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CLERK
SUPREME COURT OF VIRGINIA
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RICHMOND, VIRGINIA

IN THE

SUPREME COURT OF VIRGINIA

AT RICHMOND

Record No. 740660

THE CHESAPEAKE CORPORATION OF VIRGINIA,

Appellant,

v.

F. D. McCREERY, et al.,

Appellees.

EXHIBITS

John Paul Causey, Jr.
Sutton and Causey
West Point, Virginia 23181

Hugh V. White, Jr.
James A. Jones, III
Hunton, Williams, Gay & Gibson
700 East Main Street
Richmond, Virginia 23219

Counsel for Appellant

Horace H. Edwards
R. Westwood Winfree
Mays, Valentine,
Davenport & Moore
1200 Ross Building
Richmond, Virginia 23219

Counsel for Appellees

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THE CHESAPEAKE CORP.
"HARDEN & OLD TOWN" TRACTS
Adjoining "ELSWORTH" between New Kent Co.
and Providence Forge, Cumberland Dist.
New Kent County Va

RECORDED IN DEED BOOK 5, PAGE 562

This Deed made and entered into this the 12th day of January in the year One Thousand Eight hundred and Ninety Three between Joseph H. Harden of the County of New Kent party of the first part, and Hezikiah Harden of Same County party of the second part. Witnesseth that for and in consideration of the Sum of One Hundred and Eighty dollars the receipt whereof is hereby acknowledged, doth hereby grant bargain, Sell and convey with General Warranty: Thirty acres of land and one half of the Dweling house, it being a portion of the tract of land purchased by me off Wm. E. Cottrell by Deed Dated the 12th of November 1889 and recorded in Deed Book No. 3 page 185. Witness the following signature and Seal.

/s/ Joe H. Harden (SEAL)

#99

WHEREAS, Hezekiah Harden, Jr. of New Kent County, Virginia, died in April, 1912, intestate, seized and possessed of a certain tract of land in said County estimated to Contain Thirty (30) acres more or less and situated in Cumberland District of said County, and

WHEREAS, he left surviving him the following heirs at law, Clarence L. Harden (single), J. E. Harden and Viola Harden, his wife, Annie Harden White and W. E. White, her husband, Harry Harden (single), and Sarah Harden (widow) (now the wife of J. L. Timberlake) and the following children of Inez Harden Couch, deceased, to-wit: Leroy Couch and Ann Couch, his wife; Mary Susie Couch Robens (divorced) and Ryland Couch (single) and

WHEREAS, all of said heirs desire to unite in a deed conveying to Clarence L. Harden, one of the heirs, all of their undivided interest in said property of Hezekiah Harden, Jr. deceased. Said interest being an undivided interest in land and an undivided interest in one half of dwelling located on said property.

THIS DEED, Made this 12th day of July 1940 by and between J. E. Harden and Viola Harden, his wife; Annie Harden White and W. E. White, her husband; Harry Harden (single) Leroy Couch and Ann Couch, his wife, Mary Susie Couch Robens, (divorced) and Ryland Couch, single (All three being heirs at law of Inez Harden Couch, deceased) and Sarah Harden Timberlake (widow) now wife of J. L. Timberlake, being heirs at law of Hezekiah Harden, Jr. deceased, parties of the first part, and Clarence L. Harden of New Kent, Virginia, party of the second part.

J. E. HARDE ET ALS

TO: DEED

CLARENCE L. HARDEN

Tax: $ .36

Examined an mailed to: Clarence Ha en, New Ken Va.7/29/40

Compl. Eth #4

Recorded in DEED BOOK 28 Page 59

WITNESSETH: That for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable considerations receipt of which is hereby acknowledged in full of the purchase price, the said parties of the first part do grant, bargain, sell and convey with General Warranty to the party of the second part, all their right, title and interest in said property, same being an undivided interest in the land and undivided interest in one half of dwelling house, in and to the following described property:

All that piece or parcel of land with improvements thereon, estimated to contain Thirty (30) acres, more or less, lying and being situate in Cumberland District, New Kent County, Virginia, and bounded as follows: On the East by Holt Richardson's property formerly owned by R. E. Richardson, Estate, now the property of T. G. Layfield; and on the north, west and south by the properties of the Chesapeake Corporation, known as "Ellsworth" and "Oteys".

The property hereby conveyed is a portion of that 110.65 A. tract conveyed by W. E. Cottrell to Joseph H. Harding as shown by deed recorded in Clerk's Office of Circuit Court of New Kent County, Va., in Deed Book No. 5, page 185, and is identical with that tract of land with one half of dwelling house thereon conveyed by the said Joe H. Harden to Hezikeah Harden, Jr. as more fully shown by deed duly recorded in the Clerk's Office of Circuit Court of New Kent County, Va., in Deed Book No. 5 page 562 to which deeds reference is hereby made for a more particular description of property conveyed.

The parties of the first part hereby covenant that they have a right to convey their interest in said land and dwelling house to the grantee; that they have done no act to encumber same; that the grantee shall have quiet possession of their interest in said land and dwelling house, free from all encumbrances and that they will execute such further assurances, of their interest in said land and dwelling house as in law may be requisite.

