

1441 Narrow Passage no.
Buchanan VA 24066

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Prepared By: Spigle, Roe, Massey & Clay, PLLC
8166 Roanoke Road
P.O. Box 529
Fincastle, VA 24090

Return To: Colonial Title and Settlement, LLC
1616 Roanoke Road, Suite 203
P.O. Box 548
Daleville, VA 24083

Title Insurance: *None*

TAX MAP #: 64-110

THIS DEED OF GIFT, exempt from taxation pursuant to §58.1-811 (D) of the 1950 Code of Virginia, as amended, made and entered into this 19th day of March, 2009, by and between Elmer L. HARRIS and Laura C. HARRIS, parties of the first part (Grantors), and David W. HARRIS, party of the second part (Grantee);

WITNESS THAT:

In consideration of Ten (\$10.00) Dollars, cash in hand paid by the party of the second part unto the parties of the first part, and other valuable consideration, the receipt of all of which is hereby acknowledged, the parties of the first part do hereby grant, bargain, give and convey, with General Warranty of title, unto said **David W. Harris**, his assigns and heirs forever, the following described property, lying and being in Botetourt County, Virginia, to-wit:

PARCEL I

All of that certain tract or land containing 83 acres, more or less, this being a sale in gross and not by the acre, situated in said county, near the Town of Buchanan, and being the same land sold to Lillian R. Beale by J. H. Cummings and wife, by deed dated May 3, 1890, and recorded in the Clerk's Office of the Circuit Court of Botetourt County, Virginia, in Deed Book No. 46, pages 374 and 375, to which deed reference is here made; and being the same land conveyed to W. Ira Fariss by William B. Simmons, Special Commissioner, and A. G. Preston and wife, by deed dated September 21, 1898, and recorded in said Clerk's Office in Deed Book No. 57, pages 403 and 404, to which reference is here made for a further and complete description of this tract of land hereby conveyed; which descriptions of the land in the aforesaid deeds shall have the same force and effect as if copied in this deed, word for word.

PARCEL II

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All of that tract of land containing 2 65/100 acres, being the land conveyed to W. Ira Fariss by G. A. Rhodes and K. P. Rhodes, by deed dated August 14, 1916, and recorded in said Clerk's Office in Deed Book No. "M", pages 160 and 161, and is described by metes and bounds as follows: Beginning at a point at (1) in the middle of the new road, and runneth thence with the middle of the same south 40 ¼ east 22.4 poles to a point (at 2); south 47 ½ east 6 poles to a point (at 3); south 57 ½ east 5 poles to a point (at 4); south 73 ½ east 4 poles to a point (at 5); north 88 east 8 poles to a point (at 6); south 63 ½ east 4 poles to a point (at 7); south 45 east 10 5/10 poles, embracing 15 feet of the original location and omitting 25 feet thereof, and crossing the branch, at the bridge, in a point (at 8) on an outside line of said Rhodes' land, and a line of the land of H. Flippo, and with the same and the margin on the old road, south 85 ½ west 7.2 poles to a point (at 9); south 16 ¾ west 12 poles to a point (at 10); north 81 west 6.9 poles to a point (at 11); at or near the corner of said Fariss own land, and thence with the same north 33 west 40.8 poles to a point (at 12); corner to the land of J. F. Camper, and with the same north 43 east 15 feet to the point of beginning, at 1; and reference is here and now made to Deed Book No. "M", pages 160 and 161, in said Clerk's Office, for a map and plat and full description of the land of 2 65/100 acres thereinabove described and hereby conveyed. For further reference to this property see Deed Book No. 92, page 43, et seq. Further described in Deed Book 581, page 582 as follows: On the north by the land of Harry P. Clause, Jr. and the right-of-way of State Route #625; on the east by the right-of-way of State Route #625 and the lands of Charles E. Alphin; on the south by the lands of Charles E. Alphin; and on the west by the lands of Charles E. Alphin and the lands of Harry P. Clause, Jr.

AND BEING the same property conveyed unto Elmer L. Harris and Laura C. Harris, husband and wife, by Eunice Webber, et als, by deed dated January 4, 1980 and recorded in the Clerk's Office of the Circuit Court of Botetourt County, Virginia, in Deed Book 260, page 576.

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

THE LAW FIRM WHICH PREPARED THIS DEED DID SO WITHOUT THE BENEFIT OF A TITLE EXAMINATION.

The parties of the first part covenant that they are seised in fee simple of said land; that they have the right to convey the same to the party of the second part; that the party of the second part shall have quiet and peaceful possession of the same, free and clear of all encumbrances except as herein noted; that they have done no act to encumber the same; and

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that they, the parties of the first part, shall execute such other and further assurances of title as may be requisite.

WITNESS the following signature and seal:

X Elmer L. Harris (SEAL)
Elmer L. Harris

STATE OF VIRGINIA, COUNTY/CITY OF Roanoke, TO-WIT:

I, FREIDA D. ADAMS, a Notary Public of and for the State of Virginia, do hereby certify that Elmer L. Harris, whose name is signed to the foregoing Deed dated March 19, 2009, has acknowledged the same before me in my State and County/City aforesaid.

Given under my hand this 20th day of March, 2009.

My commission expires 2-28-10.

Freida D. Adams
Notary Public

FREIDA D. ADAMS
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #321290
My Commission Expires 2-28-10

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Laura C. Harris (SEAL)
Laura C. Harris

STATE OF VIRGINIA, COUNTY/CITY OF Roanoke, TO-WIT:

I, FREIDA D. ADAMS, a Notary Public of and for the State of Virginia, do hereby certify that Laura C. Harris, whose name is signed to the foregoing Deed dated March 19, 2009, has acknowledged the same before me in my State and County/City aforesaid.

Given under my hand this 20th day of March, 2009.

My commission expires 2-28-10.

Freida D. Adams
Notary Public

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FREIDA D. ADAMS
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #321290
My Commission Expires 2-28-10

INSTRUMENT #090001543
RECORDED IN THE CLERK'S OFFICE OF
BOTETOURT ON
MARCH 26, 2009 AT 09:08AM

TOMMY L. MOORE, CLERK
RECORDED BY: SFC
Shawn Adams