

Lawyer Fix

Qualified or not qualified as Trustee?

June 20, 1986 - Court certificate says Anthony M. O'Connell **qualified** as Trustee. Qualified or not qualified?

April 21, 1988 - Deed prepared by anonymous says " . . Anthony M. O'Connell, Trustee, **could not qualify** and Herbert A. Higham, Trustee, was appointed to **act in his place and stead.**"

May 16, 1988 - Court certificate says Anthony M. O'Connell **still qualified** as Trustee.

Comment -

The Establishment's refusal to take an accountable position or whether I did or did not qualify as Trustee under the Will of Harold A. O'Connell is one of the obstacles that paralyzed me, as Trustee for Accotink, from selling Accotink because a Grantor in the Trust Documents is "Anthony Miner O'Connell, Trustee Under the last Will and Testament of Harold A. O'Connell".

1985 Fix

Whatever was fixed remains unknown

Insert my best guess words



Bond fee - Lawyer fee as
bond pd when sold.
nominal amt now.

Clerk 691-2224

710 d

691-4193 - give

fiduciary no: 21840

Procedure

(Come in - surety bond -)

(to reschedule with)

Fatty Meato.

1986 Surprise

Whatever is behind this remains unknown

EDWARD J. WHITE
ATTORNEY AT LAW
118 SOUTH ROYAL STREET
ALEXANDRIA, VIRGINIA 22314

TELEPHONE 836-5444

April 25, 1986

Henry C. Mackall, Esquire
4031 Chain Bridge Road
Fairfax, VA 22030

Re: Estate of Harold M. O'Connell

Dear Mr. Mackall:

Enclosed is the draft by Ms. Barnes of the Final Account-
ing.

I have taken the liberty of correcting a typographical error
on the distributions to reflect 53.9006% vice 3.9006%.

I would appreciate it if you would forward this to
Mr. O'Connell and clarify with him his intention to qualify on
May 1st.

If he does not agree or requests further delaying tactics, I
feel that I have no other recourse in serving my client than to
seek to have him removed as a Trustee. This matter is costing
Mrs. O'Connell dearly with the delay.

Sincerely,


Edward J. White

EJW/mc

Enclosure

cc: Mrs. Jean O'Connell ✓

C
O
P
Y

LAW OFFICES

MACKALL, MACKALL, WALKER & SILVER

A PROFESSIONAL CORPORATION

4031 CHAIN BRIDGE ROAD

FAIRFAX, VIRGINIA

22030

TELEPHONES
(703) 273-0320
(703) 273-0321

HENRY C. MACKALL
DOUGLASS S. MACKALL, III
DOUGLAS D. WALKER
GLENN H. SILVER
NANCY E. GIBB
—
AMY E. BLANCHARD

May 8, 1986

Mr. Anthony M. O'Connell
2337 South 13th Street
St. Louis, Missouri 63104

Herbert A. Higham, Esquire
6208 Higham Drive
Alexandria, Virginia 22310

Dear Mr. O'Connell and Mr. Higham:

Enclosed please find a copy of my letter to Mr. White together with copy of a proposed Petition and Order in connection with the bond problem we ran into when you attempted to qualify. I have discussed this with Mr. White and expect no problem getting it entered. If either of you have any objections to anything in either of these documents please let me know.

Sincerely,



Henry C. Mackall

HCM/jkw
Enclosures

1988 Surprise

Whatever is behind this remains unknown.

DEED OF BARGAIN AND SALE

THIS DEED, made this 21ST day of April, 1988, by and between JEAN MINER/O'CONNELL, unmarried; and ANTHONY M./O'CONNELL and HERBERT A./HIGHAM, Trustees of the Trust established by the Will of the late Harold A./O'Connell, hereinafter called Grantors; and LYNCH PROPERTIES LIMITED PARTNERSHIP, a Virginia limited partnership, hereinafter called Grantee, provides:

That for \$10.00 and other valuable consideration, the receipt of which is hereby acknowledged, the aforementioned Trustees hereby grant, bargain, sell and convey with Special Warranty, and the aforementioned Jean Miner O'Connell hereby grants, bargains, sells and conveys with General Warranty of title unto the Grantee, the following real estate, located in Fairfax County, Virginia, containing 3.23987 acres:

