

Deed corrected

## DEED OF CORRECTION

THIS DEED, made to more fully describe the real estate conveyed by deed dated August 30, 1989, and recorded in Deed Book 86, page 780, is entered this 5th. day of October, 1989, by and between JOHN C. SINGLETON, PETER J. JUDAH, RONALD W. VAUGHT and JOHN M. LOHR, parties of the first part, Special Commissioners appointed by the Highland County Circuit Court in the chancery cause of William S. Hiner vs. Harry T. Hiner, Jr., et als, and ANTHONY MINER O'CONNELL, party of the second part, presently of 6541 Franconia Road, Springfield, Virginia 22150, the successful bidder at the auction held by the above-mentioned Special Commissioners.

## -W I T N E S S E T H-

That for and in consideration of TEN (\$10.00) DOLLARS and for other good and valuable consideration, the receipt of all of which is hereby acknowledged, the parties of the first part hereby GRANT, SELL and CONVEY unto ANTHONY MINER O'CONNELL, party of the second part, with SPECIAL WARRANTY OF TITLE, in fee simple, as his sole and separate estate, all that real estate with all appurtenances and improvements thereon, situate approximately 8½ miles south-southwest of the town of Monterey, in Monterey Magisterial District, Highland County, Virginia, and on both sides of U.S. Route 220 and on both sides of the Jackson River, adjoining lands now owned by H. Wilson and Kathryn Wright on the north, John E. and Laura L. Shockey on the northwest, Sharon H. Fisher on the west, Moffett B. Turner, Clinton and Ester D. Harris, Mabel H. Terry and Lois W. Marshall on the south, Roy M. and Karen H. Gutshall on the southeast and Betty F. Sands on the northeast, containing in aggregate, 138.884 acres, more or less. This is the same real estate of which Mary T. Hiner died, seized and possessed, on February 18, 1985, and was conveyed to her by deed from Harry T. Hiner, Sr., dated May 23, 1966, and recorded in Deed Book 46, page 282, and is more particularly described in the following three contiguous tracts:

TRACT #1: All that certain tract or parcel of land on both sides of U.S. Route 220 and on both sides of the Jackson River, known as the home place and more particularly described from deed dated February 2, 1892, and recorded in Deed Book 8, page 224, and is bounded as follows:

BEGINNING at a sarvice on Pruitt's line, thence S16E40 poles to a point in the public road N81E16 poles to a point in the road S16E40 poles crossing the bottom and river and up a steep hill to two pin oaks and dogwood on top of a hill N84E8 poles to two dogwoods, S82E24 poles to a small ash S71½E168 poles to two small hickories on top of the chestnut ridge, thence S39W47½ poles to a poplar and hickory corner of H.H. Terry's woods land

and with the same N68W55 poles to a double chestnut oak, sarvice and maple near the foot of a ridge N84W72 poles to a white oak on a ridge N68W44½ poles to a white oak, chestnut and maple on the side of a ridge S81W90 poles crossing the river and bottom and up a ridge to a white oak chestnut and pine on said ridge division corner with said Terry, thence with the division line of Bennett Hiner N4E150 poles to two pin oaks corner of Almira Pruitt's land and with her lines S44E44 poles to 4 pin oaks N50E16 poles to the beginning, containing 112 acres.

TRACT #2: All that certain tract or parcel of land west of U.S. Route 220 and west of the Jackson River and adjoining on the east Tract #1 above, and more particularly described from deed dated January 21, 1898, and recorded in Deed Book 10, page 201, and is bounded as follows:

BEGINNING at a pin oak and chestnut in a hollow by a path N27W40.84 poles to a double maple sprout and chestnut oak on side of a ridge near top; N34½E9 poles to a chestnut oak on a point in the Palmer line, and with said line, N56W34½ poles, to a chestnut oak and a chestnut, and 4 chestnut saplings and a maple, on top of a ridge, leaving said line; S16W46.12 poles to 3 maples and a chestnut saplings on the south end of a ridge and near top; S40½E90.6 poles passing Crowley's and Doyle's corner at 38 poles to a chestnut, pin oak and white oak saplings on a flat; N26½E7.2 poles, to a dead pine between a chestnut and a white oak (corners), N10E51½ poles, to a white oak in a hollow near a path and the public road; S66W17.64 poles to the beginning, and containing 21.7 acres.

TRACT #3: All that certain tract or parcel of land west of U.S. Route 220 and west of the Jackson River, and adjoining on the east Tract #1 and adjoining on the south and west Tract #2, and more particularly described from deed dated November 1, 1951, and recorded in Deed Book 37, page 261, and is bounded as follows:

BEGINNING at a large chestnut on top of a ridge N31°30'E19.5 poles to an iron pipe; thence N69E28.5 poles to an iron pipe witnessed by a 6inch pin oak on an old line; thence S4E64 poles on an old line; thence S76W20 poles to an old line; thence N33W40 poles on old line; thence 34½E9 poles to the beginning, containing 10.8 acres, more or less.

