

1909-049

Nansemond County (Suffolk)

Chancery Causes: Petition of trustees of
Bethlehem
Christian Church

Folk, Yates, McClenney
School Board of Holy Neck
District No. 2, Kellum

TO THE HONORABLE JAMES L. MCLEMORE, JUDGE OF THE CIRCUIT
COURT OF NANSEMOND COUNTY.

The undersigned, James U. Burges, attorney
for the School Board of Holy Neck District No. 2 of the County
of Nansemond, Virginia, begs to report

1st. That said School Board has contracted in
writing to purchase a certain parcel of land consisting of
two acres located in Holy Neck Magisterial District of Nanse-
mond County, which is described as follows: Beginning on
the West side of Spice's run road leading from Bethlehem at
a post, running West 253 feet to a post; then South 415 feet;
then East 210 feet; thence along the said road 385 feet to the
point of beginning.

2nd. That he has examined the title to said land
and finds that the same was devised to the trustees of the
Bethlehem Christian Church by Sarah E. and Matilda Ann Kellum,
who acquired the same through their father, Jackson Kellum,
who owned and was in possession of said property prior to
1866, at which time the records in the Clerk's Office of
Nansemond County were destroyed by fire.

3rd. That he is of the opinion that the deed
offered to said School Board conveying a good title in fee
simple free of all encumbrances.

Respectfully submitted,

James U. Burges

*Attorney for School
Board of Holy Neck Magisterial
District of Nansemond County
Virginia*

Certificate of title
of James U. Burges in
the matter of the ap-
plication of the Trustees
of Bethlehem Christian
Church for leave to sell
real estate.

1909. Nov. 1st filed
J.M.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, IN VACATION

November 1st, 1909.

This day came the School Board of Holy Neck District No. 2 of the County of Nansemond and submitted to this Court

1st. A contract in writing with the trustees of Bethlehem Christian Church for the purchase of a certain parcel of land, consisting of two acres, situated in Holy Neck Magisterial District of Nansemond County, Virginia, bounded and described as follows:

Beginning on the West side of Spice's run road leading from Bethlehem at a post, running West 253 feet to a post; thence South 415 feet; thence East 210 feet; thence along the said road 385 feet to the point of beginning.

2nd. Evidence of the title and a certificate of James U. Burges, their attorney, showing that a proper deed thereto will convey a fee simple estate, free of encumbrances.

Upon consideration whereof, the Court doth approve the title to said real estate in accordance with section 1488 of the Code of Virginia.

All of which is certified to the Clerk of the Circuit Court to be entered of record, in the chancery order book.

James E. McLunnie

Order approving title to
land.

In the matter of the ap-
plication of the trustees
for the religious congre-
gation of Bethlehem Chris-
tian Church for leave to
sell real estate.

Enter November 1st 1909.

James L. Moore

Entered in Chancery Order

Book, No. 4, page 283.

IN THE CIRCUIT COURT OF NANSEMOND COUNTY, IN VAWATION

November 1st, 1909.

IN THE MATTER OF THE APPLICATION OF THE

TRUSTEES FOR THE RELIGIOUS CONGREGATION OF

BETHLEHEM CHRISTIAN CHURCH IN NANSEMOND COUNTY,

VIRGINIA, FOR LEAVE TO SELL REAL ESTATE.

This day came J. W. Folk, J. Z. Yates and David McClenney, trustees mentioned in the petition herein set out by their attorney, and presented to the Court their petition in the following words and figures:

"Your petitioners, J. W. Folk, J. Z. Yates and David McClenney, respectfully represent that they are trustees for the religious congregation of bethlehem Christian Church of Nansemond County duly appointed according to law as will appear from common law order book No. _____, page _____ of this court; that the legal title is vested in them as trustees for said religious congregation to a certain lot of land consisting of _____ acres, which was devised to them by Matilda Ann and Sarah E. Kellum for the use and benefit of said congregation; that at a general meeting of said religious congregation held on the 11th day of September, 1909, resolutions were introduced and adopted stating that it was the wish of said congregation to sell at the price of two dollars a part of said property, which is bounded and described as follows: All that certain parcel of land situated in Holy Neck Magisterial District of Nansemond County, Virginia, beginning on the West side of Spice's run road leading from Bethlehem at a post, running West 253 feet to a post; thence South 415 feet; thence East 210 feet; thence along the said road 385 feet to the point of beginning; that the land above described is not needed for church purposes; that a copy of the resolutions duly certified by the proper officer of said congregation is hereto attached marked exhibit "A" and made a part of this petition.

