



Loudoun Commercial Title, L.L.C.

At Market Station
108 South Street, SE
Suite G
Leesburg, VA 20175-3732

Phone: (703) 737-3800

Toll Free: (800) 737-0552

Fax: (703) 737-3823

Robert M. Gordon, *President*

www.loudouncommercialtitle.com

December 13, 2006

Mr. Kevin Burke
Office of the County Attorney
Fauquier County, Virginia
10 Hotel Street
Warrenton VA 20186

RE: Semple Property, Fauquier County Virginia

Dear Kevin:

We recently discussed with Mr. William Semple that his family is considering putting an open space easement on the family farm, consisting of approximately 460 acres of land and located near Marshall in Fauquier County, Virginia. Mr. Semple requested that this office obtain the title work and prepare a title report for your review. A copy of the abstract prepared by Title Solutions, Inc. of Warrenton, VA, is attached, together with certain backup.

This report of title is not a guarantee of title, or a commitment for title insurance, but rather is presented as a summary of the information developed by Title Solutions of Warrenton, for your use in processing this open space easement request.

The property consists of two parcels, one of 421.2112 acres more or less, and one of 41.168 acres, more or less. The legal description of these properties is as set forth in the attached deeds. Note that these legal descriptions although adequate in our view for purposes of identifying the property to be covered by an open space easement, are antiquated. A plat of the property appears at Deed Book 700, Page 118, Land Records of Fauquier County, Virginia. The abstractor's notes refer to some ambiguities in the legal description. If we were closing a conveyance of the property we would strongly advise an updated survey and metes and bounds legal description, but in my opinion the attached legal description and survey would identify the subject property with sufficient particularity for an open space easement.

Title is vested in Robert B. Semple, Jr., Lloyd A. Semple, Elizabeth S. Knight (now known as Elizabeth S. Hart), William T. Semple, and Nathaniel M. Semple, as Tenants in Common.

Parcel Identification numbers:

6030-54-0039-000 3822 Carrington Road (421.21 acres) Real Property Taxes are paid through 12/31/06. The property is currently taxed on the basis of land use.

6030-64-8252-000 3746 Carrington Road (41.17 acres) Real Property Taxes are paid through 12/31/06. The property is currently taxed on the basis of land use.

According to the abstract, no Deeds of Trust or other recorded liens affect this property. The abstract reflects one Judgment in Fauquier County Circuit Court (No. 2000-977 in the original amount of \$1332.00), recorded against one Elizabeth A. Hart (note name of tenant in common above is Elizabeth S. Knight (now known as Elizabeth S. Hart), which may not be the same person.

We have not requested, and are not providing to you, copies of various utility easements, because based on our discussion we did not deem them germane to the open space easement request.

Attached for your review is a proposed legal description based on these materials. We are sending under separate cover (by PDF) the complete abstractor report and backup including copies of all the deeds, and the surveys noted in the deeds. Let us know if you have further questions.

Sincerely yours,



Robert M. Gordon

Cc: William Semple
Randy Parks

EXHIBIT A LEGAL DESCRIPTION
POHICK FARM-SEMPLER FAMILY

All of those certain parcels of real property situate, lying and being in Fauquier County, Virginia, more particularly described as follows:

PARCEL ONE

That portion of a certain tract or parcel of land containing 509 acres, more or less, known as "Pohick Farm" located near Marshall, Marshall District, Fauquier County, Virginia, and being the same property conveyed to N. Frank Neer and Roberta C. Neer by R. A. McIntyre, Special Commissioner by deed dated the 26th day of August, 1938, and recorded the 27th day of August, 1938, in Deed Book 146, page 327 of the Fauquier County Clerk's Office described as follows:

A parcel beginning at a point on the westerly right-of-way line of Route 729 a distance 510 feet south from the southwesterly corner of the intersection of said Route 729 and Route 724; thence from said point of beginning a distance of 1320 feet in a northerly direction along the fence line which intersects said Route 729 at the point of beginning; thence at a 90° angle in a southwesterly direction a distance 1320 feet; thence at a 90° angle in a southeasterly direction approximately 1320 feet to the westerly right-of-way line of Route 729; thence in a northeasterly direction a distance of approximately 1320 feet along said westerly right-of-way line of Route 729 to the point of beginning containing 40 acres more or less; such parcel of land being the same property conveyed to Isabelle A. Semple a/k/a Isabelle M. Semple and Robert B. Semple by Isabelle A. Semple by deed dated December 31, 1970, and recorded in Deed Book 265, page 488 of the Fauquier County Clerk's Office.