LESS (from Tract #1) 3.55 acres to the Commonwealth of Virginia for U.S. Route 220, by instrument dated October 21, 1935, and recorded in Deed Book 29, page 503.

LESS (from Tract #1) 2.066 acres to Samuel S. Hiner by deed from Mary T. Hiner dated March 26, 1979, and recorded in Deed book 61, page 445, and more particularly described as follows:

That certain lot fronting 300 feet on said Route 220, being 300 feet in depth, the said lot adjoining on the south the entrance to the Hiner property for a distance of 300 feet and includes the little dwelling house now situate on said lot.

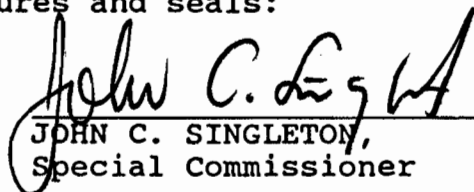
IN SUMMARY, Tract #1 of 112 acres, plus Tract #2 of 21.7 acres, plus Tract #3 of 10.8 acres, less the Commonwealth of Virginia's 3.55 acres and less William S. Hiner's 2.066 acres, equals 138.884 acres, more or less.

TO HAVE AND TO HOLD the real estate as the sole and separate estate of the party of the second part, free from any liability whatsoever, and free from any debts and choate and inchoate rights of dower, with respect to any present or future wife of the party of the second part, with complete authority in the party of the second part to convey, encumber, and otherwise deal with the real estate without the necessity of joinder by any present or future wife.

This conveyance is made expressly subject to the easements, conditions, restrictions and reservations contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the property hereby conveyed which have not expired by the limitation of time contained therein or otherwise become ineffective. The title insurance on this real estate, policy dated 8/31/89, shows only two such easements, conditions, restrictions or reservations and they are as follows:

1. The aforesaid 3.55 acres granted to the Commonwealth of Virginia by instrument dated October 21, 1935, and recorded in Deed Book 29, page 503.
2. A utility easement granted to BARC by instrument dated May 4, 1983, and recorded in Deed Book 79, page 626.

WITNESS the following signatures and seals:

 (SEAL)  
 JOHN C. SINGLETON,  
 Special Commissioner

*Peter J. Judah* (SEAL)  
PETER J. JUDAH,  
Special Commissioner

*R. W. Vaught* (SEAL)  
RONALD W. VAUGHT,  
Special Commissioner

*John M. Loehr* (SEAL)  
JOHN M. LOHR,  
Special Commissioner

COMMONWEALTH OF VIRGINIA, AT LARGE, to wit:

The foregoing Deed was duly acknowledged before me in the City/County of *Bath*, Virginia, on this *1st* day of *November*, 1989, by John C. Singleton, Special Commissioner.

My commission expires: *June 8, 1992*

*Ledonna B. Maxwell*  
Notary Public

COMMONWEALTH OF VIRGINIA, AT LARGE, to wit:

The foregoing Deed was duly acknowledged before me in the City/County of *Bath*, Virginia, on this *5th* day of *October*, 1989, by Peter J. Judah, Special Commissioner.

My commission expires: *10-23-90*

*Joyce A. Herndon*  
Notary Public

COMMONWEALTH OF VIRGINIA, AT LARGE, to wit:

The foregoing Deed was duly acknowledged before me in the City/County of Bath, Virginia, on this 30<sup>th</sup> day of October, 1989, by Ronald W. Vaught, Special Commissioner.

My commission expires: May 8, 1990.

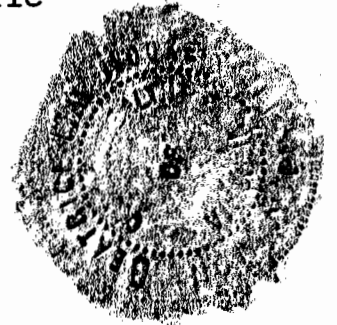
*James F. Cummett*  
Notary Public

COMMONWEALTH OF VIRGINIA, AT LARGE, to wit:

The foregoing Deed was duly acknowledged before me in the City/County of Highland, Virginia, on this 7<sup>th</sup> day of November, 1989, by John M. Lohr, Special Commissioner.

My commission expires: August 5, 1990.

*Bessie May Hooke*  
Notary Public



VIRGINIA: In the Clerk's Office of the Circuit Court of Highland County. This instrument, with the certificate of acknowledgment thereto annexed, is admitted to record at 11:45 o'clock A. M., November 13 19 89 The State Tax of \$ 0.00 paid. Tax-Sec. 58-54.1 \$ 0.00 paid.

TESTE: *Joe K. Dudley* CLERK