Beginning at a point marking the intersection of the Easterly right-of-way line of Frontier Drive (Route #2677) and the Southerly right-of-way line of Franconia Road (Route #644), thence with the Southerly right-of-way line of Franconia Road S 86° 51' 59" E, 369.48 feet, to a point marking a Northwesterly corner of the property of the County School Board of Fairfax County; thence with the boundary of said School Board S 00° 49' 33" W, 374.84 feet to a concrete monument; and N 89° 10' 27" W, 369.18 feet, to a point on the aforementioned right-of-way line of Frontier Drive; thence with said right-of-way line of Frontier Drive N 00° 49' 33" E, 389.72 feet to the point of beginning, containing 3.23987 acres of land.

AND BEING the same property conveyed to Harold A./O'Connell and Jean M. O'Connell, his wife, as joint tenants with the common law right of survivorship by deed recorded in Deed Book A-13 at Page 37. Whereas by Deed of Partition recorded in Deed Book 4026 at Page 454, the property was reconveyed to Harold A. O'Connell as to an undivided one-half interest and to Jean M. O'Connell, as to an undivided one-half interest, whereas, Harold A. O'Connell died testate May 26, 1975, and by his Last Will and Testament recorded in Will Book 201 at Page 96, devised his interest to his executor Anthony M.

O'Connell, Trustee; whereas Anthony M. O'Connell, Trustee, could not qualify and Herbert A. Higham, Trustee, was appointed to act in his place and stead.

BK7005 0634

PC Box 607
Springfield, VA 22150

1000000000

COLUMBIA BANNER SETTLEMENT & TITLE SERVICES, INC.
6251 GREENBOND DR. SUITE 600
MCLEAN, VA 22102

1, 111, 257, 37

0000000000

This conveyance is made subject to all recorded conditions, restrictions and easements affecting the property hereby conveyed.

The Trustee Grantors covenant that they have the right to convey such lands to the Grantee; that they have done no act to encumber such lands. Jean Miner O'Connell covenants that she has the right to convey such lands to the Grantee; that she has done no act to encumber such lands; that the Grantee shall have quiet possession of such lands free from all encumbrances; and that she will execute such further assurances of such lands as may be requisite.

WITNESS the following signatures and seals:

Jean Miner O'Connell (SEAL)
JEAN MINER O'CONNELL

Anthony M. O'Connell (SEAL)
ANTHONY M. O'CONNELL, TRUSTEE

Herbert A. Higham (SEAL)
HERBERT A. HIGHAM, TRUSTEE

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX, to-wit:

I, the undersigned Notary Public, for the jurisdiction aforesaid, do hereby certify that Jean Miner O'Connell, whose name is signed to the foregoing instrument bearing date of April 21, 1988, has acknowledged the same before me in my jurisdiction aforesaid.

Given under my hand this 21st day of April, 1988.

David H. Quarter
Notary Public

My Commission Expires: 10 15 91

COMMONWEALTH OF VIRGINIA
COUNTY OF FAIRFAX, to-wit:

I, the undersigned Notary Public, for the jurisdiction aforesaid, do hereby certify that Herbert A. Higham, Trustee, whose name is signed to the foregoing instrument bearing date of April 21, 1988, has acknowledged the same before me in my jurisdiction aforesaid.

Given under my hand this 21st day of April, 1988.

James A. Overton
Notary Public

My Commission Expires: 10-15-91

STATE OF VIRGINIA
CITY/COUNTY OF Fairfax, to-wit:

I, the undersigned Notary Public, for the jurisdiction aforesaid, do hereby certify that Anthony M. O'Connell, Trustee, whose name is signed to the foregoing instrument bearing date of April 21, 1988, has acknowledged the same before me in my jurisdiction aforesaid.

James A. Overton
Notary Public

My Commission Expires: 10-15-91

RECORDED W/CERTIFICATE ANNEXED

APR 22 1988

FAIRFAX COUNTY, VA.

TESTE: *[Signature]*
CLERK

A COPY TESTE:
JOHN T. FREY, CLERK

By: *[Signature]*
Deputy Clerk