

SC 5593-4-1420

ELISE DAVIS
ATTORNEY AT LAW
P. O. BOX 547
CHESTERTOWN, MARYLAND 21620
TELEPHONE 410 - 778-5250

March 22, 1995

Mr. William R. Nuttle
P. O. Box 371
Chestertown, Md. 21620

Re: Donna M. Kramer property
in Rock Hall

Dear Bill:

To confirm our telecon of March 21st, please find enclosed a copy of Mrs. Kramer's deed, consisting of three lots on Cottage Avenue in Rock Hall.

I need for you to do an actual boundary line survey because my client is not exactly sure where those lines are even though the descriptions seem to be pretty straight forward. Because she's erecting a new house/modular, there will have to be some sort of location site survey at some point. As soon as I have a better idea from the lender as to the time frame we are working with then I'll let you know.

Sincerely,



Elise Davis

cc: Mrs. Kramer
ED/vhm

Thornton MLM 34/353 - survey by Scott 1992

--- S79°37'04"E - 254.27 to rod.

w/ Fithian, $\frac{1}{2}$ Kramer, & Rhoades S10°22'56"W - 192.19

w/ Kramer, $\frac{1}{2}$ Nye S11°12'37"W - 93.17 to rod. to Thornton

S72°00'32"E - 191.51 to west side of Cottage Ave

w/ S 507°44'36"W - 150

Fithian MLMS1/189

Begin NE cor. Thos. Urie

w/ Henry Urie S60 $\frac{1}{2}$ °E - 219.61
13.31

S04°W - 13.31

N60 $\frac{1}{2}$ °W - 13.31

N04°E - 13.31 to begin

Also Begin NW cor. James Urie

N87°W - 10 to stone & Rodney

parallel to Jas. Urie to Annie Joulson
w/ Joulson to Urie

N04°E - st. line to begin

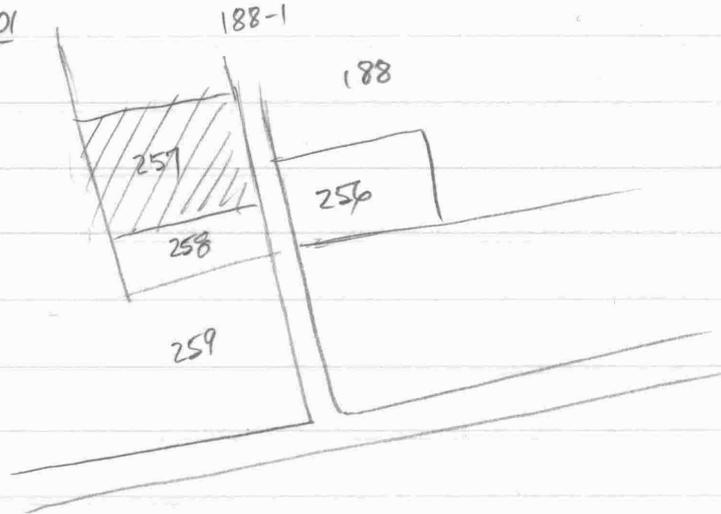
#1.51

192.19

93.17

285.36

MAP 501



257	Donna Mae Kramer - 5894 Cottage Ave -	151/37
258	Robt. R. Nye	33/456
259	Riley F. Thornton	MLM 34/353
188-1	Mildred C. Fithian	MLM 51/189
256	Terri Everett	212/153

Nye - 33/456

Begin Stone SE cor. on line of Loulson on E side line of Cottage Ave.

w/ ave $N 05^{\circ} 30' E$ - 51 to Stone & Geo Creighton

w/ s $N 74^{\circ} 30' W$ - 200 to hub

w/ May Warner $S 05^{\circ} 30' W$ - 51 to hub

w/ Jos. Apple $S 74^{\circ} 30' E$ - 200 to begin

Subject to use of 20' R/W called Cottage Ave.

