

06-839

**THIS DEED**, made this 6th day of March, 2006, by and between **JAMES M. ENDICOTT**, by LINDA E. THOMAS, his Attorney-in-Fact under Specific Power of Attorney dated December 9, 2005 and recorded prior hereto in the Office of the Clerk of the Circuit Court of Clarke County, Virginia, **MARY B. HUBER ENDICOTT** (also known of record as MARY BETHHUBER ENDICOTT), by LINDA E. THOMAS, her Attorney-in-Fact under Specific Power of Attorney dated December 9, 2005 and recorded prior hereto in the Office of the Clerk of the Circuit Court of Clarke County, Virginia, **KENNETH MILO ENDICOTT**, by LINDA E. THOMAS, his Attorney-in-Fact under Specific Power of Attorney dated December 9, 2005 and recorded prior hereto in the Office of the Clerk of the Circuit Court of Clarke County, Virginia, **JEFFREY L. THOMAS** and **LINDA E. THOMAS**, husband and wife, parties of the first part, **Grantors**; and **MFR COMPANY, L.C.**, a Virginia limited liability company, and **R. C. FIELDS, JR.**, parties of the second part, **Grantees**.

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, receipt of which is hereby acknowledged, the party of the first part does hereby grant, bargain, sell and convey unto the parties of the second part as tenants in common of undivided one-half (1/2) interests each, with General Warranty and English Covenants of Title, the following described real estate, to-wit:

All that certain tract or parcel of land, together with all easements, privileges and appurtenances thereunto belonging, located east of Virginia Route No. 606 on the south side of the Shenandoah River, in Chapel Magisterial District, Clarke County, Virginia, known as the Rothfuss Tract, containing 9.5853 acres according to plat of boundary survey thereof prepared by W. Stuart Dunn, Land Surveyor, dated March 3, 2006, which plat is attached hereto and incorporated herein by this reference.

AND BEING a portion of the same property conveyed to Frances C. Endicott by Deed from Double E Land & Cattle Co., a Virginia corporation, dated December 30, 1983 and recorded in Deed Book 153 at Page 776 in the Office of the Clerk of the Circuit Court of Clarke County, Virginia. By Deeds of Gift of record in Deed Book 193 at Page 204, Deed Book 202 at Page 482, Deed Book 202 at Page 485, Deed Book 202 at Page 611, Deed Book 219 at Page 331, Deed Book 232 at Page 555, Deed Book 294 at Page 412, Deed Book 295 at Page 374, Deed Book 448 at Page 243 and in Deed Book 448 at Page 247, respectively, in the aforesaid Clerk's Office, various percentage interests in the above-described property were conveyed to James M. Endicott, Mary Beth Huber Endicott, Kenneth Milo Endicott, James M. Endicott, Custodian for Kenneth Milo Endicott under the Virginia Uniform Transfer to Minors Act, Jeffrey L. Thomas and Linda E. Thomas.

This conveyance is made subject to conditions, valid restrictions and rights of way of record. This property is being acquired as part of an IRC §1031(a) tax deferred exchange in behalf of the Grantees.

Grantees' Address: 124 South Royal Street  
 Alexandria, Virginia 22314  
 \$82,633.00  
 Prepared by John R. Friant, Jr./pkw  
 CCTM# Portion of #31-A-20

WITNESS the following signatures and seals:

*James M. Endicott, by  
Linda E. Thomas, his attorney-in-fact*

(SEAL)

JAMES M. ENDICOTT, by LINDA  
E. THOMAS, his Attorney-in-Fact

*Mary B. Huber Endicott by  
Linda E. Thomas, her attorney-in-fact*

(SEAL)

MARY B. HUBER ENDICOTT, by LINDA  
E. THOMAS, her Attorney-in-Fact

*Kenneth Milo Endicott, by  
Linda E. Thomas, his attorney-in-fact*

(SEAL)

KENNETH MILO ENDICOTT, by LINDA  
E. THOMAS, his Attorney-in-Fact

*[Signature]*

(SEAL)

JEFFREY L. THOMAS

*[Signature]*

(SEAL)

LINDA E. THOMAS

STATE OF VIRGINIA

COUNTY OF CLARKE, to-wit:

The foregoing DEED was acknowledged before me this 6th day of March, 2006, by JAMES M. ENDICOTT, by LINDA E. THOMAS, his Attorney-in-Fact, MARY B. HUBER ENDICOTT, by LINDA E. THOMAS, her Attorney-in-Fact, and KENNETH MILO ENDICOTT, by LINDA E. THOMAS, his Attorney-in-Fact.