J. E. HARDEN (SEAL)

VIOLA HARDEN (SEAL)

ANNIE HARDEN WHITE (SEAL)

Recorded in DEED BOOK 36, Page 343

#238

THIS DEED, Made this 19th day of December, 1950, between Clarence L. Harden, unmarried, of the city of Newport News, State of Virginia, party of the first part, and F. D. McCreery and Frances Marian McCreery, husband and wife, parties of the second part:

WITNESSETH: That in consideration of the sum of Ten Dollars, ($10.00), cash in hand paid to the party of the first part at and before the sealing and delivery of this deed, the receipt whereof is hereby acknowledged, and other good and valuable considerations, the said party of the first part doth grant, bargain, sell, and convey, with GENERAL WARRANTY, unto the parties of the second part, as tenants by the entireties with the right of survivorship as at common law, the following property, to-wit:

CLARENCE L. HARDEN

TO: DEED

F. D. McCREERY and FRANCES MARIAN McCREERY

TAX: $2.40

Examined and mailed to: E.E. Orange Prov.Forge 12/19/50

All that certain piece, parcel, or tract of land, lying and being in Cumberland Magisterial District, New Kent County, Virginia, containing 30 acres, more or less, but sold in gross and not by the acre, and bounded as follows: on the east by the land of T. G. Layfield, formerly owned by R. E. Richardson; and on the north, west, and south by the lands of The Chesapeake Corporation, known as "Ellsworth" and "Otey's". Being the same land conveyed to Hazikiah Harden, Jr., by deed from Joe H. Harden, dated January 12, 1993, and recorded in the Clerk's Office of the Circuit Court of New Kent County, in Deed Book 5, page 562, and being identical with the tract of land conveyed to Clarence L. Harden by deed from J. E. Harden et al, dated July 12, 1940, and recorded in the aforesaid Clerk's Office in Deed Book 29, at page 59.

Compl. Exhibit #20

The said party of the first part covenants that he has the right to convey the said land to the grantees; that he has done no act to encumber the said land; that the grantees shall have quiet possession of the said land free from all encumbrances; and that he, the said party of the first part, will execute such further assurances of the said land as may be requisite.

Witness the following signature and seal:

$2.20 Internal Revenue Stamps affixed and cancelled.

CLARENCE L. HARDEN (SEAL)

Recorded in DEED BOOK 13,

Page 467

Sampl. Exhibit #6

J. S. Dell

This deed made and entered into this the 2d day of December, in the year 1914, between Joseph H. Harden (unmarried) of the county of New Kent, state of Virginia, party of the first part, and John W. Harden and Willie E. Harden of the same county and state, parties of the second part, witnesseth: That the said party of the first part for and in consideration of the sum of two hundred and thirty seven dollars, cash in hand paid the receipt whereof is hereby acknowledged, the said party of the first part doth grant, bargain sell and convey, with general warranty unto the said parties of the second part all that following described tract, piece or parcel of land situate in Cumberland District New Kent County, Virginia, containing 47 and 40/100 acres, being a part of the tract of land purchased by the p rty of the first part of W. E. Cottrell. The said 47 and 40/100 acres being more particularly described by metes and bounds as shown in the plat and survey thereof made by O. M. Chandler, County Surveyor, which is hereto attached and made a part hereof. The said party of the first part also grants unto the said parties of the second part the right of way over the tract of land formerly owned by Kiah Harden, dec'd

And the said party of the first part hereby reserves unto himself, his heirs and assigns the right , privilege and authority to use a road through the tract of land hereby conveyed as an outlet from his property to the county road.

The said party of the first part covenants that he has the right to convey the said land to the grantees; that he has done no act to encumber the said land; that the grantees shall have Quiet possession of the said land free from all encumbrances.

Witness the following signature and seal.

J. H. Harden (SEAL)

State of Virginia,

County of New Kent, to-wit;

I. T. N. Harris, a Commissioner in Chancery of the Circuit Court of the county of New Kent, in the state aforesaid do certify that J. H. Harden whose name is signed to the foregoing deed bearing date on the 2nd day of December, 1914 has acknowledged the same before me in my county aforesaid.

Given under my hand this the 2nd day of December, 1914.

T. N. Harris, Commr in Chancery.

Sample - Exhibit #7

Recorded in DEED BOOK 24, Page 367

This Deed, made and entered into this the 10th day of August, 1934, between JOHN W. HARDEN (Single) and WILLIE E. HARDEN (Single) of the County of New Kent, State of Virginia, parties of the first part, and R. W. TAYLOR, of the County of New Kent, State of Virginia, party of the second part,

WITNESSETH: That the said parties of the first part for and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid, and for other good and valuable considerations, receipt in full of the purchase price is hereby acknowledged, the said parties of the first part do hereby grant, bargain, sell, convey and confirm unto the said party of the second part with General Warranty of title all that piece or parcel of land situate in Cumberland Magisterial District of New Kent County, Virginia, containing

JOHN W. HARDEN AND WILLIE E. HARDEN

TO: D. B. & S.

R. W. TAYL

TAX - $1.80

10.

forty-seven and forty hundredths acres (47.40), being a part of the tract of land purchased by Joseph H. Harden from W. E. Cottrell and subsequently conveyed to the parties of the first part herein by the said Joseph H. Harden. A plat of said tract of land made by O. M. Chandler, County Surveyor, is attached to and made a part of the deed to the parties of the first part herein which appears of record in Deed Book No. 13, page 467, of the Clerk's Office of New Kent County, Virginia. The deed conveying the above mentioned tract of land to the parties of the first part herein from Joseph H. Harden reserves unto the said Joseph H. Harden, his heirs and assigns the right, privilege and authority to use a road through the tract of land hereby conveyed as an outlet from his property to the county road.

