

195 646

THIS DEED AND BOUNDARY LINE AGREEMENT, Made this 15th day of May, 1979, by and between SAMUEL B. SMITH, divorced, and WILLIAM R. SMITH, widower, parties of the first part, JOSEPH CLIFTON CAUTHORN and PAULINE CAUTHORN, husband and wife, parties of the second part, QUEEN VASTIE WILSON HARPER and WILLIAM T. HARPER, her husband, parties of the third part, VIRGINIA WILLIAMS, widow, party of the fourth part;

WHEREAS, William H. Smith, single, by deed dated 24 August, 1955, recorded in James City County Deed Book 55, page 325, conveyed certain property therein described to Joseph Clifton Cauthorn and Pauline Cauthorn, husband and wife, as tenants by the entireties with survivorship; WHEREAS, the said William H. Smith, by deed dated 13 November, 1956, recorded in Deed Book 191, page 320, conveyed certain adjoining property therein described to Joseph Clifton Cauthorn and Pauline Cauthorn, husband and wife, as tenants by the entireties with survivorship;

WHEREAS, William H. Smith, single, by deed dated 12 June, 1958, recorded in James City County Deed Book 65, page 112, conveyed to Queen Vastie Wilson Harper, certain property therein described;

WHEREAS, William H. Smith, single, by deed dated 16 May, 1955, recorded in James City County Deed Book 55, page 121, conveyed certain property therein described to Virginia Williams;

WHEREAS, the said William H. Smith, departed this life intestate as a widower on January 3, 1961, leaving his two sons, Samuel B. Smith and William R. Smith, as his sole heirs at law;

WHEREAS, the aforesaid Virginia Williams, erected a dwelling house on the property conveyed to her which dwelling house extended across the rear line on to the remaining property of the grantor; WHEREAS, Virginia Williams requested William R. Smith to sell to her an adjoining parcel of land to her property in order that her house would not encroach upon the Smith property, and WHEREAS, the said William R. Smith agreed to sell to the said Virginia Williams, such a parcel of land, and the said Virginia Williams thereby took possession of said additional parcel of land, but no deed was made or recorded conveying said additional parcel of land to Virginia Williams;

WHEREAS, questions have been raised concerning the proper boundary lines between all of the aforesaid properties, a copy of which is attached hereto

Original made back or delivered to Anderson & Anderson

P.O. Box 398, Wmbsbg., Va. 23185 6/2/79

Jaliette C. Clothier, Clerk

and made a part hereof, has been made setting forth and showing each of the aforesaid properties together with the remaining property now belonging to Samuel B. Smith and William R. Smith; WHEREAS, the parties hereto are desirous of resolving and settling all boundary line questions involving said properties; and, WHEREAS, the parties hereto have agreed each with the other that said plat sets forth and shows the true boundary lines between each and all of the aforesaid properties. NOW, THEREFORE,

WITNESSETH: That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid by the parties of the first part to each of the other parties hereto, and other good and valuable consideration, receipt whereof is hereby acknowledged by each of the other parties hereto, the parties of the second part, parties of the third part and the party of the fourth part do hereby GRANT, BARGAIN and SELL and CONVEY unto the said parties of the first part, the following described property, to-wit:

All those two certain lots, pieces or parcels of land, situate and being in James City County, Virginia, shown and set forth as PART I and PART II, and a 6' wide alley, all as shown and set forth on a plat entitled, "PLAT OF SURVEY TO ACCOMPANY BOUNDARY LINE AGREEMENT, PROPERTY BEING NO. 4 OF THE DIVISION OF THE DANIEL C. SMITH EST. LOCATED POCAHONTAS TRAIL, JAMES CITY COUNTY, VIRGINIA," dated May 11, 1979, and made by Roger D. Spearman, C.L.S., a copy of which is attached hereto and made a part hereof, and being the remaining property conveyed to William H. Smith, from Walter W. Smith, et als, by deed dated August 15, 1946, recorded in James City County Deed Book 38, page 371.

Subject to an easement for purposes of ingress and egress from U. S. Route No. 60, to the respective properties of the parties of the second part, the party of the third part and the party of the fourth part, which easement is in the 6' alley as shown on the aforesaid plat.