*Shelley M. Largent*  
Notary Public

My Commission expires: 5-31-2009

STATE OF VIRGINIA

COUNTY OF CLARKE, to-wit:

The foregoing DEED was acknowledged before me this 6th day of March, 2006, by JEFFREY L. THOMAS and LINDA E. THOMAS, husband and wife.

*Shelley M. Largent*  
Notary Public

My Commission expires: 5-31-2009

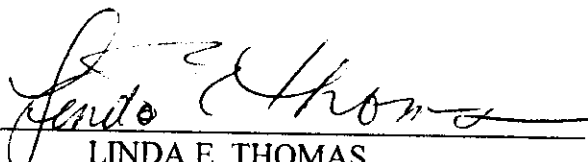
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STATE OF VIRGINIA

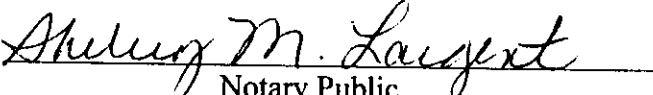
COUNTY OF CLARKE, to-wit:

On the 10th day of March, 2006, personally appeared before the undersigned Notary Public in and for the jurisdiction aforesaid, Linda E. Thomas, who made oath that she has not, at the time of doing any act pursuant to the Specific Power of Attorney from James M. Endicott dated December 9, 2005 and recorded prior hereto in the Office of the Clerk of the Circuit Court of Clarke County, Virginia, the Specific Power of Attorney from Mary B. Huber Endicott dated December 9, 2005 and recorded prior hereto in the Office of the Clerk of the Circuit Court of Clarke County, Virginia, and the Specific Power of Attorney from Kenneth Milo Endicott dated December 9, 2005 and recorded prior hereto in the Office of the Clerk of the Circuit Court of Clarke County, Virginia, received actual knowledge or notice of the revocation or termination of the aforesaid Specific Powers of Attorney, by death, disability or otherwise, or notice of any facts indicating the same.

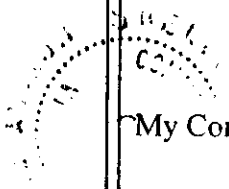
The said Linda E. Thomas further subscribes her name hereto in further testimony of the aforesaid Declaration of Facts.