M 501



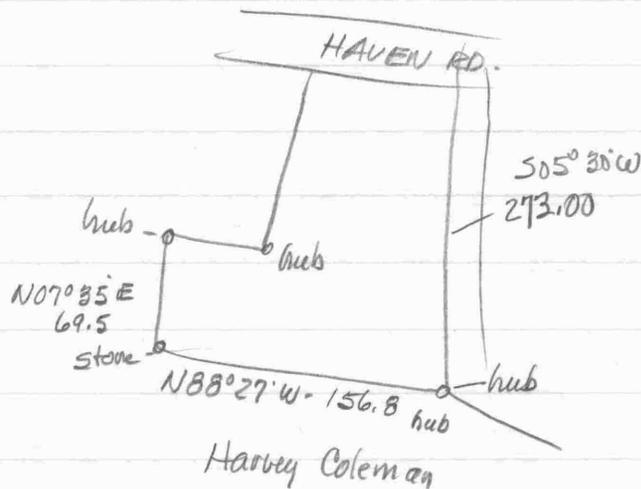
- 188 Mildred Fithian MLM 51/191
- ✓ 188 John H. Beck WHG 53/440
- ✓ 192 Debra Collins MLM 24/131
- 193 Jacob Rhoads 45/770
- 256 Terri L. Everett

Collins - MLM 24/131

Lot on Haven Rd. - 80' on rd.

adjoining John Warner on W, James Jones on S,
James DeBts and Thos Rodney on E 1/4 acre.

Beck WHG 53/442 Plat by Metcalfe



Rhoads - 45/770

--- $S71^{\circ}30'E - 97.5$ to SE cor McClay

$N18^{\circ}30'E - 101.4$

$S71^{\circ}30'E - 132$

$N18^{\circ}30'E - 180$ to S side Haven

RECEIVED

JUN 27 11 19 AM '77

CLERK-CIRCUIT COURT
KENT COUNTY

NO TITLE EXAMINATION

THIS DEED, made this 10th day of June, 1976, by

and between EDITH MCGINNIS, widow, IRENE M. ASHLEY of Kent County, State of Maryland, and DOROTHY M. HEINFELD of Richmond, State of Virginia, of the first part, and PRESTON JOINER and DONNA MAE JOINER, his wife, of Kent County, Maryland, of the second part.

WITNESSETH, that in consideration of the sum of Five (\$5.00) Dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said Edith McGinnis, Irene M. Ashley and Dorothy M. Heinfield, do grant and convey unto the said Preston Joiner and Donna Mae Joiner, his wife, as tenants by the entireties, and to the survivor of them, and to the survivor's heirs and assigns, in fee simple,

ALL those pieces or parcels of ground, lying and being in the Fifth Election District of Kent County, aforesaid and described as follows, that is to say:

(a) The first lot being fully described as follows: Beginning for the same thereat at Southeast Corner of said lot and on the South side of the Haven Road, and running thence from said Southeast corner, North 50 feet from the Northeast corner of Mrs. George Creighton's lot on the line of Mrs. Toulsons's lot from thence 200 feet West, on the line of John J. Warner's lot and from thence East 200 feet to said starting point; and said lot shall include a right-of-way out to the Public Road; also there shall be left out enough land to build a road from one side to the other.

(b) The second lot, and continuous to the first lot, being described as follows: Beginning for the same at the Southwest corner of James V. Dodds land and running about a West course about 210 feet to John Warner's land at a stone; thence South and by and with said John Warner's line in a straight line to Mrs. Josie Vansant's land about 220 feet; thence about an East course by and with Josie Vansant's land about 210 feet to intersection of James A. Urie's land which is known by name of Thomas Urie's lot thence about North by East, by and with the said James A. Urie's lot, in a straight line to the beginning.

LAW OFFICES OF
ERNEST S. COOKERLY
CHESTERTOWN, MD. 21620
TELEPHONE 778-2112

JUN 27-77 A E25446 *****10
JUN 27-77 A E25445 *****11
JUN 27-77 A E25444 *****12

(c) The third lot being described as follows: Beginning for the same at a stone set on the West side of a Road or right-of-way called Cottage Avenue leading from the Public Road known as the New Road (said Public Road leading from Rock Hall Village to the Wharf of the Maryland, Delaware and Virginia Steamboat Company) to the lands of W. Melvin Warner, and at the Southeast corner of the lot hereby conveyed and running from thence in a Northerly direction with the line of said road or right-of-way 50 feet to a stone; thence Westerly at right angles with said road 200 feet to a stone; thence a parallel line with said road a Southerly direction 50 feet to a stone thence at right angles to said line in a Easterly direction 200 feet to the point or place of beginning, containing 10,000 square feet of land more or less.