WITNESSETH: That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid by the parties of the second part to each of the other parties hereto, and other good and valuable consideration, receipt whereof is hereby acknowledged by each of the other parties hereto, the parties of the first part, parties of the third part and the party of the fourth part do hereby GRANT, BARGAIN and SELL and CONVEY unto the said parties of the second part, as tenants by the entireties with the right of survivorship as at Common Law, the following described property, to-wit:

All that certain lot, piece or parcel of land, situate and being in James City County, Virginia, shown and set forth as property of Joseph Clifton Cauthorn and Pauline Cauthorn, as shown and set forth on a plat entitled, "PLAT OF SURVEY TO ACCOMPANY BOUNDARY LINE AGREEMENT, PROPERTY BEING NO. 4 OF THE DIVISION OF THE DANIEL C. SMITH EST., LOCATED POCAHONTAS TRAIL, JAMES CITY COUNTY, VIRGINIA," dated May 11, 1979, and made by Roger D. Spearman, C.L.S., a copy of which is attached hereto and made a part hereof.

Together with an easement for purposes of ingress and egress to and from U. S. Route No. 60, to the aforesaid described property, which easement is in the 6' alley as shown on the aforesaid plat.

WITNESSETH: That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid by the party of the third part to each of the other parties hereto, and other good and valuable consideration, receipt whereof is hereby acknowledged by each of the other parties hereto, the parties of the first part, the parties of the second part and the party of the fourth part do hereby GRANT, BARGAIN and SELL and CONVEY unto the said QUEEN VASTIE WILSON HARPER, the following described property, to-wit:

All that certain lot, piece or parcel of land, situate and being in James City County, Virginia, shown and set forth as property of Queen Vasty Wilson Harper, as shown and set forth on a plat entitled, "PLAT OF SURVEY TO ACCOMPANY BOUNDARY LINE AGREEMENT, PROPERTY BEING NO. 4 OF THE DIVISION OF THE DANIEL C. SMITH EST., LOCATED POCAHONTAS TRAIL, JAMES CITY COUNTY, VIRGINIA," dated May 11, 1979, and made by Roger D. Spearman, C.L.S., a copy of which is attached hereto and made a part hereof.

Together with an easement for purposes of ingress and egress to and from U. S. Route No. 60, to the aforesaid described property, which easement is in the 6' alley as shown on the aforesaid plat.

WITNESSETH: That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid by the party of the fourth part to each of the other parties hereto, and other good and valuable consideration, receipt whereof is hereby acknowledged by each of the other parties hereto, the parties of the first part, the parties of the second part and parties of the third part do hereby GRANT, BARGAIN and SELL and CONVEY unto the party of the fourth part, the following described property, to-wit:

All that certain lot, piece or parcel of land situate and being in James City County, Virginia, shown and set forth as property of Virginia

Williams, as shown and set forth on a plat entitled, "PLAT OF SURVEY TO ACCOMPANY BOUNDARY LINE AGREEMENT, PROPERTY BEING NO. 4 OF THE DIVISION OF THE DANIEL C. SMITH EST., LOCATED POCAHONTAS TRAIL, JAMES CITY COUNTY, VIRGINIA," dated May 11, 1979, and made by Roger D. Spearman, C.L.S., a copy of which is attached hereto and made a part hereof.

Together with an easement for purposes of ingress and egress to and from U. S. Route No. 60, to the aforesaid described property, which easement is in the 6' alley as shown on the aforesaid plat.

WITNESS the following signatures and seals:

Samuel B. Smith (SEAL)
Samuel B. Smith

William R. Smith (SEAL)
William R. Smith

Joseph Clifton Cauthorn (SEAL)
Joseph Clifton Cauthorn

Pauline Cauthorn (SEAL)
Pauline Cauthorn

William T. Harper (SEAL)
William T. Harper

Queen Vastie Wilson Harper (SEAL)
Queen Vastie Wilson Harper

Witness to Her Mark:

Nancy D. Pheneagan
STATE OF VIRGINIA

(Her + Mark) Virginia Williams (SEAL)

COUNTY OF JAMES CITY, to-wit:

I, Donnie M. Lewis, a Notary Public in and for the County and State aforesaid, do hereby certify that Samuel B. Smith, divorced, whose name is signed to the writing hereto annexed, bearing date on the 15th day of May, 1979, has acknowledged the same before me in my County and State aforesaid.

Given under my hand this 29th day of May, 1979.

My commission expires: July 25, 1979.

Donnie M. Lewis
Notary Public

STATE OF VIRGINIA

COUNTY OF JAMES CITY, to-wit:

BOOK 195 PAGE 650

I, Donnie M. Lewis, a Notary Public in and for the County and State aforesaid, do hereby certify that William R. Smith, widower, whose name is signed to the writing hereto annexed, bearing date on the 15th day of May, 1979, has acknowledged the same before me in my County and State aforesaid.

Given under my hand this 29th day of May, 1979.

My Commission expires: July 25, 1979.