  
LINDA E. THOMAS

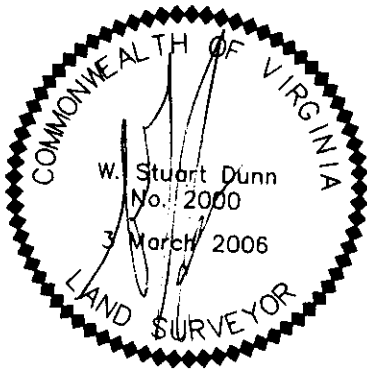
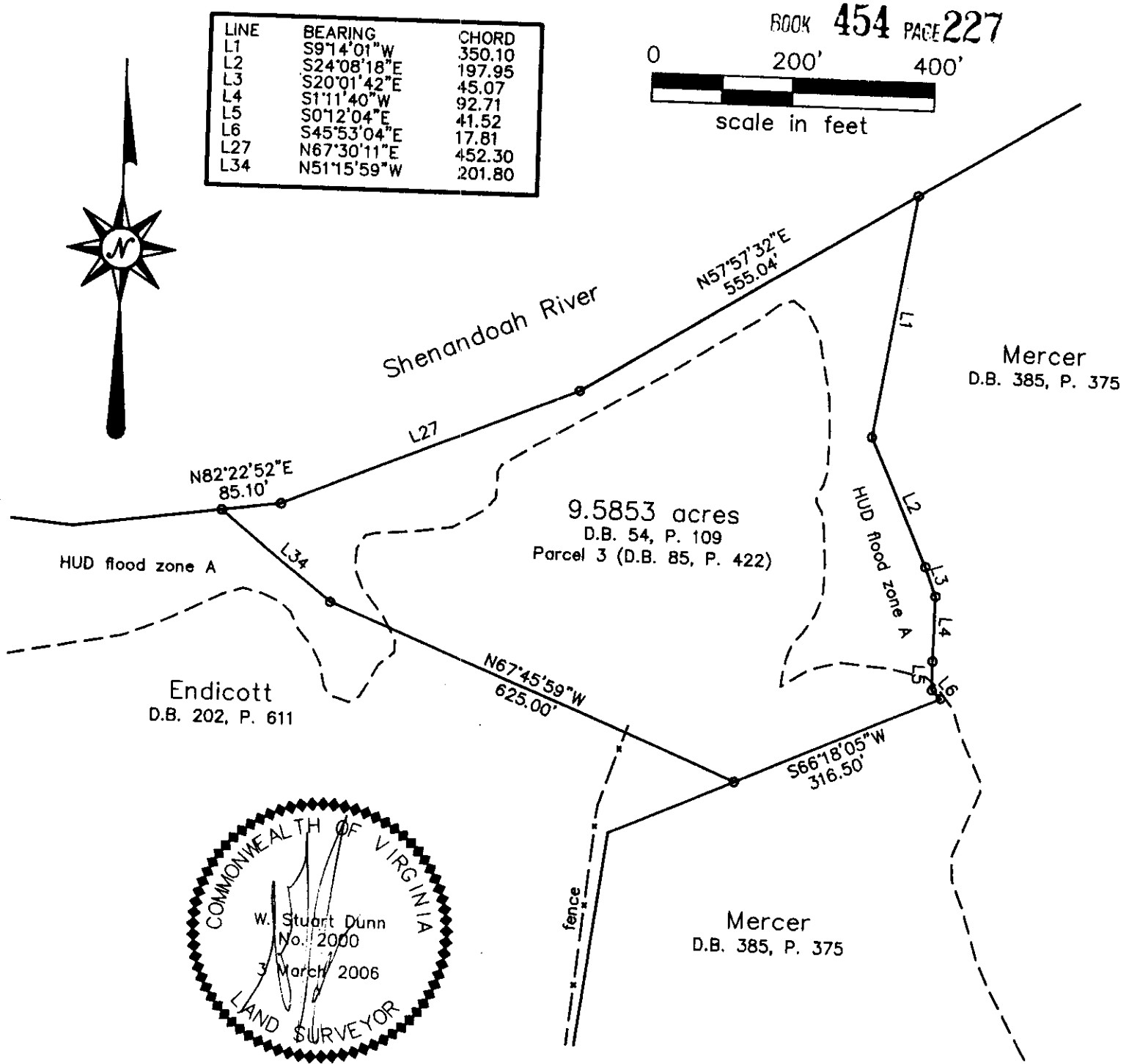
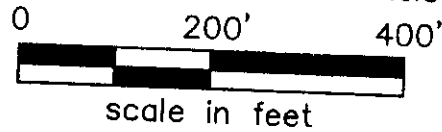
SUBSCRIBED, SWORN TO and ACKNOWLEDGED before me, a Notary Public in and for the jurisdiction aforesaid, this 10th day of March, 2006, by LINDA E. THOMAS.

  
Notary Public

My Commission expires: 5-31-2009



LINE	BEARING	CHORD
L1	S91°4'01"W	350.10
L2	S24°08'18"E	197.95
L3	S20°01'42"E	45.07
L4	S1°11'40"W	92.71
L5	S0°12'04"E	41.52
L6	S45°53'04"E	17.81
L27	N67°30'11"E	452.30
L34	N51°15'59"W	201.80



Plat of a Portion of the Land of  
*Frances C. Endicott, James M. Endicott, Mary  
 Beth Huber Endicott and James M. Endicott,*  
 Custodian for *Kenneth Milo Endicott*  
 Deed Book 202, Page 611      Portion of Tract 20 ((A)), Tax Map 31

Note: This tract of land is the same land described as Parcel 3 in deed recorded in Deed Book 85, Page 422, and further described in Deed Book 54, Page 109.

Survey no. 1382-2

VIRGINIA: In the Clerk's Office of the Circuit Court  
 8 March 06  
 the annexed certificate of [unclear] [unclear]  
 9.10 A.M. [unclear] [unclear]  
 amount of \$ 53.00 [unclear] [unclear]  
 of Virginia have been paid.

Dunn Land Surveys, Inc.  
 101 East Main Street  
 Berryville, Virginia 22611  
 Tel: 540-955-3388  
 March 3, 2006

TESTE: Helen Butts CLERK