BEING all of Parcel No. 3 described in the deed to Edith McGinnis, widow, Irene M. Ashley and Dorothy M. Heinfield from Ruth K. Emerson, dated October 7, 1966 and recorded among the Land Records of Kent County, aforesaid in Liber E.H.P. No. 20, folio 297, etc.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said lots of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Preston Joiner and Donna Mae Joiner, his wife, as tenants by the entireties, and to the survivor of them, and to the survivor's heirs and assigns, in fee simple.

AND the said parties of the first part hereby covenant that they have not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that they will warrant specially the property granted and that they will execute such further assurances of the same as may be requisite.

WITNESS the hands and seals of said grantors.

Witness:

Mrs. Kay Coleman

Edith McGinnis (SEAL)
Edith McGinnis 1/

Mrs. Kay Coleman

Irene M. Ashley (SEAL)
Irene M. Ashley

Margaretta Smicker

Dorothy M. Heinfield (SEAL)
Dorothy M. Heinfield

STATE OF MARYLAND, COUNTY OF KENT, to wit:

I HEREBY CERTIFY, That on this 3rd day of May, 1976,⁷⁷
before me, the subscriber, a Notary Public of the State of Maryland, in and
for Kent County aforesaid, personally appeared Edith McGinnis and Irene M.
Ashley, and they each acknowledged the foregoing Deed to be their respective
act.

As Witness my hand and Notarial Seal.

Mrs. Kay Coleman
Notary Public

My commission expires:

July 1, 1978

STATE OF VIRGINIA, ^{City} COUNTY OF Richmond, to wit:

I HEREBY CERTIFY, That on this 10th day of June, 1976,
before me, the subscriber, a Notary Public of the State of Virginia, in and
for Richmond City County aforesaid, personally appeared Dorothy M.
Heinfield, and she acknowledged the foregoing Deed to be her act.

As Witness my hand and Notarial Seal.

Evelyn L. Chetwick
Notary Public

My commission expires:

November 8, 1976

June 27, 1977 THE FOREGOING Deed FILED FOR RECORD AND IS
ACCORDINGLY RECORDED AMONG THE LAND RECORDS OF KENT COUNTY, MD.
LIBER 2410 NO. 74 FOLIOS 825 thru 827
Carl H. Ginder CLERK

AUG 12-83 B 27274 *****75.00
AUG 12-83 B 27273 *****24.75
AUG 12-83 B 27272 *****11.50

This DEED, made this 9th day of August, 1983, by

and between PRESTON JOINER of Kent County, State of Maryland, of the first part,
and DONNA MAE KRAMER (formerly Donna Mae Joiner) of Kent County, State of
Maryland, of the second part.

WITNESS, that in consideration of the sum of SEVEN THOUSAND
FIVE HUNDRED (\$7,500.00) DOLLARS and other good and valuable considerations, the
receipt whereof is hereby acknowledged, the said Preston Joiner does grant and
convey unto the said Donna Mae Kramer, her heirs and assigns, all HIS ONE-HALF
(1/2) INTEREST in and to all those tracts, pieces or parcels of land situate,
lying and being in the Fifth Election District of Kent County, Maryland, and
described as follows, that is to say:

RECEIVED
AUG 12 2 19 PM '83
CLERK - CIRCUIT COURT
KENT COUNTY

(a) The first lot being fully described as follows: BEGINNING
for the same thereat at Southeast Corner of said lot and on the South side of
the Haven Road, and running thence from said Southeast corner, North 50 feet
from the Northeast corner of Mrs. George Creighton's lot on the line of Mrs.
Toulson's lot from thence 200 feet West, on the line of John J. Warner's lot
and from thence East 200 feet to said starting point; and said lot shall include
a right-of-way out to the Public Road; also there shall be left out enough land
to build a road from one side to the other.

(b) The second lot, and continuous to the first lot, being
described as follows: BEGINNING for the same at the Southwest corner of James
V. Dodds land and running about a West course about 210 feet to John Warner's
land at a stone; thence South and by and with said John Warner's line in a
straight line to Mrs. Josie Vansant's land about 220 feet; thence about an East
course by and with Josie Vansant's land about 210 feet to intersection of James
A. Urie's land which is known by name of Thomas Urie's lot thence about North
by East, by and with the said James A. Urie's lot, in a straight line to the
beginning.

