

3796

THIS DEED, made this 15th day of August, 1978, by and between PHRONSIE MARSH MONBERG SITWELL, widow, and BEATRICE LILLIAN SHOOK, unmarried, parties of the first part; and LARRY T. ANGE and JACQUELINE E. ANGE, husband and wife, respectively, parties of the second part.

W I T N E S S E T H:

That for and in consideration of the sum of Ten (\$10) Dollars cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, the parties of the first part hereby GRANT and CONVEY, with General Warranty and Modern English Covenants of Title as contemplated in Section 55-70, et seq., of the Code of Virginia of 1950, as amended, unto Larry T. Ange and Jacqueline E. Ange, husband and wife, respectively, parties of the second part, as tenants by the entirety with full rights of survivorship as at common law (and not as tenants in common, the following described real estate situate in Peaks Magisterial District, Bedford County, Virginia, to-wit:

All that certain tract or parcel of land with the appurtenances thereunto belonging situate in Peaks Magisterial District, Bedford County, Virginia, containing 5.000 acres, more or less, as shown on a certain plat of survey made by Donnie Slusher, C.L.S., dated August 9, 1978, entitled "Property being conveyed by Beatrice Lillian Shook and Phronsie Marsh Monberg Sitwell Source: D.B. 275, Pg. 475 To: (Tract A) Beverly C. & Douglas V. Kemp 5.000 Ac. (Tract B) Jacqueline E. & Larry T. Ange 5.000 Ac." and described thereon as Tract B, a copy of which plat is hereto attached and made a part hereof.

The real estate herein conveyed is a portion of a certain larger tract of land containing 71 acres, more or less, conveyed unto Phronsie Marsh Monberg Sitwell (as Phronsie Marsh Monberg) and Beatrice Lillian Shook by deed dated July 7, 1958, of record in the Clerk's Office of the Circuit Court of Bedford County, Virginia, in Deed Book No. 275, at page 475.

And for the consideration aforesaid there is hereby conveyed for the benefit of Tract B a perpetual, free and unobstructed right of way 50 feet in width for purposes of ingress to and egress from the property herein conveyed to State Route No. 641, along the course as shown on the above mentioned plat and designated thereon as "50' R/W Private Road" and continuing

along an old road in a northeasterly direction for approximately 200 feet at which point the old farm road connects with State Route No. 641. Said right of way is hereby made a perpetual easement for the benefit of the real estate hereby conveyed.

The grantors herein hereby expressly reserve for themselves, their heirs, administrators and assigns all minerals of every kind and description that might be deposited on the property herein conveyed and the right to mine said minerals. The grantors herein agree that if feasible they will attempt to retrieve or mine or search for such minerals by use of horizontal techniques of mining rather than vertical techniques of mining.

The above described property is conveyed subject to the following conditions and restrictions:

(1) There shall be no damming of the creek located on the real estate herein conveyed; nor shall there be dumping of any waste or refuse in or any other pollution of said creek or any part thereof.

(2) Septic tanks and drain fields shall receive the approval of the Bedford County Health Department and shall be installed in such a manner as to avoid any contamination of the creek located on the property herein conveyed.

(3) Any refuse left on the real estate herein conveyed shall be covered with at least six (6) inches of dirt.

(4) The natural contours of the land, including the trees and shrubbery, shall not be unnecessarily altered or otherwise destroyed.

(5) Real estate taxes for taxable year 1978 shall be prorated as of the date of conveyance.

(6) The rocks and outcropping granite on any portion of the 71 acre tract, of which the 5.000 acres herein conveyed is a portion, owned by the parties of the first part may be used

on the 5.000 acre tract herein conveyed for personal building purposes; however, in no event shall such rocks or outcropping granite be used for any other purpose.

(8) The parties of the second part hereby covenant and agree that in the event they should decide to sell the property herein conveyed within five (5) years from the date hereof that they shall first offer the property for re-sale to Phronsie Marsh Monberg Sitwell at the fair market value at such time of offer of re-sale and in the event Mrs. Sitwell chooses not to re-purchase said property it shall then be offered to Edmund Marsh Plumb Monberg, his heirs or assigns.

