

CLR220001635

Instrument prepared by  
Andrew J. Harman, Attorney at Law  
Wytheville, VA 24382  
VA State Bar #75626

**Tax Map Reference No.: 057-000-0000-0016**  
**Assessed Value: \$92,100.00**  
**Consideration: \$143,000.00**  
**Title Insurance: Fidelity National Title**

THIS DEED made and entered into this 1st day of June, 2022, by and between  
THOMAS FREDERICK DALTON, Executor under the Last Will and Testament of  
VIOLA DALTON AKER, deceased, party of the first part, hereinafter referred to as  
“GRANTOR”; and KEVIN D. HAYES and JENNIFER HAYES a/k/a JENNA  
HAYES, husband and wife, parties of the second part, hereinafter referred to as  
“GRANTEES”.

~ W I T N E S S E T H ~

That for and in consideration of the sum of TEN DOLLARS and no cents  
(\$10.00) cash in hand and other good and valuable consideration paid by the parties of  
the second part to the party of the first part, the receipt of which is hereby  
acknowledged, the party of the first part does hereby Bargain, Sell, Grant and Convey,  
with Special Warranty of Title, unto Grantees, as Tenants by the Entirety with the right  
of survivorship, as at common law, all that certain tract or parcel of real estate, together  
with the improvements thereon and privileges thereto belonging, situate in the  
Speedwell Magisterial District, Wythe County, Virginia, more particularly bounded and  
described as follows, to-wit:

“BEGINNING at an iron pin in the south right-of-way line of Virginia  
Secondary Road No. 640, a corner of the real estate of Herbert L. Gallimore;  
and proceeding with the south right-of-way line of said Virginia Secondary  
Road No. 640, S. 77° 38' 30" E. 94.4 feet to a point; S. 71° 11' 00" E. 95.2 feet  
to a point; S. 65° 52' 15" E. 245.1 feet to a point; S. 69° 23' 45" E. 68.6 feet to a  
point, the north corner of the 3.0096 acre tract or parcel of land hereinafter  
conveyed to W. Thomas Dalton, et ux; thence, with the lines of the real estate of

Return to: NCT at 140 S. 4<sup>th</sup> St., Wytheville, VA 24382

Examined June 2, 2022  
Kevin Hayes  
248 Pine Mountain Rd., 24382  
Tests: Mary Ellen King, Dep. Clerk  
Returned to: NCT

the said W. Thomas Dalton, et ux, S. 20° 37' 00" W. 6.1 feet to an iron pipe stake in the existing wire fenceline on top of the bank; thence, continuing S. 20° 37' 00" W. 153.3 feet to an iron pipe stake set 7.3 feet east of the east side of a post at the southeast corner of a garden; thence, with an existing fenceline, N. 71° 35' 00" W. 104.8 feet to a tack in the south side of a marked post, at the top of same on the east side of a gap in the fenceline; thence, S. 3° 24' 45" W. 100.8 feet to a marked linden ten inches in diameter; thence, with an existing fenceline, S. 3° 53' 00" E. 239.2 feet to a point in the north line of the real estate of Eldridge Austin; thence, with an existing fenceline on the boundary of the Austin real estate, S. 68° 07' 15" W. 336.5 feet to a tack in the south line of double marked white oaks at old fence corner; S. 68° 51' 00" W. 425.1 feet to a tack in the south side of an old marked fence corner post, 0.5 feet above the ground; thence, with the fenceline along the boundary of Lester M. Lambert, N. 9° 47' 15" E. 472.9 feet to an iron pipe stake 2.1 feet west of the west side of a marked fence corner post; N. 75° 25' 30" E. 100.5 feet to an iron pipe stake 0.6 feet south of the south side of a marked fence corner post; thence, with a fenceline along the boundary of Herbert L. Gallimore, N. 78° 23' 45" E. 299.3 feet to a tack set in the southeast side of a marked old fence corner post, 0.3 feet above the ground; N. 13° 39' 45" W. 368.3 feet to the point of BEGINNING, containing 8.1117 acres, and being designated as Parcel No. 1 on a certain map or plat to be recorded contemporaneously herewith, bearing the following legend:

