

Deed 1992

The 1992 deed for Accotink

**McGUIRE WOODS
BATTLE & BOOTHE**

Transpotomac Plaza
1199 North Fairfax Street
Alexandria, VA 22314

Court Square Building
Charlottesville, VA 22901

3950 Chain Bridge Road
Fairfax, VA 22030

8280 Greensboro Drive
Suite 900
P.O. Box 9346
McLean, Virginia 22102

(703) 712-5000

Fax: (703) 712-5050

November 15, 1991

World Trade Center
Norfolk, VA 23510

One James Center
Richmond, VA 23219

137 York Street
Williamsburg, VA 23185

The Army and Navy Club Building
1627 Eye Street, N.W.
Washington, DC 20006

Anthony M. O'Connell
6541 Franconia Road
Springfield, Virginia 22150

Re: Land Trust Agreement for approximately 15 acres of land located
in Fairfax County, Virginia, known as Accotink

Dear Mr. O'Connell:

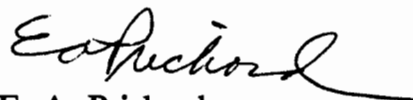
Enclosed for your review please find drafts of the following:

1. **Deed** in Trust Under Land Trust Agreement;
2. Power of Attorney; and
3. Land Trust Agreement.

When reviewing these documents, we would appreciate your specifically verifying that the ownership percentages set forth on page 12 of the Land Trust Agreement are accurate. Additionally, since we noticed a discrepancy between the way your sister Sheila's last name was spelled in your letter to me of October 23 and in your mother's will, we would like you to verify which spelling is accurate.

Please call me once you have had an opportunity to review the enclosed.

Sincerely yours,



E. A. Prichard

EAP/RAH/slw
Enclosures

DEED IN TRUST UNDER
LAND TRUST AGREEMENT

THIS DEED IN TRUST UNDER LAND TRUST AGREEMENT, made this 16^{JH} day of OCTOBER, 1992 by and between JEAN MARY O'CONNELL/NADER and HOWARD/NADER, husband and wife, SHEILA ANN/O'CONNELL and PIERRE/SHEVENELL, husband and wife, ANTHONY MINER/O'CONNELL, divorced and not remarried, and ANTHONY MINER/O'CONNELL, Trustee Under the Last Will and Testament of Harold A. O'Connell (collectively, "Grantors"); and ANTHONY MINER/O'CONNELL, Trustee, of Fairfax County, Virginia (hereinafter sometimes collectively referred to as "Trustees" or "Grantees"):

W I T N E S S E T H:

That Grantors for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, do hereby grant and convey to the Grantees as trustees the hereinafter described parcel of real estate, situate and being in Fairfax County, Virginia, and being more particularly described on the attached and incorporated EXHIBIT A ("Property").

TO HAVE AND TO HOLD the Property in fee simple, with the appurtenances thereunto belonging, upon the trusts and for the uses and purposes set forth herein and in that certain Land Trust Agreement dated as of 16TH day of OCTOBER 1992, which is incorporated herein by this reference.

Full power and authority is hereby granted to the Trustee and their successors and assigns to protect and conserve the property; to sell, contract to sell and grant options to purchase the Property and any right, title or interest therein on any terms; to exchange the Property or any part thereof for any other real or personal property upon any terms; to convey the Property by deed or other conveyance to any grantee, with or without consideration; to mortgage, pledge or otherwise encumber the Property or any part thereof; to lease, contract to lease, grant options to lease and renew, extend, amend and otherwise modify leases on the Property or any part thereof from time to time, for any period of time, for and rental and upon any other terms and conditions; and to release, convey or assign any other right, title or interest whatsoever in the Property or any part thereof.