The said parties of the first part covenant that they have the right to convey the said land to the grantee; that they have done no act to encumber the said land; that the grantee shall have quiet possession of the said land, free from all encumbrances, and that they the said parties of the first part, will execute such further assurance of the said land as may be requisite.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

WILLIE E. HARDEN (SEAL)

his
JOHN W. X HARDEN (SEAL)
mark

Witness to signature
of John W. Harden
MANLY H. BARNES

Recorded in DEED BOOK 25, Page 53

THIS DEED, made and entered into this the 25th day of October, 1935, between R.W. TAYLOR (Single) of the County of New Kent, State of Virginia, party of the first part, and the Chesapeake Corporation, Town of West Point, County of King William, State of Virginia, party of the second part,

WITNESSETH: That the said party of the first part for and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid, and for other good and valuable considerations, receipt in full of thepurchase price is hereby acknowledged, the said party of the first part do hereby grant, bargain, sell, convey and confirm unto the said party of the second part with General Warranty of title all that piece or parcel of land situate in Cumberland Magisterial District of New Kent County, Virginia, containing forty-seven and forty---hundredths acres (47.40), being a part of the tract of land purchased by John W.Harden (Single) and Willie E.Harden, (Single) from Joseph H. Harden (Single) and subsequently conveyed to theparty of the first part herein by the said John W.Harden (Single) and Willie E.Harden (Single). A plat of said tract of land made by O.M.Chandler, County Surveyor, is attached to and made a part of the deed to the party of the first part herein which appears of record in Deed Book No.13,page 467, of the Clerk's Office of New Kent County, Virginia. The Deed conveying the above mentioned tract of land to the party of the first part herein from John W.Harden (Single)

R.W.TAYLOR

TO: DEED O
B.& S.

CHESAPEAKE
CORPORATIO

TAX: $.

Examined and
mailed The
Chesapeake
Corporation,
West Point,
10/26/35

12.

and Willie E. Harden (Single) reserves unto the said John W. Harden (Single) and Willie E.Harden (Single), his heirs and assigns the right, privilege and authority to use a road through the tract ofland hereby conveyed as an outlet from their property to the county road.

The said party of the first part covenant that he has the right to convey the said land to the grantee; that he hasdone no act to encumber the said land; that the grantee shall have quiet possession of the said land, free from all encumbrances, and that he the said party of the first part, will execute such further assurance of the said land as may be requisite.

WITNESS the following signature and seal:

R.W.TAYLOR (SEAL)

$ .50 Internal Revenue Stamp
Affixed and Cancelled.

Sampl- Exhibit #8
S. Deth.

Recorded in DEED BOOK 22, Page 262

.H.Harden
Widower

to-D.B.&S

Chesapeake
Corp.

Tax .72

THIS DEED, Made and entered into this the 29th day of April, in the year one thousand nine hundred and thirty between J. H. HARDEN (WIDOWER), of the County of New Kent, State of Virginia, party of the first part, and THE CHESAPEAKE CORPORATION, a corporation chartered under the laws of the State of Virginia, of the Town of West Point, State of Virginia, party of the second part, WITNESSETH: That for and in consideration of the sum of Six Hundred Dollars, ($600.00), cash in hand paid, the receipt of which is hereby acknowledged, the said party of the first part doth hereby grant, bargain, sell and convey with General Warranty of title the following described real estate, situate, lying and being in Cumberland District of New Kent County, to-wit: A certain tract of land containing Thirty Three and Twenty Five Hundredths Acres (33.25), more or less, adjoining the lands of The Chesapekae Corporation, the lands of Mrs. Sarah Harden and the lands of others. It being a portion of the same tract of land conveyed to the party of the first part by a deed dated November 12th, 1889, from William E. Cottrell and wife, which appears of record in Deed Book No. 5, page 185.

It is mutually understood and agreed between the parties to this deed that the party of the first part hereby excepts and reserves from this conveyance a small parcel of land containing Five Acres (5), which adjoins the lands of the estate of Hezekiah Harden, Jr., deceased, on the West; by the lands of John W. Harden and Willie B. Harden on the East; and on the north and south by the lands of the Chesapeake Corporation.

Exd & mailed to the Chesapeake Corporation

and Exhibit #9

14.

The Twenty Eight and One-Fourth Acres (28 1/4), of land actually conveyed is a portion of an orginal tract containing 110.65 acres, which was conveyed to the party of the first part by William E. Cottrell, and is the residue of said tract of land after deducting Thirty Acres,(30) sold to Hezekiah Harden Jr., by deed recorded in Deed Book No. 5, page 562, and also Forty Seven and Forty Hundreths Acres (47.40), sold to John W. Harden and

Willie E. Harden, which deed is of record in Deed Book No. 13, page 467, and the Five (5) acres of land which is herein excepted from this conveyance by the party of the first part. For a more particular description of the tract of land hereby conveyed, reference is here made to the deeds above referred to, and plat of O. M. Chandler recorded with the deed from J. H. Harden and W. E. Harden of recor d in D. B. No. 13, page 467. All of said deeds are recorded in the Clerk's Office of New Kent County, Virginia,

The said party of the first part covenants that he has the right to convey the said land to the aforesaid grantee; that the said grantee shall have quiet possession of the said land free from all encumbrances; that the said grantor has done no act to encumber

2(

the said land, and that he will execute such further assurances of the said land as may be requisite.