The said Roberta C. Neer died intestate several years ago leaving as her surviving heirs her husband, N. Frank Neer, her son, N. Frank Neer, Jr., and her daughter, Isabelle M. Semple. The said N. Frank Neer by his will dated August 31, 1964, and probated August 17, 1965, in Will Book 80, page 53 of the aforesaid Clerk's Office, devised his interest in

the above property to his son and daughter, N. Frank Neer, Jr., and Isabelle N. Semple; and the said N. Frank Neer, Jr. having conveyed his interest to said Isabelle N. Semple by deed dated the 19th day of June, 1967, and recorded in Deed Book 241 at page 68 in the Fauquier County Clerk's Office, and the said Isabelle N. Semple having conveyed her interest except for the interest conveyed hereby to Robert B. Semple, Jr., Lloyd A. Semple, Elizabeth S. Knight la/k/a Elizabeth S. Hartl, William T. Semple and Nathaniel M. Semple by deed dated the 30th day of December, 1974 and recorded in Deed Book 312 at Page 763 of the Fauquier County Clerk's Office and by deed dated the 5th day of June, 1975 and recorded in Deed Book 316 at Page 554 of the Fauquier County Clerk's Office and by deed dated the 19th day of January, 1976 and recorded in Deed Book 324 at page 671 of the Fauquier County Clerk's Office and by deed dated the 15th day of December, 1983 and recorded in Deed Book 459 at Page 615 of the Fauquier County Clerk's Office and by deed dated the 23rd day of May, 1984 and recorded in Deed Book 468 at Page 214 of the Fauquier County Clerk's Office.

PARCEL TWO

All that certain tract or parcel of land containing 509 acres, more or less, known as "Pohick Farm", located near Marshall, Marshall District, Fauquier County, Virginia, and being the same property conveyed to N. Frank Neer and Roberta C. Neer by R. A. McIntyre, Special Commissioner by deed dated the 26th day of August, 1938, and recorded the 27th day of August, 1938, in Deed Book 146, page 327 of the Fauquier County Clerk's Office.

The said Roberta C. Neer died intestate several years ago leaving as her surviving heirs her husband, N. Frank Neer, her son, N. Frank Neer, Jr., and her daughter, Isabelle N. Semple. The said N. Frank Neer by his will dated August 31, 1964, and probated August 17, 1965, in Will Book 80, page 53 of the aforesaid Clerk's Office, devised his interest in the above property to his son and daughter, N. Frank Neer, Jr., and Isabelle N. Semple; and the said N. Frank Neer, Jr. having conveyed his interest to said Isabelle N. Semple by deed dated the 10th day of June, 1967, and recorded in Deed Book 241 at page 68 in the Fauquier County Clerk's Office, and the said Isabelle N. Semple having conveyed one-third of her interest to Robert B. Semple, Jr., Lloyd A. Semple, Elizabeth S. Knight, William T. Semple and Nathaniel M. Semple by deed dated the 30th day of December, 1974 and recorded in Deed Book 312 at Page 763 of the Fauquier County Clerk's Office and the said Isabelle N. Semple having conveyed an additional one-third to the same persons by deed dated the 9th day of June, 1975 and recorded in Deed Book 316 at Page 554 of the Fauquier County Clerk's Office.

NO. BEING THE SAME PROPERTY ACQUIRED BY ROBERT B. SEMPLE JR., LLOYD A. SEMPLE, ELIZABETH S. HART, WILLIAM T. SEMPLE AND NATHANIAL M. SEMPLE BY THE FOLLOWING DEEDS:

* EXCEPTING THEREFROM, that parcel beginning at a point on the westerly right-of-way line of Route 729 a distance 510 feet south from the southwesterly corner of the intersection of said Route 729 and Route 724; thence from said point of beginning a distance of 1320 feet in a northwesterly direction along the fence line which intersects said Route 729 at the point of beginning; thence at a 90° angle in a southwesterly direction a distance 1320 feet; thence at a 90° angle in a southeasterly direction approximately 1320 feet to the westerly right-of-way line of Route 729; thence in a northeasterly direction a distance of approximately 1320 feet along said westerly right-of-way line of Route 729 to the point of beginning containing 40 acres more or less; such parcel of land being the same property conveyed to Isabelle A. Semple a/k/a Isabelle N. Semple and Robert B. Semple by Isabelle A. Semple by deed dated December 31, 1970, and recorded in Deed Book 265, page 488 of the Fauquier County Clerk's Office.

AND BEING the same property acquired by Robert B. Semple Jr., Lloyd A. Semple, Elizabeth S. Hart, William T. Semple and Nathaniel M. Semple by the following Deeds: As to Parcel One, by Deed of Gift dated December 15, 1983, recorded in Deed Book 459, at Page 615; by Deed of Gift dated May 23, 1984, recorded in Deed Book 468 at Page 214; by Deed of Gift dated December 15, 1985 recorded in Deed Book 557, at Page 888, and by Deed of Gift dated January 25, 1986, recorded in Deed Book 557, at Page 892; and by Quitclaim Deed dated October 21, 1988, recorded in Deed Book 610 at Page 279; and As to Parcel Two by Deed of Gift dated December 30, 1974, recorded in Deed Book 312, at Page 763; by Deed of Gift dated June 9, 1979, recorded in Deed Book 316 at Page 554; by Deed of Gift dated January 19, 1976, recorded in Deed Book 324, at Page 671; and by Quitclaim Deed dated October 21, 1988, recorded in Deed Book 610 at Page 279.

For Information:
PIN: Parcel One: 6030-64-8252-000 3746 Carrington Road (41.17 acres)
Parcel Two: 6030-54-0039-000 3822 Carrington Road (421.21 acres)