No party dealing with the Trustee in relation to the Property in any manner whatsoever, and (without limiting the foregoing) no party to whom the Property or any part thereof or any interest therein shall be conveyed, contracted to be sold, leased or mortgaged by the Trustee, shall be obliged (a) to see to the application of any purchase money, rent or money borrowed or otherwise advanced on the Property, (b) to see that the terms of this trust have been complied with, (c) to inquire into the authority, necessity of expediency of any act of any Trustee, or (d) be privileged to inquire into any of the terms of the Trust Agreement. Every deed, mortgage, lease or other instrument executed by the Trustee in relation to the Property shall be conclusive evidence in favor of every person claiming and right, title or interest thereunder; (a) that at the time of the delivery thereof this trust was in full force and effect, (b) that such instrument

TAX MAP 90-4-001-17
CODE OF VIRGINIA 55-17.1
ANTHONY O'CONNELL
6541 FRANCONIA ROAD
SPRING FIELD, VIRGINIA 22150

BK8307 1446

was executed in accordance with the trusts, terms and conditions hereof and of the Trust Agreement and is binding upon all beneficiaries thereunder, (c) that the Trustee was duly authorized and empowered to execute and deliver every such instrument, and (d) if a conveyance has been made to a successor or successors in trust, that such successor or successors have been properly appointed and are fully vested with all the title, estate, rights, powers, duties and obligations of his, its or their predecessor in trust.

The Trustee shall have no individual liability or obligation whatsoever arising from his ownership, as trustee, of the legal title to said property, or with respect to any act done or contract entered into or indebtedness incurred by him in dealing with said property, or in otherwise acting as such trustee, except only so far as said Trust Property and any trust funds in the actual possession of the Trustee shall be applicable to the payment and discharge thereof.

The interest of every beneficiary hereunder and under the Trust Agreement and of all persons claiming under any of them shall be only in the earnings, avails and proceeds arising from the rental, sale or other disposition of the Property. Such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any right, title or interest, legal or equitable, in or to the Property, as such, but only in the earnings, avails and proceeds thereof as provided in the Trust Agreement.

This deed is governed by and is to be read and construed with reference to Section 55-17.1, Code of Virginia (1950 as amended) and now in force.

Except as hereinafter noted, the Grantors covenant that they have the right to convey the Property to the Trustee, that Grantors have done no act to encumber the Property, that the Trustees shall have quiet possession of the Property, free from all encumbrances, and that Grantors will execute such further assurances of the Property as may be requisite.

Howard Nader and Pierre Shevenell join in this Deed in Trust Under Land Trust Agreement for the sole purpose of consenting to the conveyance of the Property, and hereby forever convey, release and waive any marital rights or right to claim an elective share in such Property as part of their spouses' augmented estate pursuant to Code of Virginia, Section 64.1-13, et seq., as amended, and give no covenant or warranty of title to the property hereby conveyed.

WITNESS the following signatures and seals:

Jean Mary O'Connell Nader (SEAL)
Jean Mary O'Connell Nader

Howard Nader (SEAL)
Howard Nader

Sheila O'Connell (SEAL)
Sheila Ann O'Connell

Pierre Shevanel (SEAL)
Pierre Shevanel

Anthony Miner O'Connell (SEAL)
Anthony Miner O'Connell

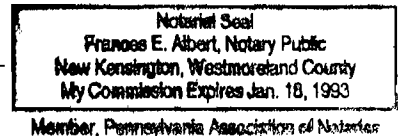
Anthony Miner O'Connell, Trustee (SEAL)
Anthony Miner O'Connell, Trustee
Under the Last Will and Testament of
Harold A. O'Connell

STATE OF Pennsylvania
COUNTY OF Westmoreland, to wit:

13th The foregoing instrument was acknowledged before me this
day of August, 1992, by Jean Mary O'Connell
Nader.