15.

WITNESS the following signaturex and seal.

J. H. Harden (SEAL)

Compl. Exhibit #10

J.S. [illegible]

Recorded in DEED BOOK 24, Page 97

THIS DEED, Made this 27th day of July, 1933, by and between The Chesapeake Corporation of King William County, Virginia, hereinafter designated as-grantor (even though more than one), and the Commonwealth of Virginia, Grantee:

THE CHESAPEAKE CORPORATION

WITNESSETH: In consideration of the benefits accruing or to accrue to the said grantor by reason of the location and construction, or other improvement of part of Route No. 155 (Old 413) and Project No. 765-C between Providence Forge and Int.Rt. 4 (Old 415) State Highway System, along, through, or over the lands of the grantor, and for further consideration paid by the grantee to the grantor, receipt of which is hereby acknowledged, the said grantor hereby grants and conveys unto said grantee with general warranty of title, a strip or parcel of land over the lands of the grantor needed for the location and construction or other improvement of said road, the said strip or parcel

To Deed

COMMONWEALTH OF VIRGINIA.

of land being as shown on a plat and survey of the said road, along, through or over said lands, on file in the office of the Department of Highways at Richmond, Virginia, identified as Sheet No. 5 & 6, Project No. 765-C, Route No. 155 (Old 413), the said strip or parcel of land being in New Kent County, Virginia, and described as follows:

Beginning at a point on the centerline of Rt. 155 (Old 413), from Providence Forge to Int. Rt. 4 (Old 415), shown on plans as Sta. 171 plus 95, and adjoining the lands of R. E. Richardson Estate; thence N. 28° 04' E., a distance of 4208 ft. to the lands of the said R. E. Richardson Estate, being Sta. 214 plus 03.

The land herein conveyed being a strip or parcel 50 ft. in width, 25 ft. lying on either side of and adjacent to the hereinabove described centerline, and containing 4.84 acres, more or less, together with the right to extend the slopes of deep cuts and fills, as shown on plans.

The said grantor covenants that he has the right to convey the said land to the grantee; that he has done no act to encumber the said land that the grantee shall have quiet possessic of the land, free from all encumbrances, and that he will execute such further assurance of the said land as may be requisite.

The said grantor covenants and agrees for himself, his heirs and assigns and successors, that the considerations hereinabove mentioned and paid to him shall be in lieu of any and all claims to compensation and damages by reason of the location, construction and maintenance of said road.

WITNESS the following signatures and seals:

Deed Book 60, Pg. 418

VIOLA H. HARDEN et als

Sampl. Exhibit #12

To: DEED

F. D. McCREERY and
FRANCES M. McCREERY, husband and wife

This Deed, Made this 8th.day of April, 1970, by and between Viola H. Harden, Widow; Agnes W. Harden, Widow; Helen H. Curtis and Wade Curtis, her husband; Gaynell H. Andie and Eddie Andie, her husband; John H. Harden, Jr. and Carol Harden his wife; Floyd Ellett and Blanche Ellett, his wife; Elmore Ellett and Edna Ellett, his wife; Ann C. Batkins and Harry J. Batkins, her husband; Inez C. Hawthorne and Lawrence M. Hawthorne, her husband; Gloria C. Foster and Eugene F. Foster, her husband; Bobby Couch and Betty Couch, his wife; Being Heirs At Law of J. H. Harden, Parties of the first part, and F. D. McCreery and Frances M. McCreery, Husband and wife, Parties of the second part;

WITNESSETH: That for and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid to the parties of the first part at and before the sealing and delivery of this deed, the receipt whereof is hereby acknowledged, and other good and valuable considerations, the said parties of the first part do hereby GRANT, BARGAIN, SELL and CONVEY all their rights, title and interest, both vested and

and contingent, with GENERAL WARRANTY, unto the parties of the second part, as tenants by the entireties with the right of survivorship as at common law, the following property, to-wit:

> All that certain piece or tract of land lying and being in Cumberland Magisterial District, New Kent County, Virginia, and being the same property Joseph H. Harden excepts and reserves Five acres (5), from the conveyance of 33.25 acres to the Chesapeake Corporation of Virginia and actually conveyed Twenty Eight and one Fourth Acres (28¼) to the Chesapeake Corporation of Virginia dated April 29, 1930, and recorded in Deed Book 22, page 262, and of which Joseph H. Harden died intestate seized and possessed. Reference to said deed of record in the Clerk's Office of the Circuit Court of New Kent County, Virginia, is hereby made for a more accurate description.

The parties of the first part covenant that they have the right to convey their undivided interests in said land to the grantees; that they have done no act to encumber the said land; that the grantees shall have quiet possession of the said land, free from all encumbrances; and that they, the said parties of the first part, will execute such further assurances of the said land as may be requisite.

WITNESS the following signatures and seals:

VIOLA H. HARDEN (SEAL)

AGNES W. HARDING (SEAL)

HELEN H. CURTIS (SEAL)

WADE H. CURTIS (SEAL)

GAYNELL H. ANDRE' (SEAL)

EDWARD D. ANDRE' (SEAL)

Deed Book 61, Pg. 546.
Sampl. Exhibit #13
J. S. Deck.