Donnie M. Lewis
Notary Public

STATE OF VIRGINIA

COUNTY OF JAMES CITY, to-wit:

I, Donnie M. Lewis, a Notary Public in and for the County and State aforesaid do hereby certify that Joseph Clifton Cauthorn and Pauline Cauthorn, husband and wife, whose names are signed to the writing hereto annexed, bearing date on the 15th day of May, 1979, have each acknowledged the same before me in my County and State aforesaid.

Given under my hand this 29th day of May, 1979.

My commission expires: July 25, 1979.

Donnie M. Lewis
Notary Public

STATE OF VIRGINIA

COUNTY OF JAMES CITY, to-wit:

I, Donnie M. Lewis, a Notary Public in and for the County and State aforesaid, do hereby certify that Queen Vastie Wilson and William T. Harper, her husband, Harper, widow, whose name is signed to the writing hereto annexed, bearing date on the 15th day of May, 1979, has acknowledged the same before me in my County and State aforesaid.

Given under my hand this 29th day of May, 1979.

My commission expires: July 25, 1979.

Donnie M. Lewis
Notary Public

ANDERSON

ATTORNEY
P. C.
WILLIAMS

STATE OF VIRGINIA

COUNTY OF JAMES CITY, to-wit:

I, Donnie M. Lewis, a Notary Public in and for the County and State aforesaid, do hereby certify that Virginia Williams, widow, whose name is signed to the writing hereto annexed, bearing date on the 15th day of May, 1979, has acknowledged the same before me in my County and State aforesaid.

Given under my hand this 29th day of May, 1979.

My commission expires: July 25, 1979.

Donnie M. Lewis
Notary Public

VIRGINIA: City of Williamsburg and County of James City
to-wit:

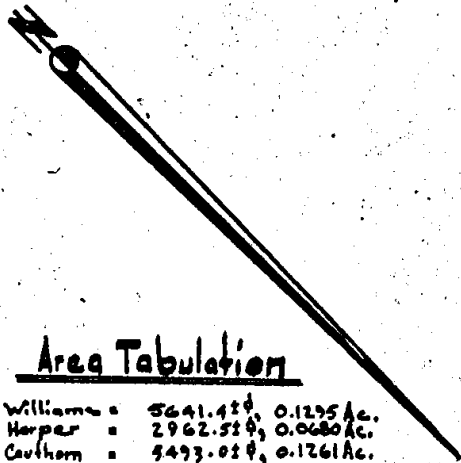
In the Clerk's Office of the Circuit Court of the City of Williamsburg and County of James City the 10th day of July, 1979. This deed was presented with the certificate annexed and admitted to record at 4:00 o'clock P.M. Agreement

Teste: Juliette C. Clothier, Clerk

By: Juliette C. Clothier, Clerk
Deputy Clerk

PLAT RECORDED IN
P.B. NO. 195 PAGE 652

Kingmill Farm



Area Tabulation

Williams	=	5641.418	, 0.1295 Ac.
Harper	=	2962.518	, 0.0680 Ac.
Carthorn	=	5493.018	, 0.1261 Ac.
Smith	=	15336.528	, 0.3535 Ac.
Total	=	29493.482	, 0.6771 Ac.

Note: Smith Area includes Part I,
Part II & G' Alley

Now or formerly
William T. Stone

Smith
Part II

Virginia
Williams

Joseph Clifton
Carthorn

Smith
Part I

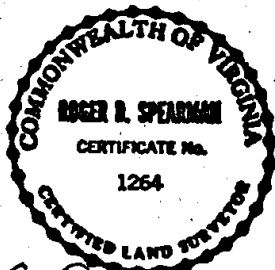
Pole in Corner, 1PS 1.9' from Pole

Now or formerly
C.D.N.S. Associates

Note:
lines were shown and
agreed to by Williams, Harper,
Carthorn & Smith during a
meeting on the site, May 8, 1979

US Route #60
80' R/W

To Williamsburg →



References:
PB10, P. 38
PB34, P. 38
PB34, P. 91

IPF = Iron Pipe Fd.
IPB = Iron Pipe Set
BSL = Building
Set-back Line

Date: May 11, 1979
Scale: 1" = 50'
J.O. 746 P.B. "E"

Plat of Survey
to Accompany Boundary line Agreement
Property Being
No. 4 of the Division of the Daniel C. Smith Est.
Located
Pachontas Trail
James City County, Virginia

Spearman & Associates, Inc., Land Surveying
708 Richmond Road Williamsburg, Virginia
804 - 229 - 3069

Handwritten signature: Roger D. Spearman