Francis E. Albert
Notary Public

My Commission expires: _____

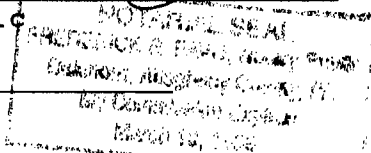


STATE OF Pennsylvania
COUNTY OF Washington, to wit:

14 The foregoing instrument was acknowledged before me this
day of August, 1992, by Howard Nader.

Francis E. Albert
Notary Public

My Commission expires: 3-10-95



STATE OF Maine
COUNTY OF Cumberland, to wit:

The foregoing instrument was acknowledged before me this 8th day of September, 1992, by Sheila Ann O'Connell.

Emerson M. Allen
Notary Public

My Commission expires: Sept 21, 1999

STATE OF Maine
COUNTY OF Cumberland, to wit:

The foregoing instrument was acknowledged before me this 8th day of September, 1992, by Pierre Shevenell.

Emerson M. Allen
Notary Public

My Commission expires: Sept 21, 1999

STATE OF VIRGINIA
COUNTY OF FAIRFAX, to wit:

The foregoing instrument was acknowledged before me this 3rd day of August, 1992, by Anthony Miner O'Connell.

Barbara A. Antonucci
Notary Public

My Commission expires: 7-31-94

STATE OF VIRGINIA
COUNTY OF FAIRFAX, to wit:

The foregoing instrument was acknowledged before me this 3rd day of August, 1992, by Anthony Miner O'Connell, Trustee Under the Last Will and Testament of Harold A. O'Connell.

Barbara A. Antonucci
Notary Public

My Commission expires: 7-31-94

Exhibit A

BEGINNING at a stake and stones in the East Ravensworth line a corner to lines of G. Haines in line of lands of C. Potter's Estate and thence running with said line N 8-1/4° E. 450 feet to a stake and stones corner to lands heretofore conveyed by C. Huntington; thence with said land N 68-1/2° W. 939 feet to a stake and stones in center of abandoned road bed of Washington Southern Railway Company; thence with the center thereof S 21-1/2° W. 880 feet to a stake and stones; thence by lands of G. Haines N 89-1/4° E. 1121 feet to the beginning containing 15 acres more or less.

BK8307 1451

JOSEPH BERRY
VIENNA, VIRGINIA
CIVIL ENGINEER
COUNTY SURVEYOR FOR FAIRFAX COUNTY

Description of H.A.O'Connell's property, situated in Mount Vernon District, Fairfax County, Virginia and bounded as follows:-

Beginning at the corner of E.A. Brice in the middle of the old railroad bed, now abandoned; thence with the line of Brice S. 74°08'20"E. (passing through a pipe at 40.0 ft.) 929.77 ft. to a pipe in the line of William Parker; thence with the line of Parker and continuing the same course with the line of Mrs. Edna B. Hunter S. 1°42'25"W. 477.15 ft. to a pipe; thence with another line of Mrs. Hunter S. 85°19'50"W. (passing through a pipe at 1088.26 ft.) 1131.22 ft. to the middle of the old railroad bed; thence with the middle of the old railroad bed N. 16°43'20"E. 859.5 ft. to the beginning. Containing 15.329 acres.