(c) The third lot being described as follows: BEGINNING for
the same at a stone set on the West side of a Road or right-of-way called
cottage Avenue leading from the Public Road known as the New Road (said Road
leading from Rock Hall Village to the Wharf of the Maryland, Delaware and
Virginia Steamboat Company) to the lands of W. Melvin Warner, and at the Southeast
corner of the lot hereby conveyed and running from thence in a Northerly direction
with the line of said road or right-of-way 50 feet to a stone; thence
Westerly at right angles with said road 200 feet to a stone; thence a parallel
line with said road a Southerly direction 50 feet to a stone thence at right
angles to said line in a Easterly direction 200 feet to the point or place of
beginning, containing 10,000 square feet of land, more or less.

BEING the same lots of land conveyed by Edith McGinnis, et als,
unto Preston Joiner and Donna Mae Joiner, his wife, by deed dated June 10, 1976,
and recorded among the Land Records for Kent County, Maryland, in Liber E.H.P.
No. 074, Folio 825.

That the said Preston Joiner and Donna Mae Joiner, his wife,
were divorced by Decree dated April 24, 1979, in Equity Case No. 6817 holding
said property as tenants in common.

ROGERS & SKIPPI
ATTORNEYS AT LAW
CHESTERTOWN, MARYLAND
TELEPHONE 778-8400

RECEIVED FOR TRANSFER
THIS 12th DAY OF AUGUST 19 83
SECRETARY
SUPERVISOR OF ASSESSMENTS KENT CO MD.

8/26/83 mailed Donna Mae Kramer

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

TO HAVE AND TO HOLD the said lots of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belong or appertaining unto and to the proper use and benefit of the said Donna Mae Kramer, her heirs and assigns, in fee simple.

AND the said Grantor does hereby covenant that he has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby granted and conveyed; that he will execute such further assurances of said land as may be requisite.

WITNESS the hand and seal of the said Grantor.

Witness:

[Signature]
Preston Joiner (SEAL)
Preston Joiner

STATE OF MARYLAND, COUNTY OF KENT, to wit:

I HEREBY CERTIFY that on this 7th day of August, 1983, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Preston Joiner and he acknowledged the foregoing Deed to be his act.

AS WITNESS my hand and Notarial Seal.

[Signature]
Notary Public

My Commission Expires:

July 1, 1986

Aug 12, 1983 THE FOREGOING deed FILED FOR RECORD AND IS
CORRECTLY RECORDED AMONG THE LAND RECORDS OF KENT COUNTY, MD., 37-38
LIBER EHP NO. 151 FOLIOS 37-38
[Signature]

ROGERS & SKIPP
ATTORNEYS AT LAW
CHESTERTOWN, MARYLAND
TELEPHONE 778-2400

WILLIAM R. NUTTLE
REGISTERED SURVEYOR
P.O. BOX 371
CHESTERTOWN, MARYLAND 21620
TELEPHONE 410-778-3490

April 21, 2000.

Elise Davis, Atty.
P.O. Box 2431
Easton, Md. 21601

Dear Elise:

Your placement of the three parcels making up the Donna Kramer lot is the same as mine. The tax map had things a little screwed up, and I believe that is the root of the problem.

A Mr. Boulter called me about the claim by the Fithians to a right-of-way and told me that he was under the impression that Mike Scott had surveyed it. I talked to Buck Nickerson. He said that they were to do the survey but that the only thing that they had done was to get some deeds together. He called back later to tell me that all of the title work that he had done confirmed my survey. I found nothing in the Fithian deed to indicate ownership to any of the Kramer lot or a right-of-way through it.

I have never been comfortable trying to play God, but until I see some evidence to the contrary I stand by my survey.

ELISE DAVIS
ATTORNEY AT LAW
P. O. BOX 2431
EASTON, MARYLAND 21601
TELEPHONE 410 - 763-4877

April 20, 2000

Mr. William R. Nuttle
P.O. Box 371
Chestertown, MD 21620

Re: Donna M. Kramer lands
Rock Hall

Dear Bill:

I understand from Mrs. Kramer that a question has arisen about the existence of a possible right-of-way over one of the lots you surveyed for her back in 1995. A copy of that plat and the deed are enclosed.

Would you please take a look at your notes and see if I am reading the deed correctly in conjunction with the plat.

The third lot in the deed [(c)] seems to be describing the lot nearest to Cottage Avenue which I have marked (c) - am I correct? If I have (c) right, am I then correct in my placement of the first [(a)] and second [(b)] lots? If so the right-of-way doesn't connect to anything.

Thanks for your help.

Sincerely,



Elise Davis

Enclosure

cc: Mrs. Kramer

ED/pac

JACOB RHOADS

DEBRA COLLINS

This is to certify that the improvements indicated hereon are located as shown.

