

CUSTODIAL RESOLUTION
FOR THE TRANSFER OF CERTAIN LANDS
FROM
DEPARTMENT OF TRANSPORTATION
TO
DEPARTMENT OF STATE

This Resolution made and entered into this 10th day of September A.D., 1987, by and jointly between the State of Delaware, Department of Transportation, Division of Highways, hereinafter referred to as "DOT" and the Department of State, Division of Historical and Cultural Affairs hereinafter referred to as "DOS".

WHEREAS, in 1987 DOT acquired title to certain lands situated in Duck Creek Hundred, Kent County, lying on the easterly side of U. S. Route 13 from Walter Willoughby Speakman, et al, known as "Belmont Hall", and;

WHEREAS, such agreement to purchase provided for the transfer of a portion of this 30.5 acre site to DOS, and;

WHEREAS, DOS desires to obtain formal custody over the 12.1169 acres of historical significant portion of said lands, and;

WHEREAS, DOT has determined that the 12.1169 acre improved parcel is in excess of DOT'S need.

NOW, THEREFORE, BE IT RESOLVED that for and in consideration of the sum of \$1.00 each to the other paid, DOT hereby surrenders and transfers any and all of its custodial interests in the 12.1169 acre tract of land including the historical "Belmont Hall" and all other buildings to DOS. Said lands are depicted on Right-of-Way Plot No. K-60, attached hereto as Exhibit "A" and further described by a metes and bounds description incorporated on Exhibit "A".

FURTHER, that this Resolution is subject to the following mutually agreeable understandings, terms, and conditions:

- 1) This conveyance of custodial rights is made with explicit assurances and requirements that any and all locations of proposed vehicular access or upgrade of existing entrances be planned, submitted, and approved in accordance with DOT'S entrance standards.

- 2) **DOS** agrees to pay all taxes and assessments that may be legally assessed against the property.
- 3) **DOT** will bear no expense for maintenance or improvements to the subject property.
- 4) Any existing easements or right-of-way for utilities.
- 5) Historical "Belmont Hall" is vacant.
- 6) The one-story frame tenant house is occupied through a long-term lease. Tenant is Ms. Jean Severson at a rental rate of \$175.00 per month. Ms. Severson's address is P. O. Box 265, Smyrna, Delaware 19977.
- 7) Upon execution of Resolution **DOT** will notify Ms. Severson of transfer of lands to **DOS**.
- 8) **DOT** has placed concrete monuments at corner locations setting out these lands.

DIVISION OF HISTORICAL AND
CULTURAL AFFAIRS

John R. Kern 8/18/87
Dr. John R. Kern Date
Director

ATTEST:

Jeffrey S. Lewis 8/12/87
Date

DEPARTMENT OF STATE

Michael Harkins 8/12/87
Michael Harkins Date
Secretary

DIVISION OF HIGHWAYS

John T. Davis 8/25/87
John T. Davis Date
Director of Highways

ATTEST:

