

030 029082

TAX MAP # 14-1 1-7
14-1 1-14
13-2 1-18
14-1 1-1

This document has been drafted by M. Anderson Bradshaw, Attorney.

THIS DEED is made this 8th day of August, 2003, by and between M. ANDERSON BRADSHAW, successor Trustee of the WENGER LAND TRUST, referred to as the Grantor, WENGER FARMS, LLC, a Virginia Limited Liability Company, referred to as the Grantee, whose address is c/o Joseph Wenger, 4553 Ware Creek Road, Williamsburg, Virginia, 23188, and Carol W. Losey, Alice Wenger, Hope Dillard, Joseph Wenger, Alice Wenger, Trustee, Mary Kathleen Cliborne, Carol Losey, Trustee, and Carol Losey, Trustee, who constitute the beneficiaries of the Wenger Land Trust and for indexing purposes are designated as additional Grantors. This deed is exempt from recordation under the provisions of §58.1-811 (A)(10) of the Code of Virginia.

Whereas, by Trust Agreement dated August 8, 1983, Joseph H. Wenger and Mary C. Wenger created the Wenger Land Trust; and

Whereas, by deed dated August 8, 1983, certain lands were conveyed to John Tompkins, Trustee of the Wenger Land Trust, and

Whereas, M. Anderson Bradshaw was designated as successor Trustee and by deed dated July 31, 1992, recorded in James City County Deed Book 589, page 689, the real property of the Wenger Land Trust was conveyed to the Successor Trustee, and

Whereas, by the terms of the trust, it would end on August 8, 2003, unless extended or continued by the beneficiaries, and if so extended, the Trustee would dispose of the trust property as directed by the beneficiaries, and

Whereas, the beneficiaries of the Wenger Land Trust have directed the Successor to convey the real property of the Wenger Land Trust to Wenger Farms, LLC, a Virginia Limited

4

Liability Company in which the beneficiaries of the Wenger Land Trust are its members,

Now, therefore, witnesseth:

For and in consideration of the premises, the Grantor does hereby Grant and Convey with Special Warranty of Title unto the Grantee, the following described real property:

PARCEL 1:

All that certain tract of land containing 140.99 acres, situate in Stonehouse Magisterial District, James City County, State of Virginia, about four miles East from Toano, bounded on the North by public road and R. P. Wright Estate, on the East by public road and the lands now or formerly of J. C. Collier and Charles Spencer, on the south by the lands now or formerly of Julius Dunham and Daniel Walker, and on the West by a public road and the lands now or formerly of Marinda Thornton and Louis Anderson, and more particularly described by a certain plat made by W. G. Brown, Surveyor, dated January 22, 1908, and recorded in the Clerk's Office of said County on Plat Book 2, page 11, to which plat reference is hereby made for a more particular description.

PARCEL 2:

All that certain tract or parcel of land situate in Stonehouse Magisterial District, James City County, Virginia, being a part of the tract of land known as 'Cloverdale Farm,' called Millfield, and containing 95.2 acres, more or less. For a more particular description of the above mentioned land, reference is here made to a survey made by G. P. Coleman, and set forth in a deed from R. T. Wright and wife, et als to L. A. Rustad, dated May 17, 1898, and recorded in James City County Clerk's Office in Deed Book No. 6, page 480.

PARCEL 3:

All that certain tract, piece or parcel of land situate in Stonehouse District, in the County of James City and State of Virginia, estimated to contain one hundred and twenty (120) acres, but conveyed in gross and not by the acre, and more particularly bounded and described as follows: On the north by the lands now belonging to E. W. Warburton, on the east by the lands of John Smith and others, on the south by the land of Charles Spencer, and on the west by the road leading from Croaker post office to Richardson's Mill.

PARCEL 4:

All that certain tract of land containing 30 acres, more or less, situate in Stonehouse District, James City County, Virginia, being part of the tract known as Alabama, bounded and described as follows:

Commencing at a post at the corner of the fence adjoining the lands now or formerly owned by J. C. Collier; thence down a road to corner of land of Kiah Piggott; thence in a direct line to beech tree in swamp; thence up this swamp to the said lands of J. C. Collier; thence down a line fence to point of beginning.

PARCEL 5:

All that certain tract of land containing seven (7) acres, more or less, situate in Stonehouse District, James City County, Virginia, bounded and described as follows: ON the North by the land of Arthur Piggott, on the East and South by the land of Jack Scruggs and on the West by a road leading from the Croaker Road to the land of Arthur Piggott, which road separates the land hereby conveyed from that of G. H. Jones.

It being the same property conveyed by deed dated October 23, 1956, from Helen P. Payne to J. H. Wenger, duly of record in the Clerk's Office of James City County, Virginia, in Deed Book 59, page 444.

Subject, however, to the restrictions, easements and rights-of-way of record against said property.

Together with all and singular the buildings and improvements thereon, rights and privileges, tenements, hereditaments, easements and appurtenances unto the said land belonging or in anywise appertaining.

LESS AND EXCEPT that certain parcel of land in James City County, Virginia, containing by survey 6.5' acres, as shown on a plat entitled, "SUBDIVISION OF A PORTION OF A TRACT OF LAND KNOWN AS 'CLOVERDALE', JAMES CITY COUNTY, VA.", dated May 7, 1982, made by Lynn D. Evans, C. L. S., a copy of which is recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City in County Deed Book 225, page 147, which parcel was conveyed by Joe H. Wenger and Mary Cline Wenger to Joseph M. Wenger by deed dated July 19, 1982, and recorded in James City County Deed Book 225, page 145, and erroneously included in the subsequent conveyance to the Trustee of the Wenger Land Trust.

Subject, however, to the restrictions, easements and rights-of-way of record against the property.

Together with all and singular the buildings and improvements thereon, rights and privileges, tenements, hereditaments, easements and appurtenances unto the said land belonging or in anywise appertaining.

Witness the following signature and seal:

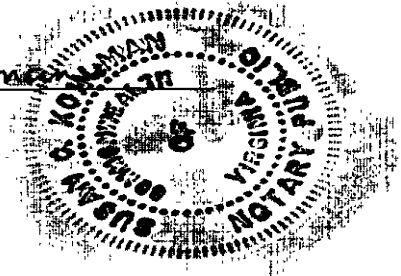
M. Anderson Bradshaw (SEAL)
M. ANDERSON BRADSHAW,
SUCCESSOR TRUSTEE of the WENGER LAND TRUST

STATE OF VIRGINIA
COUNTY OF JAMES CITY

I, the undersigned authority, do hereby certify that M. Anderson Bradshaw, Successor Trustee of the Wenger Land Trust, whose name is signed to the foregoing instrument dated August 8, 2003, has acknowledged the same before me in my jurisdiction this 8th day of August, 2003.

Susan C. Kohlman
Notary Public

My Commission Expires: 6/30/2004



VIRGINIA: CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY
This document was admitted to record on 30 Sept. 03
at 12:19 PM. The taxes imposed by Virginia Code
Section 58.1-801, 58.1-802 & 58.1-814 have been paid.

STATE TAX LOCAL TAX ADDITIONAL TAX

\$ _____ \$ _____ \$ _____

TESTE: BETSY B. WOOLRIDGE, CLERK

BY: Betsy B. Woolridge Clerk