William R. Nuttle
May 5, 1995 (foundation)

Dwelling located June 15, 1995.

1.382 Ac.±

RILEY F. THORNTON

MILDRED C. FITHIAN

utility bldg.

1sty. dwg.

ROBT. R. NYE

TERRI EVERETT

Note: FIRM Map 240048 0001B shows this lot in Zone A10 (Elevation 8).

Owner - Donna Mae Kramer
Address - 5894 Cottage Ave.
Rock Hall, Md. 21661

PLAT OF A SURVEY OF THE DONNA M. KRAMER LANDS

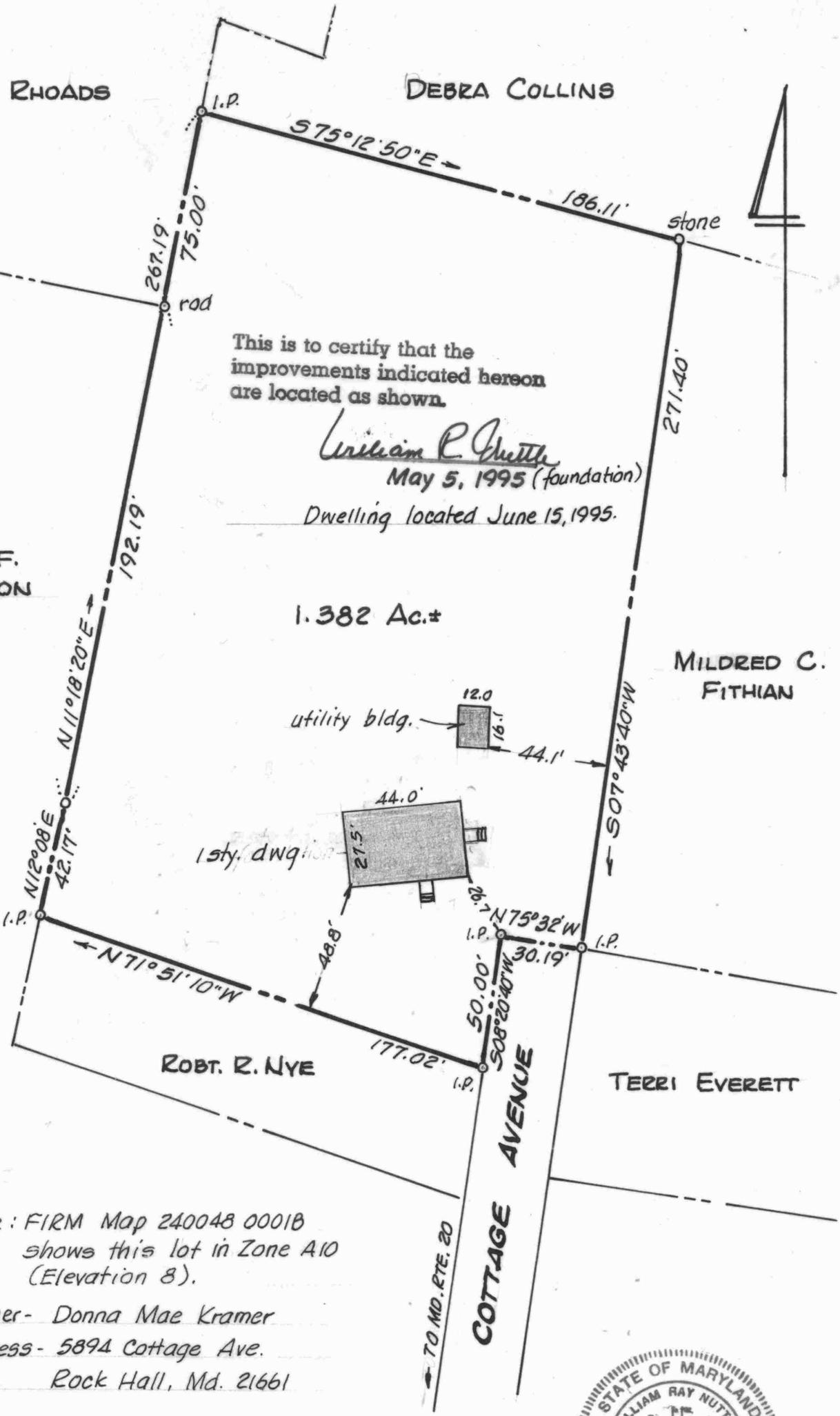
ROCK HALL, KENT COUNTY, MD.