IRIS W. GRIFFITH ESTATE

TO: DEED

F. D. McCREERY and
FRANCES M. McCREERY, husband and wife

THIS DEED, Made this 4th day of November, 1970, by and between the following heirs at law of Iris W. Griffith, deceased, intestate, to-wit: Her Children, G. PRETON GRIFFITH, unmarried: JAMES T. GRIFFITH and LAURA E. GRIFFITH, his wife; MARY G. PUGH and MERLE PUGH, her husband, Heirs at Law of J. H. Harden, deceased, intestate parties of the first part, and F. D. McCREERY and FRANCES M. McCREERY, husband and wife, parties of the second part;

That for and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid to the parties of the first part at and before the sealing and delivery of thi deed, the receipt whereof is hereby acknowledged, and other good and valuable consi erations, the said parties of the first part do hereby GRANT, BARGAIN, SELL and CONVEY all their rights, title and interest, both vested and contingent, with GENERAL

WARRANTY, unto the said parties of the second part, as tenants by the entireties with the right of survivorship as at common law, the following property, to-wit:

ALL that certain piece, parcel or tract of land lying and being in Cumberland Magisterial District, New Kent County, and being the same property Joseph H. Harden excepts and reserves Five (5) acres, from the conveyance of 33.25 acres to the Chesapeake Corporation of Virginia and actually conveyed Twenty Eight and one fourth acres (28¼) to the Chesapeake Corporation of Virginia in a deed from Joseph H. Harden to the Chesapeake Corporation of Virginia dated April 29, 1930, and recorded in Deed Book 22, page 262, and of which Joseph H. Harden died intestate seized and possessed. Reference to said deed of record in the Clerk's Office of the Circuit Court of New Kent County, Virginia, is hereby made for a more accurate description.

The parties of the first part covenant that they have the right to convey their undivided interests in said land to the Grantees; that they have done no act to encumber the said land; that the grantees shall have quiet possession of the said land, free from all encumbrances; and that they, the said parties of the first part, will execute such further assurances of the said land as may be requisite.

WITNESS the following signatures and seals:

JAMES T GRIFFITH (SEAL)

LAURA E. GRIFFITH (SEAL)

MRS. MARY G. PUGH (SEAL)

MERLE PUGH (SEAL)

GEORGE P. GRIFFITH (SEAL)

State of Virginia,

County of Henrico, to-wit:

I, Irene F. Milhous, a Notary Public, in and for the County and State aforesaid, do hereby certify that Preston Griffith, unmarried; James T. Griffith and Ruth D. Griffith, his wife; Alease G. Pugh and Merle Pugh, her husband; whose names are signed to the writing, hereto annexed, bearing date on the 4th day of November, 1970, have acknowledged the same before me in my County and State aforesaid.

Given under my hand and seal this 4 day of November, 1970.

My Commission expires 4-26-71.

Notarial Seal

Irene F. Milhous
Notary Public

VIRGINIA: In the Clerk's Office of the Circuit Court of New Kent County, Feb. 24, 1971 This deed was this day received in said office, and, upon the certificate of acknowledgment thereto annexed, admitted to record, at 9:00 o'clock A. M., after payment of $, tax imposed by Sec. 58-54(b).

EXM.
3/4/71

Teste:

Marian S. Anderson, Clerk

a copy
Teste - Marian S. Anderson
Clerk

Deed Book 61, Page 200

RUFUS COUCH ESTATE, et als

TO: DEED

F. D. McCREERY and
FRANCES M. McCREERY, husband and wife

THIS DEED, Made this 11th day of May, 1970, by and between the following heirs at law of Rufus Couch, deceased, intestate, to-wit: MATILDA COUCH, his widow, and the following children, JAMES H. COUCH and ALICE COUCH, his wife; ELIZABETH COUCH GROSS and EDWARD GROSS, her husband; DOROTHY COUCH FISHBACK, divorced; WILLIAM CLINTON COUCH, divorced; RAYMOND COUCH and MAY COUCH, his wife, Heirs at Law of J. H. Harden, deceased, intestate, parties of the first part, and F. D. McCREERY and FRANCES M. McCREERY, husband and wife, parties of the second part;

WITNESSETH: That for and in consideration of the sum of Ten Dollars ($10.00) cash in hand paid to the parties of the first part at and before the sealing and delivery of this deed, the receipt whereof is hereby acknowledged, and other good and valuable considerations, the said parties of the first part do hereby GRANT, BARGAIN, SELL and CONVEY all their rights, title and interest, both vested and contingent, with GENERAL WARRANTY, unto the parties of the second part, as tenants by the entireties with the right of survivorship as at common law, the following

property, to-wit:

ALL that certain piece, parcel or tract of land lying and being in Cumberland Magisterial District, New Kent County, and being the same property Joseph H. Harden excepts and reserves Five (5) acres, from the conveyance of 33.25 acres to the Chesapeake Corporation of Virginia and actually conveyed Twenty Eight and one Fourth Acres (28¼) to the Chesapeake Corporation of Virginia in a deed from Joseph H. Harden to the Chesapeake Corporation of Virginia dated April 29, 1930, and recorded in Deed Book 22, page 262, and of which Joseph H. Harden died intestate seized and possessed. Reference to said deed of record in the Clerk's Office of the Circuit Court of New Kent County, Virginia, is hereby made for a more accurate description.

