

5621
THIS DEED, made this 27th day of July, 1955, No Tax

by and between M. W. Roberts, H. C. Martin, and M. B. Sears, Trustees of St. Tammany Lodge No. 5, A. F. and A. M., and the Citizens National Bank of Hampton, Virginia, and Elizabeth W. Houston and H. R. Houston, her husband, and O. F. McLean and Delphia McLean, his wife, parties of the first part, and the City of Hampton, Virginia, a Municipal Corporation, party of the second part,

WHEREAS, there now exist an alley 9.45 feet wide running Southerly from East Queen Street between the property of St. Tammany Lodge No. 5, A. F. and A. M. and the property formerly belonging to E. L. Marple, now the property of the Citizens National Bank, for a distance of approximately 87.5 feet; and,

WHEREAS, there now exist an 8 foot lane running Easterly between the property of the Citizens National Bank and the property of O. F. McLean from South King Street back towards the aforementioned alley for a distance of approximately 177 feet and which continues in a Southerly direction a distance of approximately 99 feet between the property of Elizabeth W. Houston and H. R. Houston, her husband, and O. F. McLean on the Westerly side and the St. Tammany Lodge No. 5, A. F. and A. M. property on the Easterly side to the additional property of O. F. McLean and Delphia McLean, his wife, which said McLean property is presently used for a warehouse; and,

WHEREAS, the said alley running from East Queen Street and the said lane running from South King Street do not technically join each other, but for many years the alley from East Queen Street and the lane from South King Street have been used as a continuous way of travel from King Street to Queen Street, and have been open to the public, and have been a means of ingress and egress to either South King Street or East Queen Street from the property adjacent thereto; and,

WHEREAS, said lane running from South King Street to the property of O. F. McLean and Delphia McLean, presently used for a warehouse, is inadequate in width for the present mode of travel; and,

WHEREAS, the parties of the first part have certain right, title and interest in the lane heretofore described and in the property hereinafter described; and,

WHEREAS, the City of Hampton is desirous of obtaining clear legal title to the hereinafter described property, which is necessary for adequate fire protection, police protection and sanitary services to the properties located adjacent to the hereinafter described property and to relieve traffic congestion on South King Street and East Queen Street; and,

WHEREAS, the undersigned duly elected and qualified Trustees of St. Tammany Lodge No. 5, A. F. and A. M. hold legal title to a portion of the real estate hereinafter described in their capacity as Trustees for and upon behalf of St. Tammany Lodge No. 5, A. F. and A. M.; and,

WHEREAS, the undersigned duly elected and qualified Trustees of St. Tammany Lodge No. 5, A. F. and A. M. hold certain rights and easements over a portion of the real estate hereinafter described in their capacity as Trustees for and upon behalf of St. Tammany Lodge No. 5, A. F. and A. M.; and,

WHEREAS, the members of St. Tammany Lodge No. 5, A. F. and A. M. at a State Communication held on July 11th 1955 have, pursuant to notice that action would be taken in this matter, voted to authorize and direct the undersigned trustees to convey all their right, title and interest in and to the realty hereinafter described unto the City of Hampton, a Municipal Corporation, for and in the consideration of the sum of Five Hundred Dollars (\$500.00); and,

WHEREAS, the remaining parties of the first part hold certain rights, title and interest in the hereinafter described property as well as certain rights of ingress and egress and are desirous that the party of the second part take fee simple title thereto.

NOW, THEREFORE, for and in the consideration of the premises and in accordance with the votes of the members of St. Tammany Lodge No. 5, A. F. and A. M., and in the further consideration of the sum of Five Hundred Dollars (\$500.00), cash in hand paid, unto N. W. Roberts, H. C. Martin and M. B. Sears, Trustees of St. Tammany Lodge No. 5, A. F. and A. M., and for and in the consideration of the premises and in the further consideration of the sum of One Dollar (\$1.00), cash in hand paid, unto the Citizens National Bank of Hampton, Virginia, Elizabeth W. Houston and H. R. Houston, her husband, O. F. McLean and Delphia McLean, his wife, by the City of Hampton, Virginia, a Municipal Corporation, the said M. W. Roberts, H. C. Martin and M. B. Sears, Trustees for and on behalf of St. Tammany Lodge No. 5, A. F. and A. M. and

the Citizens National Bank of Hampton, Virginia, and Elizabeth W. Houston and H. R. Houston, her husband, and O. F. McLean and Delphia McLean, his wife, being all parties of the first part do hereby grant, bargain, and sell all their right, title, interest and estate in and to the following real estate, to-wit:

