

1926-010 Chancery Cause: Petition of the Trustees of White Peoples Baptist Church, Smithfield, Virginia
Dist of Wight County

other surnames: Rowell,
Cofer, Grimes, Barrett,
Van Deventer, Boykin,
Folk, [Virginia Electric
& Power Company], Delk

Smithfield, Virginia.

Extract of Minutes of the Meeting of the Congregation of the White Peoples Baptist Church of the Town of Smithfield, Virginia, duly called and regularly held according to its constitutional requirements in its Church Building in the Town of Smithfield, Virginia, on the 14th day of April, 1926, at which meeting there was a quorum present.

"On motion duly made and seconded, it was unanimously resolved

WHEREAS A. J. Cofer, W. W. Cofer, R. F. Barrett, W. S. Grimes, Warren Van Deventer and S. G. Boykin, the then Trustees of the White Peoples Baptist Church of the Town of Smithfield, Virginia, by deed dated October 12, 1881, recorded in Deed Book 73, page 528, in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, conveyed for a consideration of Three Hundred Dollars (\$300.00) to W. D. Folk, Trustee of Anna M. Delk, the following described property:

"Beginning at a point on the East side of Hill Street Thirty-eight (38) feet South of the line of the property owned by the Smithfield Baptist Church, and running thence down and along the line of the said Hill Street a distance of Thirty (30) feet to an Iron Stob, thence running back from said Street and at right angle with the said Street a distance of Thirty (30) feet, thence running in a Northerly direction and at right angle with last mentioned line a distance of Thirty (30) feet to an Iron Stob, thence running in a Westerly direction and at right angle with the last mentioned line a distance of Thirty (30) feet to the point of beginning on Hill Street."

and

WHEREAS, the said sale by the said Trustees of this Church was never approved or authorized by the Circuit Court of Isle of Wight County, Virginia, as required by law, and therefore there is now a cloud upon the title to said property; and

WHEREAS, the title to said property has now passed into the hands of the Virginia Electric and Power Company, a corporation duly chartered and doing business under the laws of the State of Virginia; and

WHEREAS, it is the desire of this congregation to remove the cloud from the title to said property:

NOW, THEREFORE, BE IT RESOLVED, that J. R. Rowell, Jr., J. I.

Cofer and J. B. Grimes, Surviving Trustees of the White Peoples Baptist Church of the Town of Smithfield, Virginia, after first obtaining the approval of the Circuit Court of Isle of Wight County, Virginia, be, and they are hereby, authorized and directed, subject to the approval of the Circuit Court of Isle of Wight County, Virginia, to execute and deliver to the Virginia Electric and Power Company a good and sufficient deed or deeds or other instrument, confirming the said sale from A. J. Cofer, W. W. Cofer, R. F. Barrett, W. S. Grimes, Warren Van Deventer and S. G. Boykin, Trustees of the White Peoples Baptist Church of the Town of Smithfield, Virginia, to W. D. Folk, Trustee of Anna M. Delk, dated October 12, 1881."

I, James R. Rowell, Clerk of the White Peoples Baptist Church of the Town of Smithfield, Virginia, do hereby certify that the foregoing is a true and correct copy of a resolution unanimously adopted by its congregation at the time and place hereinabove set forth, there being a quorum present at said meeting.

Given under my hand this 15th day of April, 1926.

James R. Rowell
Clerk.

Subscribed and sworn to before me this 15th day of April, 1926.

James Johnson
Notary Public for the County of
Isle of Wight, Virginia.

For the mother of
Dunster of white people
Baptist Church of
Bentleyfield.

My mother of
Bentleyfield
Congregation.

1926

May 3.

Medford.

V I R G I N I A:

IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT.

EX PARTE APPLICATION OF THE WHITE PEOPLES BAPTIST CHURCH OF THE TOWN OF SMITHFIELD, VIRGINIA, FOR LEAVE TO CONFIRM THE SALE OF A CERTAIN PIECE OR PARCEL OF REAL ESTATE FORMERLY OWNED BY SAID CHURCH ON THE EAST SIDE OF HILL STREET IN THE TOWN OF SMITHFIELD, VIRGINIA.