Now, therefore, in accordance with the express wish of said congregation your petitioners ask leave to sell the said two acres of land hereinabove described to said School Board of Holy Neck District No. 2 of Nansemond County for the price of two dollars and further that this honorable Court will cause to be entered such order as may be necessary and proper to affect the purposes hereinabove mentioned."

and upon evidence produced before the Court that it is the wish of the congregation mentioned in said petition to sell said two acres of land for the sum of two dollars, it is adjudged, ordered and decreed that said J. W. Folk, J. Z. Yates and David McClenney, trustees as aforesaid, be, and they hereby are, authorized and directed to sell the said property for the said sum of two dollars and convey the

same by executing and delivering a good and sufficient deed therefor.

All which is hereby certified to the Clerk of this Court to be entered in the Chancery order book.

James S. W. Lemmon,

1
In the matter of the appli-
cation of the trustees for
the religious congregation
of Bethlehem Christian
Church to sell real estate.

Enter Nov. 1st, 1909.

John L. McGowan

Entered in Chancery Order

Book No: 7, page 283.

IN THE MATTER OF THE APPLICATION OF THE TRUSTEES
OF BETHLEHEM CHRISTIAN CHURCH FOR LEAVE TO SELL
REAL ESTATE.

TO THE HONORABLE CIRCUIT COURT OF NANSEMOND COUNTY.

Your petitioners, J. W. Folk, J. Z. Yates and David McClenney, respectfully represent that they are trustees for the religious congregation of Bethlehem Christian Church of Nansemond County duly appointed according to law as will appear from common law order book No. _____, page _____ of this Court; that the legal title is vested in them as trustees for said religious congregation to a certain lot of land consisting of _____ acres, which was devised to them by Matilda Ann and Sarah E. Kellum for the use and benefit of said congregation; that at a general meeting of said religious congregation held on the 11th day of September, 1909, resolutions were introduced and adopted stating that it was the wish of said congregation to sell/a part of said property, which is ^{at the price of two dollars} bounded and described as follows: All that certain parcel of land situated in Holy Neck Magisterial District of Nansemond County, Virginia, beginning on the West side of Spice's run road leading from Bethlehem at a post, running West 253 feet to a post; thence South 415 feet; thence East 210 feet; thence along the said road 385 feet to the point of beginning; that the land above described is not needed for church purposes; that a copy of the resolutions duly certified by the proper officer of said congregation is hereto attached marked exhibit "A" and made a part of this petition.

Now, therefore, in accordance with the express wish of said congregation your petitioners ask leave to sell the said two acres of land hereinabove described to said School Board of Holy Neck District No. 2 of Nansemond County

for the price of two dollars and further that this honorable
Court will cause to be entered such orders as may be necessary
and proper to affect the purposes hereinabove mentioned.

Respectfully submitted,

J. M. Doe }
J. Z. Yaler }
David McClenny } J. H. Rogers
 } Their attorney

At a conference of Bethlehem Christian Church held on the 11th day of September, 1909, the following resolution ~~was~~ duly adopted.

WHEREAS, the members of the Bethlehem Christian Church desire a school located on the land, belonging to said Church, devised to ~~the~~ trustees of said Church by Sarah E. Kellum and Matilda Ann Kellum, and,

WHEREAS, the School Board of Holy Neck District No. 2 has offered to purchase two acres of the land, hereinafter described, for the sum of two dollars, and,

WHEREAS, it is deemed expedient to accept said offer, THEREFORE, BE IT RESOLVED, by the members of said Bethlehem Christian Church, of Nansemond County, Virginia, that the trustees of said Church be, and hereby are, authorized, empowered and instructed to sell in consideration of two dollars, and to convey by good deed, in fee simple, with general warranty, to the said School Board of Holy Neck District No. 2 that certain tract of land containing two acres belonging to said Church, which is located in Holy Neck Magisterial District of Nansemond County, Virginia, and bounded as follows: Beginning on the West side of Spice's run road leading from Bethlehem at a post, running West 253 feet to a post; then South 415 feet; thence East 210 feet; thence along the said road 385 feet to the point of beginning.

A true copy.

H. H. Butler
Presiding officer.

Teste:

J. W. Folk
Secretary.

Petition of Trustees.

In the matter of the application of the trustees for the religious congregation of Bethlehem Christian Church for leave to sell real estate.

1909. November 1st
filed JLM.

JAMES U. BURGESS.
ATTORNEY AT LAW,
POST OFFICE BUILDING
SUFFOLK, VA.

SUFFOLK HERALD CORPORATION PRINT, SUFFOLK, VA.

Order Approving
the title of land
of Bethlehem
Christian Church

1909 Nov 1st.

~~These papers are
in my Record
Returned
Edward Rogers~~

R. R. Smith
County Clerk of Nansemond County
Daffolts, Va.