This conveyance and the warranty and covenants herein are made expressly subject to the existence of any conditions, restrictions, reservations, rights of way or easements of record or apparent upon an inspection of the premises.

WITNESS the following signatures and seals:

Phronsie Marsh Monberg Sitwell (SEAL)
Phronsie Marsh Monberg Sitwell

Beatrice Lillian Shook (SEAL)
Beatrice Lillian Shook

Larry E. Ange (SEAL)
Larry E. Ange

Jacqueline E. Ange (SEAL)
Jacqueline E. Ange

STATE OF VIRGINIA,
Arlington
COUNTY OF BEDFORD, TO-WIT:

The foregoing instrument was acknowledged before me this 15th day of August, 1978, by PHRONSIE MARSH MONBERG SITWELL, widow.

My commission expires: August 15, 1982, 19 .

Margaret M. Seltzer
Notary Public
8/23/78

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STATE OF VIRGINIA,
COUNTY OF BEDFORD, TO-WIT:

The foregoing instrument was acknowledged before me this
15th day of August, 1978, by BEATRICE LILLIAN SHOOK, unmarried.
My commission expires: March 21, 1982.

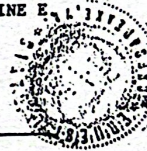
James C. Field
Notary Public

STATE OF VIRGINIA,
~~CITY~~ Chesapeake
COUNTY OF BEDFORD, TO-WIT:

The foregoing instrument was acknowledged before me this
15th day of August, 1978, by LARRY T. ANGE and JACQUELINE E.
ANGE, husband and wife.

My commission expires: April 27, 1980.

Ernest L. Davis
Notary Public



VIRGINIA: In Bedford Circuit Court Clerk's Office, August 30th, 1978

This Deed was presented in said office

with plat and survey

and, upon the annexed certificates of acknowledgment, admitted
to record at 3:15 o'clock P.M. I hereby certify that the
taxes imposed by Section 58-54.1 have been paid to this office
in the amount of \$ 7.50 .

Tests:

[Signature], Clerk.

The Plat is recorded in Plat Book 20 Page 259.

9/11/78
Meltz:
Larry J. Lange
4306 Fontaine Ave
Chesapeake, Va

State Tax	<u>11.25</u>
County Tax	<u>3.75</u>
Transfer Fee	<u>1.00</u>
Clerk's Fee	<u>12.00</u>
Additional Tax, Sec. 58-54 (b)	<u>7.50</u>
Total ..	<u>36.50</u>

PROPERTY BEING CONVEYED
By:

