 sq. ft., excluding porches and carports.
4. No dwelling shall be erected on less than one lot as shown on the plat of said subdivision, and no lot or lots in said subdivision can be resubdivided except a lot may be subdivided providing each part is allotted to an adjoining lot.
5. No dwelling and carport, or enclosed porches, shall be located nearer to the street line than the building set back line shown on the aforesaid map, and no dwelling shall be erected nearer to any inside side lot line than 6 feet, nor to any side street than the building set back line as

Received the original doc 3/20/64  
Fralin & Waldron  
Circuit Court W. Roanoke  
T.H.B.

shown on the aforesaid map.

6. On corner lots no fences, wall, hedge, or shrub planting shall be permitted which obstructs sight line at elevations above 3 feet from the ground level, on a triangular strip formed by measuring 25 feet from the intersection of the two street lines, or in case of curved corners, 25 feet from the corner formed by the street lines extended, and no trees shall be permitted within said triangular point unless the foliage of said trees is of sufficient height above the ground to permit unobstructed sight lines.

7. No fence, wall, hedge, or shrub planting shall be placed on the front or side lot line that extends more than 10 feet from the lot corner or is more than 3 feet in height. No hedge, fence or wall may be erected along the side lines of any lot beginning at the rear of the house and extending to the rear line of lot and along the rear lot line of any lot higher than 3 feet for the purpose of giving privacy to the rear portion of each lot.

8. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become obnoxious or a nuisance to the neighborhood.

9. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot any time as a residence, either temporarily or permanently.

10. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than five square feet, two signs of not more than ten square feet advertising the property for sale, or rent.

11. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats or other household pets

may be kept, provided that they are not kept, bred or maintained for any commercial purpose.

12. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. No automobile shall be kept on the premises in public view unless the same carries a current valid State Inspection Certificate.

13. These covenants and restrictions are made covenants running with the land and shall be binding on all lot owners, their heirs, devisees or assigns for a period of 25 years from the date hereof.

14. Should any proceedings at law or in equity decree that any one or part of any one of the foregoing covenants and restrictions be declared invalid, the same will not invalidate all or any part of the remaining covenants and restrictions.

15. The enforcement of any of the covenants and restrictions herein contained may be by proceedings at law, or in equity against any person or persons violating or attempting to violate any of the aforesaid covenants and restrictions either by injunction or to recover damages for violation thereof.

16. Fralin and Waldron, Inc., its successors or assigns reserve the right to waive, modify and release any of the covenants and restrictions hereinabove imposed for the purpose of permitting any loan placed upon any lot in said subdivision to become a first lien thereon.

17. Before any building shall be erected on any lot in the aforesaid subdivision or any changes or alterations made on the exterior design thereof

the plans and specification must be first approved by the Board of Directors of Fralin and Waldron, Inc., in writing, which may be by a recitation to that effect in any Deed signed by the officers of the Corporation.

18. If any dwelling has been completely erected on any lot in said subdivision, and consent has not been obtained as above required, and no objection has been raised by the Directors of the Corporation as aforesaid, then all rights on behalf of the Corporation or its Board of Directors raising any objection to the character, structure or design of said house or its specifications shall be considered waived.

WITNESS the following signature and seal this the 30th day of September, 1968.

FRALIN & WALDRON, INC.

By *Elbert H. Waldron*  
President

ATTEST  
1968  
*William D. Fralin*  
Secretary

STATE OF VIRGINIA

CITY OF ROANOKE

TO WIT:

I *Cynthia S. Brantley*, a Notary Public in and for the City and State aforesaid do hereby certify that Elbert H. Waldron and *William D. Fralin*, President and \_\_\_\_\_ Secretary, respectively of Fralin & Waldron, Inc., whose names are signed to the foregoing instrument bearing date of September 30, 1968, have each this day personally appeared before me in my City and State aforesaid and acknowledged the same.

Given under my hand this the 3rd day of October, 1968.

My commission expires: January 10, 1969.