Scale 1"=50' April 1995.

William R. Nuttle, Reg. Surveyor
Chestertown, Md.

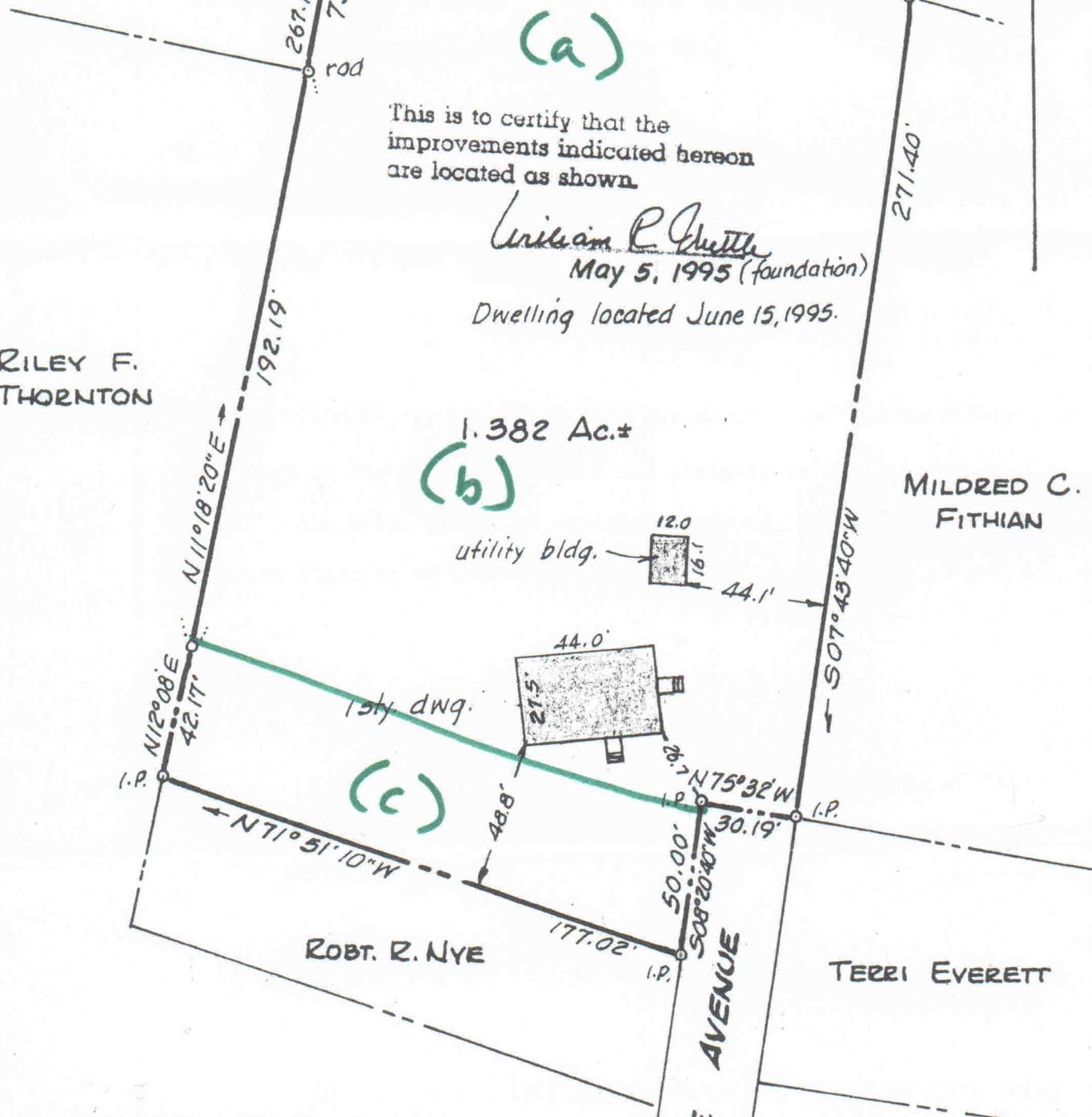


I.P. = iron pipe



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Rock Hall, Md. 21661

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Rock Hall, Kent County, Md.

Scale 1"=50' April 1995.

William R. Nuttle, Reg. Surveyor
Chestertown, Md.



I.P. = iron pipe