

MARLYN DEVELOPMENT – SHELTON BY THE BAY

REZONING CASE NUMBER 16-00012

TITLE CERTIFICATION AND LIEN DISCLOSURE

The undersigned, attorney for the developer of the property located at 1300 N. Mallory Street, Hampton, Virginia 23663, RPC 12005714 (the “Property”) to be rezoned, hereby certifies, as required by § 24-3(5) of the Zoning Ordinance of the City of Hampton, Virginia, as follows:

1. Current title to the Property is in the name of AH&H Corp., a Virginia corporation (the “Owner”).
2. The Property was acquired by the Owner from Peninsula Home for the Aged, Incorporated, by deed dated April 13, 2016 and recorded in the Clerk’s Office of the Circuit Court for the City of Hampton, Virginia on April 13, 2016 as Instrument Number 160004738.
3. The legal description of the Property is as follows:

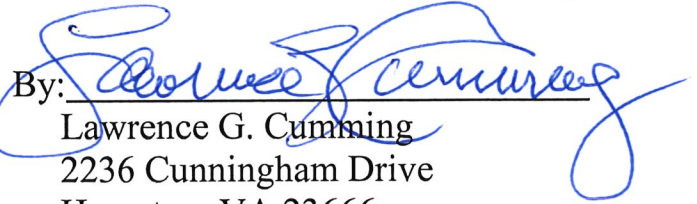
All that certain tract, piece or parcel of land situated, lying and being in the City of Hampton (formerly Chesapeake Magisterial District, Elizabeth City County), Virginia, containing ten and one-half (10 ½ acres), more or less, and located on the easterly side of the public highway leading from Phoebus to Buckroe Beach. The said property being the remainder of the land owned by Mary S. Sweeny, widow, out of the estate of Charles C. Shelton, deceased, by will duly probated in the Clerk’s Office of the Circuit Court of Hampton (formerly Elizabeth City County), Virginia, in Will Book 3, at page 76; by deed dated November 2, 1911, and recorded in the aforesaid Clerk’s Office in Deed Book 53, at page 277, from C. W. Shelton to Mary S. Williams, and also by deed dated January 5, 1912, recorded in the aforesaid Clerk’s Office in Deed Book 53, at page 347, from Henry O. Shelton and J. St. Clair Shelton to Mary S. Williams.

Less and excepting that portion of the above described property which was conveyed to the Commonwealth of Virginia for widening of Mallory Street by Deed of Mary S. Sweeny dated February 13, 1948, and recorded in the aforementioned Clerk’s Office in Deed Book 160, page 161.

4. In reliance upon and as an update to Certificate of Title by Richard B. Blackwell, I further certify that as of March 8, 2017 at 8:30 a.m., a title search of the Property revealed no deed restrictions or covenants of record, title defects, deeds of trust, liens or encumbrances affecting, or potentially affecting, any portion of the Property proposed to rezoned, other than typical utility easements.

Date: March 8, 2017

KAUFMAN & CANOLES, P.C.

By: 

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