The parties of the first part covenant that they have the right to convey their undivided interests in said land to the Grantees; that they have done no act

Compl. Exhibit #14

to encumber the said land; that the grantees shall have quiet possession of the said land, free from all encumbrances; and that they, the said parties of the first part, will execute such further assurances of the said land as may be requisite.

WITNESS the following signatures and seals:

		JAMES H. COUCH (SEAL)
		ALICE A. COUCH (SEAL)
		MATILDA COUCH (SEAL)
		DOROTHY M. FISCHBACK (SEAL)
		ELWIRNIA M. COUCH (SEAL)
Notarial Seal	Witnessed by Marvin Goldberg Notary Public	RAYMOND COUCH (SEAL)
		WILLIAM C. COUCH (SEAL)
Notarial Seal	Richard E. Greenberg Richard E. Greenberg Notary Public	ELIZABETH C. GROSS (SEAL)
		EDWARD L. GROSS (SEAL)

State of Maryland,

County of Balto, to-wit:

I, Bernard S. Caplan, a Notary Public, in and for the County and State aforesaid, do hereby certify that Matilda Couch, Widow; James H. Couch and Alice Couch, his wife; Elizabeth C. Gross and Edward Gross, her husband; Dorothy C. Fishback, divorced; Raymond Couch and May Couch, his wife; William C. Couch, divorced; whose names are signed to the writing, hereto annexed, bearing date on the 11th day of May, 1970, have acknowledged the same before me in my County and State aforesaid.

Given under my hand and seal this 5 day of Sept, 1970.

My Commission expires July 1974.

Notarial Seal

Bernard S. Caplan
Notary Public

VIRGINIA: In the Clerk's Office of the Circuit Court of New Kent County, Sept. 22, 1970. This deed was this day received in said office, and, upon the certificate of acknowledgment thereto annexed, admitted to record, at 9:05 o'clock A. M., after payment of $ ___-___, tax imposed by Sec. 58-54(b).

EXM.
9/29/70

Teste:

a copy
Teste: Minnie S. Anderson
Clerk

Minnie S. Anderson, Clerk

Deed Book 60, Pg. 394

Sampl. Exhibit #15

ANNIE HARDEN WHITE et als

To: DEED

F. D. McCREERY and
FRANCES M. McCREERY his wife

THIS DEED, Made this 8th day of April, 1970, by and between ANNIE HARDEN WHITE and WILLIAM E. WHITE, her husband; HARRY HARDEN, unmarried; MARY SUE WILLIAMS and WILLIAM D. WILLIAMS, her husband, and the following heirs at law of JOSEPH E. HARDEN, deceased intestate, to-wit: VIOLA H. HARDEN, his widow, and the following children, LUCILLE HARDEN CRUMP and CHARLES N. CRUMP, her husband; LAWRENCE E. HARDEN and EDITH W. HARDEN, his wife; MARGETHA CLIFTON (heir at law of Ida Harden Sorenson, deceased, Sister of Joseph E. Harden, intestate, and SAM J. CLIFTON, her husband, Being Heirs at Law of J. H. Harden parties of the first part, and F. D. McCREERY and FRANCES M. McCREERY, husband and wife, parties of the second part;

WITNESSETH: That for and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid to the parties of the first part at and before the sealing and delivery of this deed, the receipt whereof is hereby acknowledged, and other good and valuable considerations, the said parties of the first part do hereby GRANT, BARGAIN, SELL and CONVEY all their rights, title and interest, both vested and contingent, with GENERAL WARRANTY, unto the parties of the second part, as tenants by the entireties with the right of survivorship as at common law, the following

property, to-wit:

> All that certain piece, parcel or tract of land lying and being in Cumberland Magisterial District, New Kent County, and being the same property Joseph H. Harden excepts and reserves Five (5) acres, from the conveyance of 33.25 acres to the Chesapeake Corporation of Virginia and actually conveyed Twenty Eight and one Fourth Acres (28¼) to The Chesapeake Corporation of Virginia in a deed from Joseph H. Harden to the Chesapeake Corporation of Virginia dated April 29, 1930, and recorded in Deed Book 22, page 262, and of which Joseph H. Harden died intestate seized and possessed. Reference to said deed of record in the Clerk's Office of the Circuit Court of New Kent County, Virginia, is hereby made for a more accurate description.

The parties of the first part covenant that they have the right to convey their undivided interests in said land to the grantees; that they have done no act to encumber the said land; that the grantees shall have quiet possession of the said land, free from all encumbrances; and that they, the said parties of the first part, will execute such further assurances of the said land as may be requisite.