O R D E R

This day came J. R. Rowell, Jr., J. I. Cofer and J. B. Grimes, Surviving Trustees of the White Peoples Baptist Church of the Town of Smithfield, Virginia, by counsel, and by leave of Court filed their petition praying for leave to confirm the sale of certain real estate of said Church, located on the East side of Hill Street in the Town of Smithfield, Isle of Wight County, Virginia, together with a certified copy of the resolution of the congregation of said Church.

ON CONSIDERATION WHEREOF, and of certain evidence produced before the Court that it is the wish of said congregation of said Church to confirm the said sale:--

IT IS ORDERED that the said J. R. Rowell, Jr., J. I. Cofer and J. B. Grimes, Surviving Trustees of the White Peoples Baptist Church of the Town of Smithfield, Virginia, have leave to execute a deed or other instrument confirming the said sale of said real estate of the White Peoples Baptist Church, situated on the East side of Hill Street in the Town of Smithfield, Virginia, and bounded as follows:

"Beginning at a point on the East side of Hill Street Thirty-eight (38) feet South of the line of the property owned by the Smithfield Baptist Church, and running thence down and along the line of the said Hill Street a distance of Thirty (30) feet to an Iron Stob, thence running back from said Street and at right angle with the said Street a distance of Thirty (30) feet, thence running in a Northerly direction and at right angle with last mentioned line a distance of Thirty (30) feet to an Iron Stob, thence running in a Westerly direction and at right angle with the last mentioned line a distance of Thirty (30) feet to the point of beginning on Hill Street."

the said property having been sold by deed dated October 12th, 1881, recorded July 21, 1906 in Deed Book No. 73, page 568, in the Clerk's Office of this Court by A. J. Cofer, W. W. Cofer, R. F. Barrett, W. S. Grimes, Warren VanDeventer and S. G. Boykin, Trustees of the White Peoples Baptist Church in the Town of Smithfield, Virginia, to W. D. Folk, Trustee of Anna M. Delk, wife of O. J. Delk, which said conveyance was made by said Trustees of said Church without the approval or direction of this Court.

And it appearing to the Court that the title to said tract of land is now vested in Virginia Electric and Power Company through sundry conveyances, and it further appearing to the Court that the congregation of the said White Peoples Baptist Church of the Town of Smithfield has by resolution adopted by said congregation of said Church on the 14th day of April, 1926 ordered and directed J. R. Rowell, Jr., J. I. Cofer and J. B. Grimes, Surviving Trustees of the said White Peoples Baptist Church, of Smithfield, Virginia, to execute, subject to the approval of this Court, a deed or other instrument confirming the conveyance of said property by said A. J. Cofer, W. W. Cofer, R. F. Barrett, W. S. Grimes, Warren VanDeventer and S. G. Boykin, under date of October 12, 1881.

IT IS ORDERED THAT THE SAID J. R. Rowell, Jr., J. I. Cofer and J. B. Grimes, Surviving Trustees of the White Peoples Baptist Church of the Town of Smithfield, Virginia, be, and they are hereby, authorized and directed to execute and deliver a deed of confirmation to the Virginia Electric and Power Company confirming the sale under date of October 12, 1881, of the property hereinbefore described.

In the matter of
Twelve of white people
Baptist Church
of Smithfield.

Order authorizing
seed.

1946.

May 3.

Wm. J. Davis

Book 7
page 373

V I R G I N I A :

IN THE CIRCUIT COURT OF THE COUNTY OF ISLE OF WIGHT:

PETITION OF THE TRUSTEES OF THE WHITE PEOPLES
BAPTIST CHURCH OF THE TOWN OF SMITHFIELD, ISLE
OF WIGHT COUNTY, VIRGINIA, FOR LEAVE TO CONFIRM
THE SALE OF A CERTAIN PIECE OR PARCEL OF REAL
ESTATE FORMERLY OWNED BY SAID CHURCH ON THE
EAST SIDE OF HILL STREET IN THE TOWN OF SMITH-
FIELD, VIRGINIA.