‘PARTITION PLAT OF PROPERTY BELONGING  
JOINTLY TO MARGIE D. AKER, W. THOMAS DALTON,  
AND VIOLA D. AKER  
LOCATED NEAR THE COMMUNITY KNOWN AS COLEMAN’S  
STORE, IN SPEEDWELL MAGISTERIAL DISTRICT, OF  
WYTHE COUNTY, VIRGINIA  
SCALE: 1" = 100' 3-7-80  
HOMER D. WINTER, JR., CERTIFIED LAND SURVEYOR”

BEING the same real estate conveyed by deed dated March 20, 1980, from MARGIE DALTON AKER, W. THOMAS DALTON, and JOSEPHINE W. DALTON to VIOLA DALTON AKER and HARRY D. AKER, and of record in the Wythe County Clerk’s Office in Deed Book 278, page 88 and in Deed Book 278, page 82.

The said Harry D. Aker departed this life on March 18, 2007, thereby vesting fee simple title in Viola Dalton Aker.

The said Viola Dalton Aker departed this life testate on October 14, 2021, and per her Last Will and Testament recorded as Court File Number 21-276, she appointed Thomas Fredrick Dalton as executor of her will.

Reference is made to the aforementioned plat and deeds for a more complete description of the premises hereby conveyed.

This conveyance is made subject to all such encumbrances, easements, reservations, restrictions and rights of way of record to the extent they may lawfully apply to the property hereby conveyed.

“For and in the same consideration, the party of the first part, the parties of the second part and the parties of the third part further grant and convey unto the parties of the third part, as aforesaid, a perpetual easement for the maintenance and operation of the existing septic sewerage system as now located, which said easement shall be appurtenant to and run with the parcel herein designated Parcel No. 1; with the further right and liberty granted to the parties of the third part, their heirs and assigns, from time to time hereafter with workmen to enter upon the parcel hereinafter designated Parcel No. 2 for the purpose of repairing, cleansing, maintaining and replacing said septic sewerage system, it being the obligation of the parties of the third part, their heirs and assigns, to replace any disturbed surface in substantially the same condition as existed immediately prior to such repairs or replacements.”

“The tract or parcel of real estate herein designated Parcel No. 1 is subject to existing utility easements in favor of United Inter-Mountain Telephone Company and Appalachian Power Company.”

Real estate taxes for the year 2022 on the property herein conveyed will be prorated between Grantor and Grantees as of the date of delivery of this deed.

The party of the first part covenants that he has the right to convey the subject property; that he has created no liens or encumbrances against the same; and that the Grantees shall have quiet possession of the same.

Possession is delivered to the Grantees with the delivery of this deed.

\*\*\*NO TITLE SEARCH OR REPORT FURNISHED by Andrew J. Harman, Attorney at Law\*\*\*

WITNESS the following signature and seal:

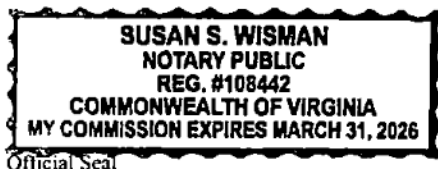
*Thomas Frederick Dalton* (SEAL)

THOMAS FREDERICK DALTON, Executor under the Last Will and Testament of VIOLA DALTON AKER, deceased

STATE of Virginia )  
COUNTY of Wythe, ) To-wit:

I, Susan S. Wisman, a Notary Public in and for the State and County aforesaid, do hereby certify that Thomas Frederick Dalton has personally appeared before me in my State and County aforesaid and acknowledged the same.

Given under my hand this 1 day of June, 2022.



*Susan S. Wisman*  
Notary Public  
Registration Number: 108442  
My Commission Expires: 3/31/2026

INSTRUMENT 220001635  
RECORDED IN THE CLERK'S OFFICE OF  
WYTHE CIRCUIT COURT ON  
JUNE 2, 2022 AT 11:09 AM  
\$143.00 GRANTOR TAX WAS PAID AS  
REQUIRED BY SEC 58.1-802 OF THE VA. CODE  
STATE: \$71.50 LOCAL: \$71.50  
JEREMIAH E. MUSSER, CLERK  
RECORDED BY: MEK

*Mary Ellen King*