WITNESS the following signatures and seals:

ANNIE HARDEN WHITE (SEAL)

WILLIAM E. WHITE (SEAL)

HARRY HARDEN (SEAL)

MARY SUE WILLIAMS (DRSL)

WINFORD D. WILLIAMS (SEAL)

VIOLA H. HARDEN (SEAL)

LUCILLE HARDEN CRUMP (SEAL)

CHARLES N. CRUMP (SEAL)

LAWRENCE E. HARDEN (SEAL)

EDITH W. HARDEN (SEAL)

MARGRETTE CLIFTON (SEAL)

SAM J. CLIFTON (SEAL)

STATE OF VIRGINIA

COUNTY OF HENRICO

I, Irene F. Milhous, a Notary Public in and for County and State aforesaid, do hereby certify that Annie Harden White and William E. White, ;her husband, Harry Harden, unmarried; MARY SUE WILLIAMS and William D. Williams, her husband; Viola H. Harden, widow; Lucille Harden Crump and Charles N. Crump, her husband; Lawrence E. Harden and Edith W. Harden, his wife; Margetha Clifton and Sam J. Clifton, her husband, whose names are signed to the writing, hereto annexed,

bearing date on the 6th day of April 1970, have acknowledged the same before me in my County and State aforesaid.

Given under my hand this 9 day of April, 1970.

My commission expires 4-26-71.

Notarial Seal

Irene F. Milhous
Notary Public

VIRGINIA: In the Clerk's Office of the Circuit Court of New Kent County, April 10, 1970. This deed was this day received in said office, and, upon the certificate of acknowledgment thereto annexed, admitted to record, at 8:40 o'clock A. M., after payment of $ - , tax imposed by Sec. 58-54 (b)

a copy
Teste Fannie L. Anderson
Clerk

Teste:
Fannie L. Anderson Clerk

Deed Book 61, Page 58

MARY E. DAVIS, Widow

TO: DEED

F. D. McCREERY and
FRANCES M. McCREERY, husband and wife,

THIS DEED, Made this 9th day of June, 1970, by and between MARY E. DAVIS, Widow, Being Heir at Law of J. H. Harden party of the first part, and F. D. McCreery and FRANCES M. McCREERY, husband and wife, parties of the second part:

WITNESSETH: That for and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid to the party of the first part at and before the sealing and delivery of this deed, the receipt whereof is hereby acknowledged, and other good and valuable considerations, the said party of the first part does hereby GRANT, BARGAIN, SELL and CONVEY all her rights, title and interest, both vested and contingent, with GENERAL WARRANTY, unto the parties of the second part, as tenants by the entireties with the right of survivorship as at common law, the following property, to-wit:

Compl. Exhibit #16

ALL that certain piece, parcel or tract of land lying and being in Cumberland Magisterial District, New Kent County, and being the same property Joseph H. Harden excepts and reserves Five (5) acres, from the conveyance of 33.25 acres to the Chesapeake Corporation of Virginia and actually conveyed Twenty Eight and One Fourth ($28\frac{1}{4}$) to The Chesapeake Corporation of Virginia in a deed from Joseph H. Harden to The Chesapeake Corporation of Virginia dated April 29, 1930, and recorded in Deed Book 22, page 262, and of which Joseph H. Harden died intestate, seized and possessed. Reference to said deed of record in the Clerk's Office of the Circuit Court of New Kent County, Virginia, is hereby made for a more accurate description.

The said party of the first part covenants that she has the right to convey her undivided interest in said land to the grantees; that she has done no act to encumber the said land; that the grantees shall have quiet possession of the said land, free from all encumbrances; and that she, the said party of the first part will execute such further assurances of said land as may be requisite.

Witness the following signature and seal:

MARY E. DAVIS (SEAL)

State of Georgia,

County of Clayton, to wit:

I, Knollis B. Holmes, a Notary Public in and for the County and State aforesaid, do hereby certify that Mary E. Davis, Widow, whose name is signed to the writing hereto annexed, bearing date on the 9th day of June, 1970, has acknowledged the same before me in my County and State aforesaid.

Given under my hand and seal this 14th day of July, 1970.

My Commission expires 2/9/74.

Knollis B. Holmes
Notary Public

Notarial Seal

VIRGINIA: In the Clerk's Office of the Circuit Court of New Kent County, July 22, 1970. This deed was this day received in said office, and, upon the certificate of acknowledgment thereto annexed, admitted to record, at 11:10 o'clock A. M., after payment of $....., tax imposed by Sec. 58-54(b).

EYD.
7/22/70

Teste:

a copy. Teste: Virginia S. Anderson Clerk

Virginia S. Anderson, Clerk

Book 57, Page 162

Compl. Exhibit #17

J. S. Tarr

ROBERT WESLEY COUCH and
ANN COUCH, his wife

To: DEED

JOHN G. SOWDER and
J. C. FRANCISCO, JR.

THIS DEED, Made this 8th day of March, 1968, by and between ROBERT WESLEY COUCH and ANN COUCH, his wife, Robert Wesley Couch, being an heir at law of J. H. Harden, Parties of the First Part and JOHN G. SOWDER and J. C. FRANCISCO, JR., Parties of the Second Part:

WITNESSETH: That for and in consideration of the sum of Ten Dollars, ($10.00) cash in hand paid to the Parties of the First Part at and before the sealing and delivery of this deed, the receipt whereof is hereby acknowledged, and other good and valuable considerations, the said Parties of the First Part do hereby grant, bargain, sell and convey all their rights, title and interest, both vested and contingent, with GENERAL WARRANTY unto the Parties of the Second Part, in the following property, to-wit:

All that certain piece or parcel of land lying and being in Cumberland Magisterial District, containing 5 acres of land and bounded as follows: On the North by Chesapeake Corporation of Virginia, on the East by State Route #608, on the South and West by Chesapeake Corporation of Virginia. Being the same property reserved in a deed from J. H. Harden to Chesapeake Corporation of Virginia, dated April 29, 1930, and recorded in Deed Book 22, page 262, and of which J. H. Harden died, seized and possessed.