All that certain track, piece or parcel of land generally lying, being and situate on the East side of South King Street and the South side of East Queen Street in the City of Hampton, Virginia and being more particularly bounded and described as follows:

Beginning at a point, which said point is marked by the intersection of the Northwest corner of the building on the property fronting on South King Street of O. F. McLean and Delphia McLean, his wife, and the Easterly right of way of South King Street; and from the point of beginning thence North $90^{\circ} 04'$ West a distance of 9 feet to a point, which said point is 24.8 feet from the Southwest corner of the Citizens National Bank Building; thence North $80^{\circ} 45'$ East along the property line of the Citizens National Bank of Hampton a distance of 110.05 feet to a point; thence South $89^{\circ} 21'$ East along the property line of the Citizens National Bank of Hampton a distance of 17.42 feet, which said point is a dividing line between the property of the Citizens National Bank and the E. L. Marple estate; thence North $80^{\circ} 45'$ East along the property line of the Marple estate property a distance of 59.5 feet to a point, which said point is the Southeasterly corner of the property of the E. L. Marple estate; thence North $1^{\circ} 26'$ East along the Marple estate property line a distance of 85.5 feet to a point, which said point is at the intersection of East Queen Street and the Northeast corner of the Marple estate property; thence South $88^{\circ} 40'$ East along East Queen Street a distance of 9.45 feet to a point, which said point is 1 foot West of the intersection of East Queen Street and the Northwest corner of what is known as the Masonic Temple; thence along a line 1 foot West of the wall of the Masonic Temple South $1^{\circ} 26'$ West a distance of 87.5 feet to a point; thence continuing along the property line of St. Tammany Lodge No. 5, A. F. and A. M. South $60^{\circ} 46'$ West a distance of 99.17 feet to a point, which point is located at the Northwest corner of McLeans' warehouse; thence South $82^{\circ} 16'$ West along the property of O. F. McLean a distance of 11.88 feet to a point, which said point is located on the Southeast corner of the property of Elizabeth W. Houston and H. R. Houston, her husband; thence North $00^{\circ} 14'$ East along the Houston property line a distance of 80.9 feet to a point marked by a pipe; thence North $49^{\circ} 30'$ West a distance of 11.65 feet to a point; thence South $80^{\circ} 45'$ West along the Northerly boundary line of the McLean property a distance of 72.15 feet to a point; thence $90^{\circ} 15'$ West a distance of 4.0 feet to a point; thence continuing along the McLean property South $80^{\circ} 45'$ West a distance of 90.08 feet, which said line is marked by the outside wall of the brick building belonging to McLean facing on South King Street to the point or place of beginning.

Said property being more completely and accurately described on a plat entitled "Plat of Proposed City Alleys" made by Girard Chamber, Jr., land surveyor, on March 30, 1955, and attached to this deed and made a part hereof; reference being hereby specifically made to said plat.

The party of the second part hereby covenant and agrees by its

acceptance hereof that the parties of the first part may at any time hereafter build up to their respective property lines hereby established. The intent of this clause being that the Council of the City of Hampton desires the above described property for public purposes, yet recognizes the premium on building space in this area and thereby agrees that no setback line shall be required on the hereinbefore mentioned property lines.

The party of the second part further covenants:

- (1) That the said alleys will be for the use and benefit of the general public, and will be maintained as such.
- (2) That the said parcel hereby conveyed will be staked, where possible, to show the boundaries herein stated.

Witness the following signatures and seals.

