

LAWYERS TITLE-MIDDLE PENINSULA  
NORTHERN NECK AGENCY, INC.  
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March 27, 2009

Mr. Richard Herndon Harfst, Esq.  
Attorney at Law  
P. O. Box 686  
Mathews, Virginia 23109

RE: Maple Avenue  
Case NN09-112

Dear Mr. Harfst:

You requested that I examine the title and inform you of the present ownership of Maple Avenue, located in Mathews, Virginia.

I have examined the records, as indexed, in the Clerk's Office of the Circuit Court of Mathews County, Virginia, from November 28, 1917 to March 27, 2009 at 8:00 A.M. as they relate to a strip of land shown as "Maple Ave" on a plat of survey prepared by R. F. Heywood, Surveyor, dated October 31, 1922 a copy of which is recorded in the Clerk's Office of the Circuit Court of Mathews County, Virginia in Deed Book 23 Pages 456 and 457. I find the current owner of this strip of land to be Potomac Supply Corporation by virtue of that certain deed from Sheldon Lumber Company, Inc., dated December 17, 1997, recorded in Deed Book 214 Page 190. The strip of land known as Maple Avenue as shown on the subdivision plat is less and except that portion conveyed to Staples Mill Road Corporation by deed dated July 9, 1959 and recorded in Deed Book 61 Page 439, and that portion conveyed to the Commonwealth of Virginia by deed dated August 14, 1942 and recorded in Deed Book 37 Page 397 for improvement to Route 14.

This street is a portion of a tract of land containing 32 acres, more or less, which was conveyed to R. Wesley Foster by deed from A. M. Marchant and Mary Ruth Marchant dated November 28, 1917 and recorded in Deed Book 21 Page 3. Maple Avenue was created in a subdivision of the property and shown on a plat of survey prepared by R.F. Heywood, Surveyor, dated October 31, 1922 and recorded in Deed Book 23 Pages 456 and 457. R. W. Foster granted the rights to use all of the streets shown on the subdivision plat to all of the owners of any lots in the subdivision by instrument dated November 23, 1922 and recorded in Deed Book 23 Page 455. R. W. Foster sold Lots 1, 2, a portion of Lot 3 and the 23 foot portion of Maple Avenue to O. L. Powell and W. H. Fleet by deed dated August 15, 1935 and recorded in Deed Book 32 Page 428. The 23 foot portion of

the road appears to be that part of Maple Avenue extending from Route 14 along the Southern line of Lot 1 to the eastern line of Lot 1 at its intersection with a 12 foot alley. W. H. Fleet conveyed his interest in the 23 foot portion of Maple Avenue to O. L. Powell by deed dated June 17, 1944 and recorded in Deed Book 38 Page 459. By deed dated September 21, 1950, R. Wesley Foster conveyed to O. L. Powell the residue of the land in the subdivision, including "all the land contained in the streets, avenues and highways" shown on the subdivision plat with the exception of the 12 foot alley. This conveyance was made subject to the rights of others to use the roads. At this point in time, O. L. Powell became the owner of the entire length of Maple Avenue as shown on the subdivision plat.

O. L. Powell subsequently conveyed several lots in the subdivision adjacent to Maple Avenue to Staples Mill Road Corporation by deed dated July 9, 1959 and recorded in Deed Book 61 Page 439. Reference is made in this instrument to the fact that the "present Powell Motor Company building" encroaches into Maple Avenue, 2.12 feet at the southwest corner of the building. Because of this, O. L. Powell conveyed to Staples Mill Road Corporation, "the fee simple title to this or any portion of Maple Avenue occupied by the present Powell Motor Company building". In a certain deed from Sheldon Lumber Company Inc. to The County of Mathews dated April 27, 1972, and recorded in Deed Book 87 Page 192, the Powell Motor Company building was, at that time, the "Silco Store"

O. L. Powell conveyed the streets, avenues and ways shown on the subdivision plat to Sheldon Lumber Company, Incorporated by deed dated February 23, 1967 and recorded in Deed Book 77 Page 24. This conveyance was less and except that portion of Maple Avenue conveyed to Staples Mill Road Corporation as set forth above.

Sheldon Lumber Company, Inc conveyed "any portion of Maple Avenue, North Avenue or 1<sup>st</sup> Street owned by the Grantor" to Potomac Supply Corporation by deed dated December 17, 1997 and recorded in Deed Book 214 Page 190.

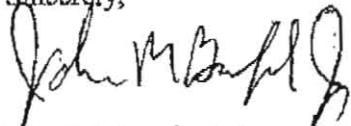
There are no recorded liens against the property. There are utility easements to Vepco and an easement to The County of Mathews for a sewer line that affect the premises. There are at least two easements over Maple Avenue or portions thereof, granted to owners of properties outside of the subdivision. I have attached hereto the tax information relative to this property. It does not appear from the land books that Maple Avenue, North Avenue or 1<sup>st</sup> Street are included in the property being taxed as these streets are not encompassed within the 44.9919 acres shown on the plat of survey of the land of Potomac Supply Corporation recorded in Plat Book 20 Page 212. However, it may be that they are taxed to Potomac Supply but are not specifically described on the land book entry.

I have enclosed herewith the instruments in the chain of title to Maple Avenue and other documents that I have described herein.

Finally, I have enclosed a statement for services rendered and costs advanced.

Please advise if you need any further information and if you have any questions concerning this matter, please call me.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Bareford, Jr.", written in a cursive style.

John M. Bareford, Jr.