WITNESS the following signatures and seals.

ROBERT WESLEY COUCH (SEAL
Robert Wesley Couch

ANN COUCH (SEAL
Ann Couch

STATE OF VIRGINIA,
State at Large
~~COUNTY OF~~ _____, to-wit:

I, Edythe E. Stewart, a Notary Public in and for the County aforesaid, in the State of Virginia, do hereby certify that Robert Wesley Couch and Ann Couch, hi wife, whose names are signed to the foregoing writing, bearing date on the 8th day

of March, 1968, have acknowledged the same before me in my county and state aforesaid.

My commission expires May 3, 1971.

Given under my hand this 10 day of March, 1968.

Edythe E. Stewart
Notary Public

In the Clerk's office of the Circuit Court of New Kent County, Va., March 11, 1968. The foregoing deed was this day presented in said office with the certificate annexed, admitted to record at 3:10 o'clock P.M.

EXD.
8/13/68

Teste:

Vivian S. Anderson Clerk

A Copy,
Teste - Vivian S. Anderson
Clerk

THE CHESAPEAKE CORP.

HARDEN TRACT

NEW KENT COUNTY—

Declination 6°W

West Point Va. Feb 20 1931

PLAT OF 5.000 ACRES OF LAND LOCATED IN CUMBERLAND DISTRICT, NEW KENT COUNTY, VA. ABOUT 4 MILES NORTH OF PROVIDENCE FORGE. SURVEYED FOR F. D McCREERY, SEPT. 17, 1970

EXTRACT FROM LAND BOOK RECORDS
NEW KENT COUNTY CLERK'S OFFICE

Parcel described as: J. H. Harden, Cumberland District, 5 acres

Year	Acreage	Description
1930	33 acres	"adj. Pollards."
1931	5 "	" "
1932	5 "	" "
1933	5 "	" "
1934	5 "	" "
1935	5 "	" "
1936	5 "	" "
1937	not listed	
1938	not listed	
1939	" "	
1940		
1941	not listed	

Exhibit D

EXTRACT FROM LAND BOOK RECORDS
NEW KENT COUNTY CLERK'S OFFICE

Property in the name of Chesapeake Corporation, Cumberland District

Year	Acreage	Description
1934	28-1/4 acres	"adj. Pollards."
1935	"	"
1936	"	" "
1937	"	" "
1938	"	" "
1939	32.4 acres	J. H. Harden Rt. 155
1940	"	"
1941	32.4 acres	J.H. Harden Rt. 155
1942	"	" "

Resp. Exhibit E

PLAT SHOWING A 15' RIGHT-OF-WAY BELONGING TO F. D. McCREERY, THROUGH A 47 ACRE TRACT BELONGING TO THE CHESAPEAKE CORPORATION, LOCATED IN CUMBERLAND DISTRICT, NEW KENT COUNTY, VA. ABOUT 4 MILES NORTH OF PROVIDENCE FORGE, SURVEYED MAY 15, 1970

COMMONWEALTH OF VIRGINIA
WILLIAM WISE KING
By William Wise King
CERTIFICATE No.
243
CERTIFIED LAND SURVEYOR

COMMONWEALTH OF VIRGINIA

MARVIN M. SUTHERLAND
Director

CHARLES A. CHRISTOPHERSEN
Deputy Director

A. S. RACHAL, JR.
Executive Assistant

DIVISIONS

FORESTRY
MINED LAND RECLAMATION
MINERAL RESOURCES
PARKS
VIRGINIA STATE TRAVEL SERVICE
WATER RESOURCES

DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT

DIVISION OF FORESTRY
509 E. NINE MILE ROAD, SANDSTON, VA. 23510
TELEPHONE 737-4791
GENE W. AUGSBURGER, District Forester

BOARD

ANDREW A. FARLEY, Danville
Chairman

WILLIAM H. KING, Burkeville
Vice Chairman

MAJOR T. BENTON, Suffolk
JOSEPH C. CARTER, JR., Richmond
ADOLF U. HONKALA, Richmond
CLAUDE A. JESSUP, Charlottesville
GEORGE C. MCGEE, Middleburg
ROBERT PATTERSON, Charlottesville
COLLINS SNYDER, Accomac
WILLIAM H. STANHAGEN, Alexandria
JOHN S. THORNTON, Culpeper
FREDERICK W. WALKER, Roanoke

August 13, 1973

FOREST MANAGEMENT
Timberland Examination
"Five Acres"

Resp. Exhibit F
F. S. Dalton

Mr. Frank D. McCreery
Box 190
New Kent, Virginia

Dear Mr. McCreery:

This letter will serve as a record of the timberland examination of five acres of timberland located South of Interstate 64 on the west side of Route 608 across from your mailbox.

The main species are loblolly pine, spruce pine, and mixed hardwoods. The pines range in size from pulpwood to sawtimber. The average age of the dominant loblolly pines is approximately 42 years. The quality is considered fair but the majority of the trees are small in size.

The best forest management recommendations for this area would be to harvest all timber and reforest by planting loblolly pine seedlings.

If we can assist you in the above, please contact Mr. Steve Lueke at our New Kent Office.

Sincerely yours,

Bernard G. Kubisiak, Jr.
Forester