M. W. Roberts (SEAL)
TRUSTEE

J. E. Martin (SEAL)
TRUSTEE

W. H. Secura (SEAL)
TRUSTEE

Trustees of St. Tammany Lodge No. 5,
A. F. and A. M., Hampton, Virginia

CITIZENS NATIONAL BANK OF HAMPTON, VIRGINIA

(SEAL)

By J. E. Hoadly (SEAL)
President

ATTEST:

Cashier

[Signature] (SEAL)

Elizabeth W. Houston (SEAL)
Elizabeth W. Houston

H. R. Houston (SEAL)
H. R. Houston

O. F. McLean (SEAL)
L. F. McLean

Delphia McLean (SEAL)
Delphia McLean

CITY OF HAMPTON, VIRGINIA

By T. C. Bentley
Mayor

(SEAL)

ATTEST
Clarence E. Johnson
VIRGINIA

STATE OF VIRGINIA

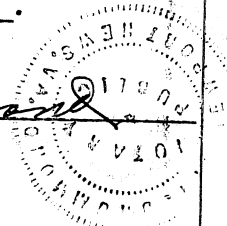
CITY OF HAMPTON, to-wit:

I, E. D. Edmunds, a Notary Public, in and for the City aforesaid, in the State of Virginia, do certify that M. W. Roberts, H. C. Martin and M. B. Sears, Trustees of St. Tammany Lodge No. 5, A. F. and A. M., whose names are signed to the foregoing (and annexed writing) bearing date on the 14th day of October, 1958, have this day acknowledged the same before me in my City aforesaid.

Given under my hand this 14th day of Oct., 1958.

My Commission expires Feb 19 1959.

E. D. Edmunds
Notary Public



STATE OF VIRGINIA

CITY OF HAMPTON, to-wit:

I, Margaret M. Edmunds a Notary Public, in and for the City aforesaid, in the State of Virginia, do certify that J. E. Healy and Stephen Clark, President and Cashier, respectively of the Citizens National Bank of Hampton,

Virginia, whose names are signed to the foregoing (and annexed writing) bearing date on the 27 day of July, 1955, have this day acknowledged the same before me in my City aforesaid.

Given under my hand this 27 day of July, 1955.
My Commission expires July 6, 1956.

Margaret M. McDermott
Notary Public

STATE OF VIRGINIA

CITY OF HAMPTON, to-wit:

I, Hardy W. Cash, a Notary Public, in and for the City aforesaid, in the State of Virginia, do certify that Elizabeth W. Houston and H. R. Houston, whose names are signed to the foregoing (and annexed writing) bearing date on the 27 day of July, 1955, have this day acknowledged the same before me in my City aforesaid.

Given under my hand this 1st day of August, 1955.
My Commission expires July 23, 1955.