Joseph Berry

With plat attached

OCT 23 1992

RECORDED FAIRFAX CO VA

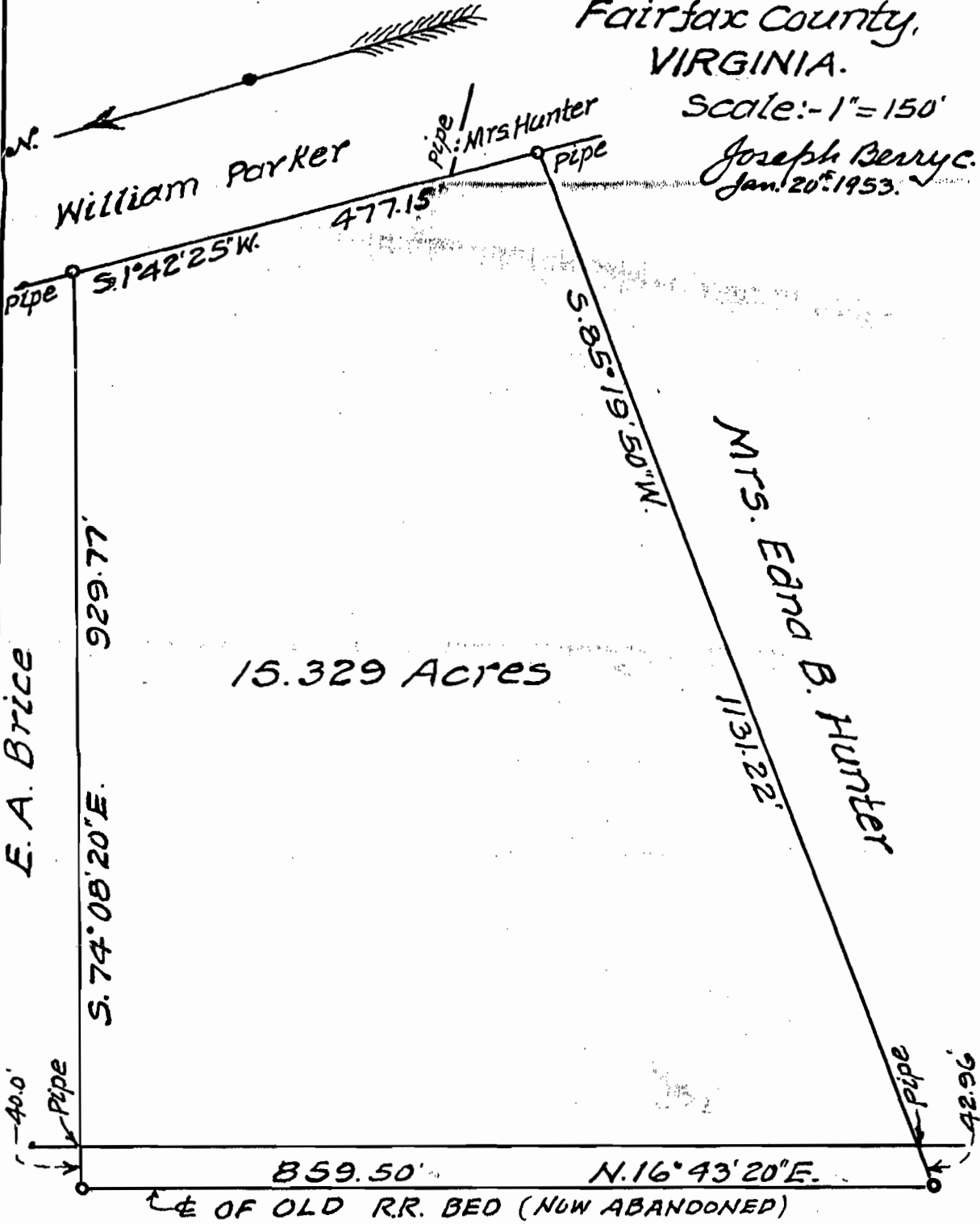
TESTE:

J. Berry
CLERK

PROPERTY OF
H. A. O'CONNELL,
Fairfax County,
VIRGINIA.

Scale: - 1" = 150'

Joseph Berry C.S.
Jan. 20th 1953.