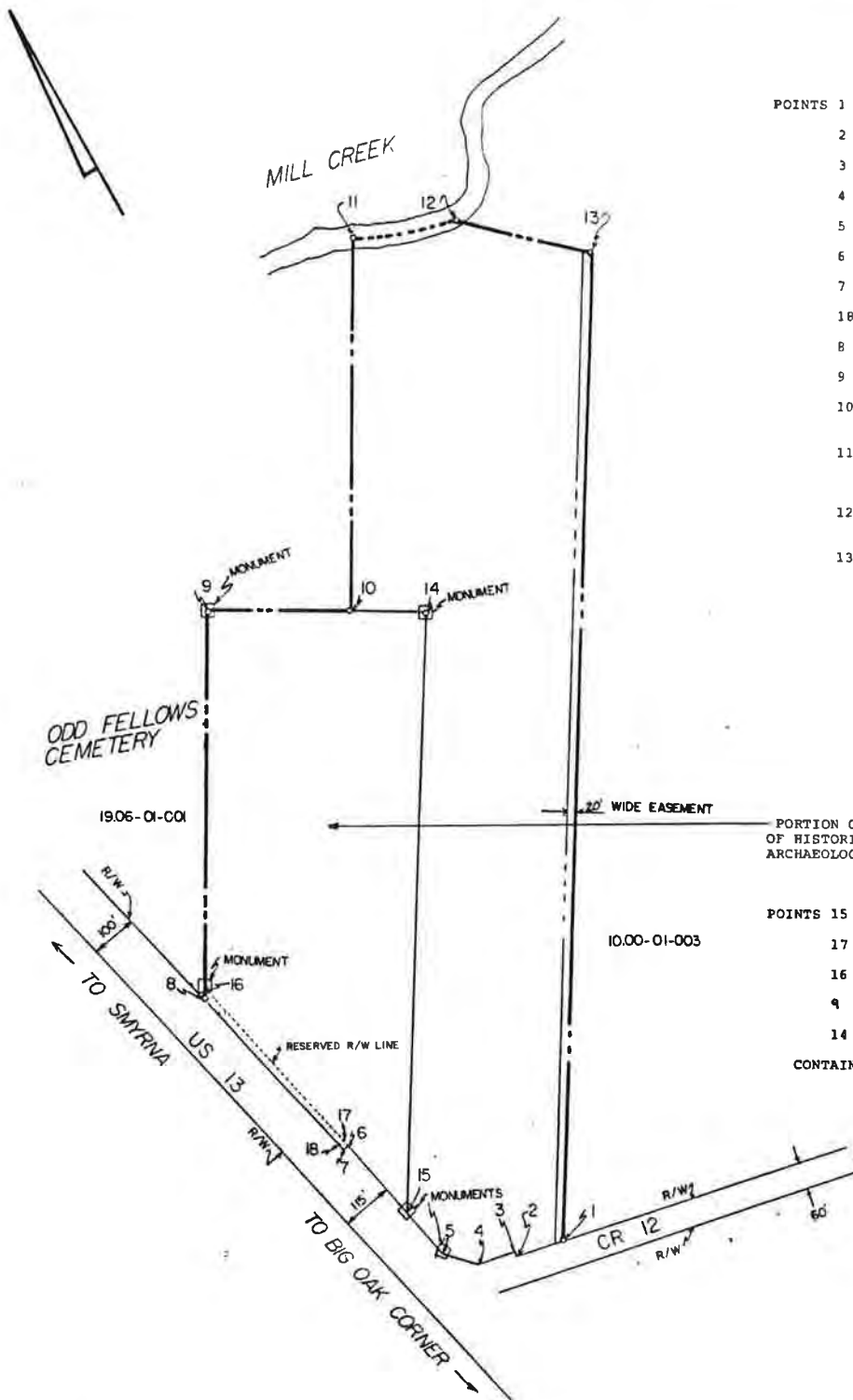
John A. McDowell 8/25/87
John A. McDowell Date
Director of Administration

DEPARTMENT OF TRANSPORTATION

Kermit H. Justice 8/25/87
Kermit H. Justice Date
Secretary

APPROVED:

Michael A. Little
Governor



- POINTS 1 to 2 - N 81° 31' W 96.5'
- 2 to 3 - N 9° 36' E 15'
- 3 to 4 - N 81° 31' W 86.29'
- 4 to 5 - N 46° 08' 30" W 82.66'
- 5 to 6 - N 11° 53' W 311.29'
- 6 to 7 - S 78° 07' W 15'
- 7 to 18 - N 11° 53' W 22.71'
- 18 to 8 - R=6915.50', A=473.15'
- 8 to 9 - N 29° 30' E 868.62'
- 9 to 10 - S 60° E 316.80'
- 10 to 11 - N 30° E 827' (with line of ODD FELLOWS CEMETERY)
- 11 to 12 - easterly along course of MILL CREEK where this line intersects with the lands of Ann Holder Graham.
- 12 to 13 - S 44° 43' E where this line intersects with the lands of Elmer Pratt.
- 13 to 1 - S 29° 50' W 2189.83'

CONTAINING 30.326 AC. ±

PORTION OF LAND TO BE CONVEYED TO THE DIVISION OF HISTORICAL AND CULTURAL AFFAIRS, BUREAU OF ARCHAEOLOGY AND HISTORICAL PRESERVATION.