Hardy W. Cash
Notary Public

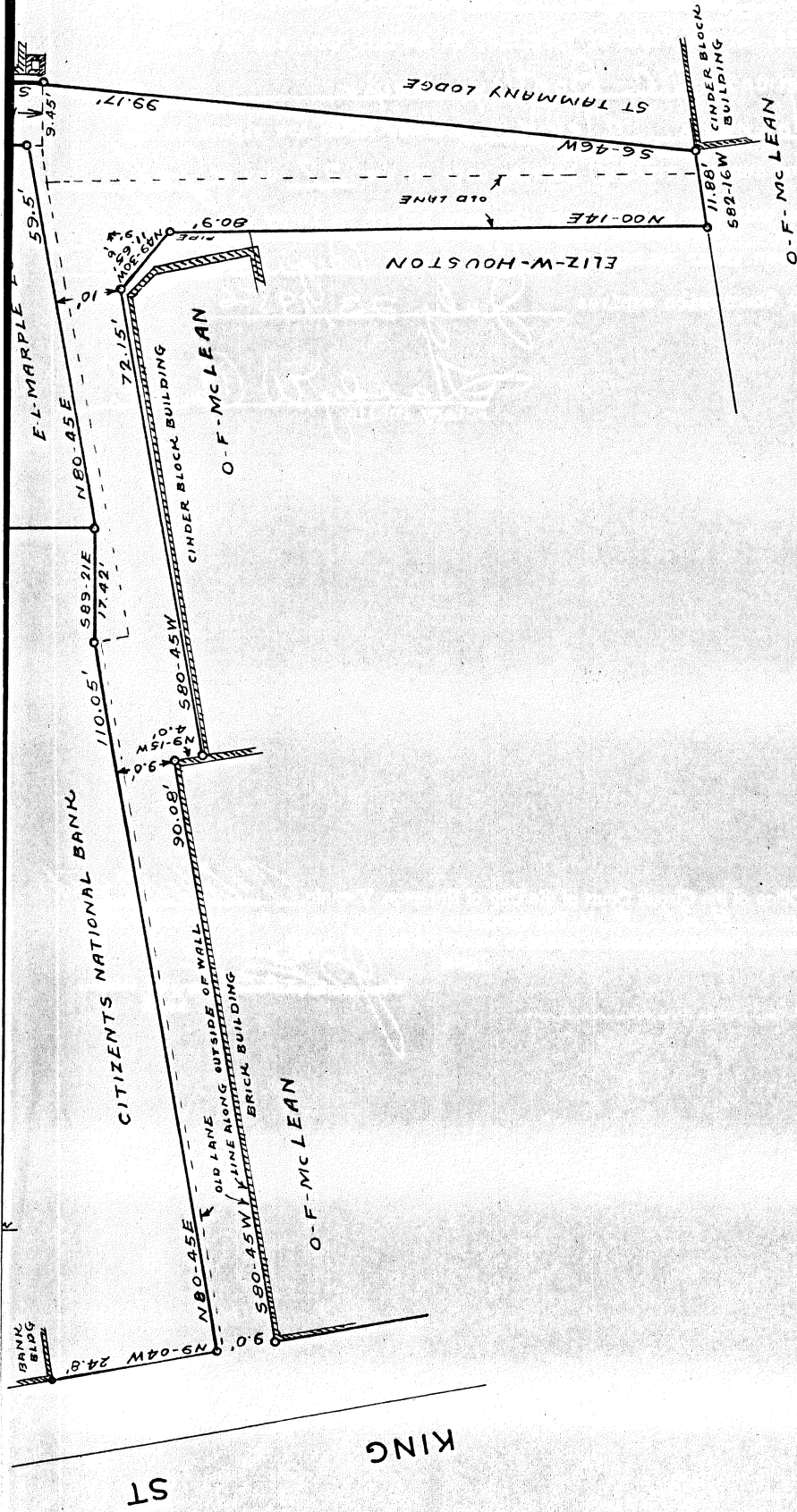
STATE OF VIRGINIA

CITY OF HAMPTON, to-wit:

I, Hardy W. Cash, a Notary Public, in and for the City aforesaid, in the State of Virginia, do certify that O. F. McLean and Delphia McLean, whose names are signed to the foregoing (and annexed writing) bearing date on the 27 day of July, 1955, have this day acknowledged the same before me in my City aforesaid.

Given under my hand this 1st day of August, 1955.
My Commission expires July 23, 1956.

Hardy W. Cash
Notary Public



CITY OF HAMPTON VA MARCH.30.1955.

PLAT OF PROPOSED

CITY ALLEY

BEING OLD SCHERMERHORN LANE AND ADDITIONAL PROPERTY

SCALE 1"=20 FT

GIRARD CHAMBERS JR
LAND SURVEYOR
HAMPTON, VIRGINIA.

STATE OF VIRGINIA

CITY OF HAMPTON, to-wit:

I, Hardy W. Cash a Notary Public, in and for the City aforesaid, in the State of Virginia, do certify that the City of Hampton, Virginia by G.C. Bentley, Mayor and C.E. Johnson, clerk, whose names are signed to the foregoing (and annexed writing) bearing date on the 27 day of July 1955, has this day acknowledged the same before me in my City aforesaid.

Given under my hand this 15th day of August, 1955.

My Commission expires July 23, 1956.

Hardy W. Cash
Notary Public

In the Clerk's Office of the Circuit Court of the City of Hampton, Virginia, October 24th
A.D. 1955 at 9:21 P.M. The foregoing instrument was this day presented in office
and upon certificate thereto annexed, admitted to record as the law directs.

Teste:

E.M. GIBSON, CLERK

[Signature] DEP. CLERK
Clerk