McGUIRE WOODS
BATTLE & BOOTHE

Transpotomac Plaza
1199 North Fairfax Street
Alexandria, VA 22314

Court Square Building
Charlottesville, VA 22901

World Trade Center
Norfolk, VA 23510

8280 Greensboro Drive
Suite 900
P.O. Box 9346
McLean, Virginia 22102

(703) 712-5000

Fax: (703) 712-5050

One James Center
Richmond, VA 23219

The Army and Navy Club Building
1627 Eye Street, N.W.
Washington, DC 20006

41 Avenue des Arts
1040 Brussels, Belgium

EDGAR ALLEN PRICHARD
VIRGINIA AND DISTRICT
OF COLUMBIA BARS
DIRECT DIAL: (703) 712-5443

February 11, 1993

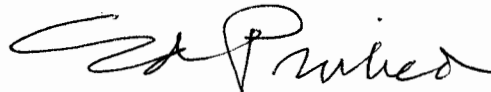
Mr. Anthony O'Connell
6541 Franconia Road
Springfield, Virginia, 22150

Dear Tony:

You spoke with Tim Dimos on the telephone so you know his advice: that insofar as transfer of title is concerned the Virginia Land Trust Agreement which was signed by your sisters and yourself operates to transfer title to you as Trustee. Tim believes, however, that you will need a receipt to show the Commissioner of Accounts in order to close out the trust created by your father. I have prepared such a receipt and enclose two copies. Bearing in mind that you would prefer not to have to ask your sisters to sign anything else I have made it an assignment and receipt calling for your signatures only. Attach to it a copy of the recorded land trust agreement and I believe it should satisfy the Commissioner of Accounts. If it does not the worst that will result is that we will have to add the signatures of your two sisters. I will keep the receipt in my computer so that if the other two signatures are required I can add them and print a new receipt.

If Jesse Wilson has a question about the receipt you may tell him that you will have me call him and explain my thinking.

Sincerely yours,



E. A. Prichard

EAP

Not Recognized

The 1992 deed for Accotink is not recognized

Anthony OConnell

From: "Mellott, Linda C." <Linda.Mellott@fairfaxcounty.gov>
To: <amo@commspeed.net>
Cc: "Greenlief, Kevin C." <Kevin.Greenlief@fairfaxcounty.gov>; "Strickland, Bettina" <Bettina.Strickland@fairfaxcounty.gov>
Sent: Monday, August 09, 2004 4:33 PM
Subject: RE: Would you please correct the legal description on your real estate tax bill for parcel 0904-01-0017?

I have been requested to respond to your inquiry concerning the deed book information displayed on the Real Estate records for the property located on Map Reference **090-4-01-0017** described as ACCOTINK STATION. Our records contain the reference transferring ownership as WB201-109 as the recorded document with the Land Records of Fairfax County Circuit Court to be the Last Will and Testament of Harold A O'Connell and the transfer of his Fairfax County real estate holdings to his listed heirs. We also display on our record the deed book and page, Book 8307 Page 1446, where the heirs of Harold A O'Connell in October of 1992 under a Land Trust agreement named you as the Trustee of this property. The phrase you listed and the wording in this deed define your authority as trustee,

herein by this reference.

Full power and authority is hereby granted to t and their successors and assigns to protect and co property; to sell, contract to sell and grant options t the Property and any right, title or interest therein on to exchange the Property or any part thereof for any otl personal property upon any terms; to convey the Property other conveyance to any grantee, with or without consid mortgage, pledge or otherwise encumber the Property o thereof; to lease, contract to lease, grant options to renew, extend, amend and otherwise modify leases on the any part thereof from time to time, for any period of ti rental and upon any other terms and conditions; and t convey or assign any other right, title or interest whi the Property or any part thereof.

No party dealing with the Trustee in relati

Linda Mellott
 Records Manager
 Real Estate Division, DTA
 703-324-4833

-----Original Message-----

From: Anthony OConnell [mailto:amo@commspeed.net]
Sent: Friday, August 06, 2004 3:49 PM
To: DTARED
Subject: Re: Would you please correct the legal description on your real estate tax bill for parcel 0904-01-0017?

Please, Mr. Greenlief;

What does Book 8307 at page 1446, means to you (For example" *TO HAVE AND TO HOLD the property in fee simple,* ")?

Anthony O'Connell, Trustee

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LAND TRUST AGREEMENT

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