- POINTS 15 to 17 N 20° 21' 02" W 218.54'
- 17 to 16 R=6930.50', A=488.87'
- 16 to 9 N 21° 17' 25" E 843.28'
- 9 to 14 S 68° 23' 07" E 482.66'
- 14 to 15 S 21° 17' 25" W 1357.46'
- CONTAINING 12.1169 AC±

A 15' WIDE STRIP OF LAND BETWEEN POINTS 6-7-8-16-6 IS BEING RESERVED FOR FUTURE RIGHT-OF-WAY.

WALTER W. SPEAKMAN, et al
LANDS ACQUIRED FROM

KENT
COUNTY

DUCK CREEK
HUNDRED

DC-1900-01-001 & 002
TAX ASSESS. PAR. NO.

83-110-02
CONTRACT NO.

US 13, RELIEF ROUTE
PROJECT TITLE

CONTRACT PARCEL NO.

K-43-62
DEED RECORD

4/16/87
DEED DATE

SCALE: 1 INCH = 200 FEET / FULL SIZE DWS. IS 17" X 22"
FOR 8 1/2" COPIES: SCALE X 2

NOTED
AREA OF

REVISIONS:



STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
P.O. Box 778
DOVER, DELAWARE 19903



RIGHT OF WAY Engineering Section

DRAWN BY CDJ

DATE 5/21/87

PLOT
DWS. NO.

K 160

D E E D

08657

THIS DEED, Made this 16th day of June in the year of our LORD one thousand nine hundred and eighty-seven

BETWEEN, Walter Willoughby Speakman and Virginia W. Speakman, his wife, Cummins Elliott Speakman Jr. and Julia Rice Speakman, his wife, and Marion Speakman Holder Mathews, parties of the first part,

AND

The State of Delaware, party of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Three Hundred Twenty Thousand (\$320,000) Dollars, lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grant and convey unto the said party of the second part,

ALL that certain parcel of land and premises on which the Mansion House of "Belmont Hall", garage and other out buildings are erected, situated near Smyrna, in Duck Creek Hundred, Kent County and State of Delaware, lying on the northeast side of the northbound lane of the Dual Highway which is U. S. Route #13 and on the northerly side of Delaware Route #9 which leads from said U. S. Route #13 to the town of Leipsic, bounded on the southwest by said U. S. Route #13 on the south by said Delaware Route #9, on the east by lands of Elmer Pratt and others and on the north by the creek or stream which flows easterly and/or northeasterly from the spill way located a short distance west of said U. S. Route #13 and at the easterly end of Lake Como and on the northwest by lands of the Odd Fellows Cemetery more particularly described as follows:

BEGINNING at a stake in the northerly right of way line of Delaware Route #9 at a corner for these lands and lands of Elmer Pratt, thence binding with lands of Elmer Pratt, north 29 degrees 50 minutes east 2189.83 feet to a stake, a corner for these lands and lands of Pratt, on the southeast and lands of Anne Holder Graham, on the north; thence binding with the Graham lands north 44 degrees 43 minutes west to a point where this line intersects the course of Mill Creek; thence westerly along the course of Mill Creek following its various meanderings to a point where said course intersects the line of the Odd Fellows Cemetery as a northwest corner for these lands and premises, thence turning south 30 degrees west and binding with the line of the Odd Fellows Cemetery a distance of 827 feet to a stake a corner for these lands and lands of the Odd Fellows Cemetery; thence north 60 degrees west 316.80 feet to another stake, another corner for these lands and lands of the Odd Fellows Cemetery; thence south 29 degrees 30 minutes west 868.62 feet to a stake in the easterly right of way line of the northbound lane of U.S. Route #13; thence southerly along the said easterly right of way line 779.41 feet to another stake in the easterly right of way line of the northbound lane of U. S. Route #13, thence south 46 degrees 8 minutes east 82.67 feet to another stake in the

new northerly right of way line of Delaware Route #9; thence south 80 degrees and 24 minutes east 205.79 feet to the point of beginning containing approximately 30 1/2 acres of land more or less.

The above lands are subject to an easement of a 20 foot wide entrance right of way line leading from Delaware Route #9 along the entire line separating these lands from lands of Elmer Pratt; said easement was granted to John L. Graham, III, and Anne Holder Graham by deed bearing date April 30, 1959 and recorded in the Office of the Recorder of Deeds in and for Kent County in the Court House at Dover, Delaware in Deed Record C, Volume 22, Page 56.