*Cynthia S. Brantley*  
Notary Public

State Tax \$ \_\_\_\_\_  
County Tax \$ \_\_\_\_\_  
Transfer Fee \$ \_\_\_\_\_  
Clerk's Fee \$ 6.00  
Plats \$ \_\_\_\_\_  
120 & 220A \$ \_\_\_\_\_  
Total \$ 6.00

In the Clerk's Office of the Circuit Court for the County of Roanoke, Va., this 4 day of Oct 1968 this instrument was presented, and with the Certificate of acknowledgment thereto annexed, admitted to record at 10:20 o'clock A. M. The taxes imposed by § 58-54 (a) and (b) of the code have been paid.

Testes: *Elbert H. Waldron* Clerk  
By *William D. Fralin* Dep. Clerk

Received the original deed. 3/20/69.  
James O. Walker, Jr. atty.  
Elizabeth W. Stone, Secretary  
THB.  
BOOK 868 PAGE 673

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THIS AGREEMENT made and entered into this the 9th day of January, 1969 by and on behalf of Fralin & Waldron, Inc.

: W I T N E S S E T H :

THAT WHEREAS Fralin & Waldron, Inc. owns and has subdivided a tract of ground located in the County of Roanoke, Virginia, known as Section No. 4, Montclair Estates, which map is dated January 2, 1968, and was recorded May 23, 1968, in Plat Book 7, page 10, in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia; and

WHEREAS, for the protection of said purchasers of lots in said subdivision it placed certain restrictions and conditions, called building restrictions, thereon which were dated September 30, 1968, and recorded on October 4, 1968, in Deed Book 862, page 274, in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia; and

WHEREAS, paragraph number 13 of the aforesaid covenants and restrictions provide that they shall be binding for a period of 25 years from the date thereof, and said Fralin & Waldron, Inc. desires to extend the aforesaid building restrictions for an additional period of 10 years, so that said restrictions will be binding on all lot owners for a period of 35 years from the date of said building restrictions, to conform with the regulations of the Federal Housing Administration and/or Veterans Administration.

NOW, THEREFORE, Fralin & Waldron, Inc. does hereby amend paragraph number 13 in the aforesaid recorded building restrictions, recorded in Deed Book 862, page 274, in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia, to read as follows:

"13. These covenants and restrictions are made covenants running with the land and shall be binding on all lot owners, their heirs, devisees or assigns for a period of 35 years from the date hereof."

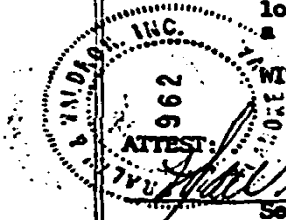
WITNESS the following signature and seal:

FRALIN & WALDRON, INC.

By

President

Secretary



STATE OF VIRGINIA  
CITY OF ROANOKE

TO WIT:

I, Lucille H. Lindsey, a Notary Public in and for the City and State aforesaid do hereby certify that Elbert H. Waldron and Horace G. Fralin, President and Secretary respectively of Fralin & Waldron, Inc., whose names are signed to the foregoing Agreement, bearing date of January 9, 1969, have each this day personally appeared before me in my City and State aforesaid and acknowledged the same.

Given under my hand this the 13 day of Jan, 1969.

My commission expires: December 30, 1970

Lucille H. Lindsey  
Notary Public

State Tax \$ \_\_\_\_\_  
County Tax \$ \_\_\_\_\_  
Transfer Fee \$ \_\_\_\_\_  
Clark's Fee \$ 5.00  
Plats \$ \_\_\_\_\_  
120 & 220A \$ \_\_\_\_\_  
Total \$ 5.00

In the Clerk's Office of the Circuit Court for the County of Roanoke, Va., this 22nd day of January, 1969, this instrument was presented, and with the Certificate of acknowledgment thereto annexed, admitted to record at 9:36 o'clock A.M. The taxes imposed by § 58-54 (a) and (b) of the code have been paid.

Testes: Elizabeth W. Stokes Clerk  
By: Pearl Allison Dep. Clerk



## No Open Mortgage/Security Deed/DOT Verification

TW Order Number 11399311

Checked taxes for Mortgage/Security Deed/Deed of Trust exemption

Ran names (Grantor/Grantee) through appropriate indexes to verify no open Mortgage/Security Deed/Deed of Trust found

Checked county/recorder to verify no open Mortgage/Security Deed/Deed of Trust

Provided Release/Satisfaction Copy of Mortgage/Security Deed/Deed of Trust information for mortgages in Chain of Title

Checked Property Profile for Mortgage/Security Deed/Deed of Trust information