TO THE HONORABLE B. D. White, JUDGE OF SAID COURT:

The undersigned petitioners, J. R. Rowell, Jr., J. I. Cofer and J. B. Grimes, Surviving Trustees of the White Peoples Baptist Church of the Town of Smithfield, Isle of Wight County, Virginia, respectfully represent unto this honorable Court that A. J. Cofer, W. W. Cofer, R. F. Barrett, W. S. Grimes, Warren VanDeventer and S. G. Boykin, the then Trustees of the White Peoples Baptist Church of the Town of Smithfield, Virginia, on October 12, 1881, executed and delivered a deed conveying to W. D. Folk, Trustee for Anna M. Delk, a certain parcel of land belonging to the White Peoples Baptist Church of the Town of Smithfield, Virginia, described as follows:

"Beginning at a point on the East side of Hill Street Thirty-eight (38) feet South of the line of the property owned by the Smithfield Baptist Church, and running thence down and along the line of the said Hill Street a distance of Thirty (30) feet to an Iron Stob, thence running back from said Street and at right angle with the said Street a distance of Thirty (30) Feet, thence running in a Northerly direction and at right angle with last mentioned line a distance of Thirty (30) feet to an Iron Stob, thence running in a Westerly direction and at right angle with the last mentioned line a distance of Thirty (30) feet to the point of beginning on Hill Street,"

Your petitioners further represent that the said conveyance was neither authorized nor approved by this, or any other, court, and that therefore there is a cloud upon the title to said property, which said property has now passed, by sundry conveyances, to the Virginia Electric and Power Company.

Your petitioners further represent to this Honorable Court that at a meeting of the congregation of the said White Peoples Baptist Church of the Town of Smithfield, Virginia, held on the 14th day of April, 1926,

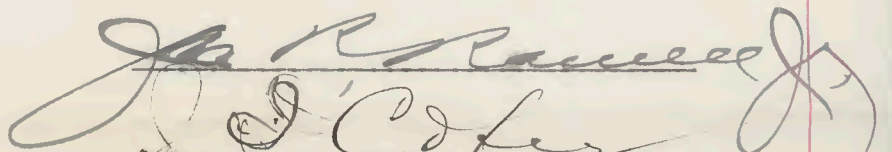
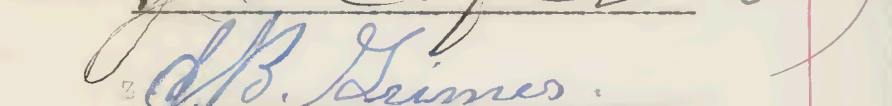
certain resolutions were adopted by the said congregation authorizing and directing your petitioners, after obtaining the approval of this Court, to execute and deliver to the Virginia Electric and Power Company a good and sufficient deed of confirmation, confirming the said sale by said A. J. Cofer, W. W. Cofer, R. F. Barrett, W. S. Grimes, Warren VanDeventer and S.G. Boykin, Trustees of the White Peoples Baptist Church of the Town of Smithfield, to W. D. Folk, Trustee for Anna M. Delk, under date of October 12, 1881, in order to remove the cloud upon the title to said property. A duly attested copy of said resolutions of said Church is hereto attached and made a part hereof.

Your petitioners further represent that they were appointed by this Honorable Court on February 1, 1909, as Trustees of the said White Peoples Baptist Church of the Town of Smithfield, Chancery Order Book No. 6, page 598, together with J. R. Jordan and R. C. Barrett and, your petitioners further represent that the said J. R. Jordan and R. C. Barrett have since died and that no Trustees have been elected in the place and stead of the said deceased Trustees.

Your petitioners therefore pray that an order may be entered by this Court authorizing the execution and delivery of a deed or other instrument confirming the said sale of the said property by the former Trustees of the White Peoples Baptist Church of the Town of Smithfield, Virginia.

And they will ever pray.

Respectfully submitted

TRUSTEES

Petition of Trustees
of White Plains Baptist
Church of Southfield
for authority to ~~relocate~~
ded.

1926
May 3.
Filed W.W.