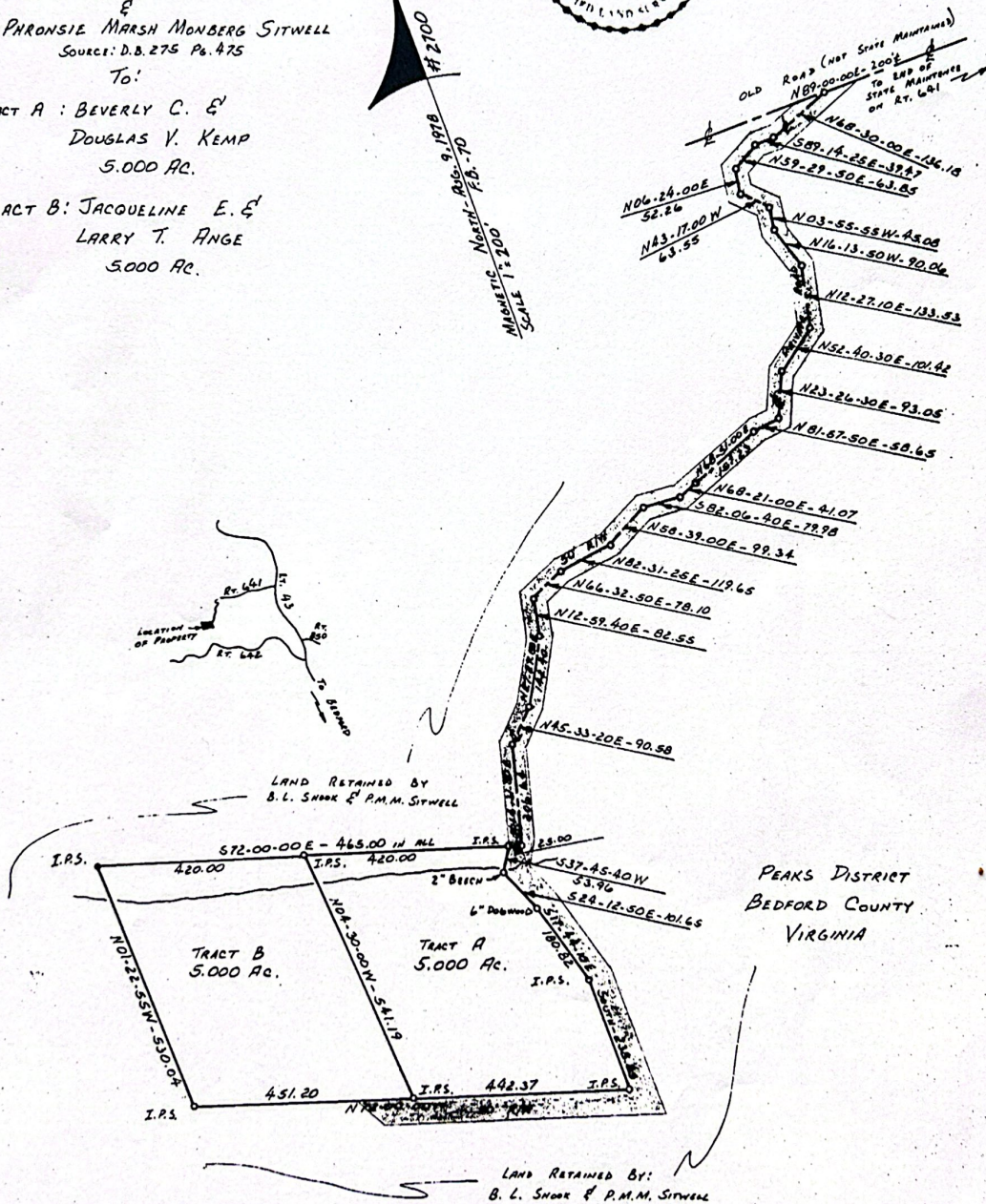
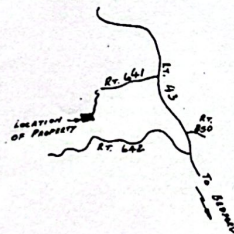
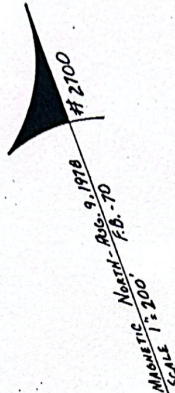
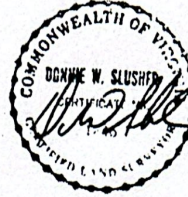
BEATRICE LILLIAN SHOOK

PHRONIS MARSH MONBERG SITWELL
Source: D.B. 275 Pg. 475

To:

TRACT A: BEVERLY C. &
DOUGLAS V. KEMP
5.000 AC.

TRACT B: JACQUELINE E. &
LARRY T. ANGE
5.000 AC.



PEAKS DISTRICT
BEDFORD COUNTY
VIRGINIA

The owner of this subdivision does not agree to construct either a public water or sewer system. Before the construction of a public water or sewer system, the Bedford County Board of Supervisors shall be consulted to ensure the proper location of the water and sewer systems in relation to the location of the proposed dwellings.

BUILDING SETBACK: The building setback for each lot shall be a minimum of twenty five (25) feet from the street line and not less than fifteen (15) feet from other abutting property lines.

This subdivision is satisfactory for the installation of septic tanks, and they will not, so far as can be determined, create hazards to public health. The manipulation of the soil could change the suitability of these areas for such systems.

APPROVED AUG 24 1978
John P. Williams
Bedford County Subdivision Agent

APPROVAL VOID
IF NOT RECORDED
BY FEB 22 1979

Notice is hereby given that:

1. Streets in this subdivision are PRIVATE and not intended for public use, but shall provide free and unobstructed access by each and every lot owner and their invitees.
2. STREETS DO NOT QUALIFY FOR PUBLIC MAINTENANCE.