Including nevertheless all of 0.174 acre of land hereto conveyed be deed of Marjorie Willoughby Speakman, widow et al to The State of Delaware by deed dated May 20, 1966 and recorded in the office of the Recorder of Deeds for Kent County State of Delaware in Deed Record H, Volume 24, Page 482 being a portion of the right of way for the highway leading from Big Oak Corner to the Towne of Smyrna.

AND BEING a part of the same lands and premises which were conveyed unto Cummins E. Speakman and Marjorie Willoughby Speakman, his wife, for life, remainder to Cummins E. Speakman, Jr., Walter Willoughby Speakman and Marion Speakman Holder by deed of Emily Harrington, single woman, bearing date August 31, 1944 and of record in the office of the Recorder of Deeds in and for Kent County at the Court House in Dover, Delaware in deed book Q, Volume 16, at Page 313. Cummins E. Speakman died on or about the 28th day of July A.D. 1951, and Marjorie Willoughby Speakman died on or about the 4th day of June, 1967.

And also being a part of the same lands and premises which Walter Willoughby Speakman and Virginia W. Speakman his wife and Cummins Elliot Speakman, Jr., and Julie Rice Speakman his wife and Marion Speakman Holder Mathews and Henderson Mathews her husband did by deed dated July 15, 1966 and recorded as aforesaid in Deed Record M, Volume 24, Page 107 grant and convey unto Marjorie W. Speakman, widow, in fee.

Marjorie W. Speakman, died testate a widow on June 4, 1978 leaving a will dated July 17, 1967 and three codicils wherein and whereby she did devise, bequeth all the rest residue and

remainder of her Estate including her interest in the above described premises to her children Cummins Elliott Speakman, Jr., Marion Speakman Holder Mathews and Walter Willoughby Speakman.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals, the day and year aforesaid.

Sealed and Delivered
in the Presence of:

Victoria G. Heizer
as to all.

Walter Willoughby Speakman
WALTER WILLOUGHBY SPEAKMAN

Virginia W. Speakman (SEAL)
VIRGINIA W. SPEAKMAN

Cummins Elliott Speakman, Jr. (SEAL)
CUMMINS ELLIOTT SPEAKMAN, JR.
By *James T. Vaughn, Jr.*, her atty in fact

Julie Rice Speakman (SEAL)
JULIE RICE SPEAKMAN
By *James T. Vaughn, Jr.*, her atty in fact

Marion Speakman Holder Mathews
MARION SPEAKMAN HOLDER MATHEWS
By *James T. Vaughn, Jr.*, her atty in fact

\$0.00 16AL87 02 11

See Power of attorney attached A + B
Witness address
known by Highberg
P. Box 778
Holm, De. 1963

STATE OF DELAWARE :
 : SS
 KENT COUNTY :

BE IT REMEMBERED, that on this 16th day of April in the year of our Lord one thousand nine hundred and eighty-seven (1987) personally came before me, the Subscriber a Notary Public for the State of Delaware aforesaid Walter Willoughby Speakman and Virginia W. Speakman, his wife, parties to this Indenture, known to me personally to be such, and severally acknowledged this Indenture to be their Deed.

Given under my Hand and Seal of office, the day and year aforesaid.

Victoria A. Heeger
 Notary Public

My Commission Expires Oct. 9, 1990



STATE OF DELAWARE

:

: SS

KENT COUNTY

:

BE IT REMEMBERED, that on this 16th day of April in the year of our Lord one thousand nine hundred and eighty-seven (1987) personally came before me, the Subscriber a Notary Public for the State of Delaware aforesaid *James T. Vaughn, Jr.*

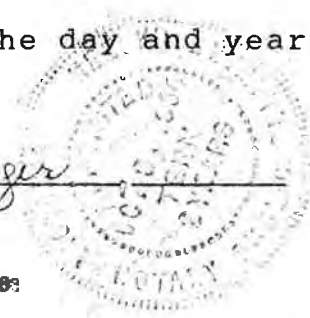
attorney-in-fact for *Marion Speakman Holder Mathews*

parties to this Indenture, known to me personally to be such, and severally acknowledged this Indenture to be their Deed.

Given under my Hand and Seal of office, the day and year aforesaid.

Victoria A. Heeger
Notary Public

My Comm. Exp. Oct. 9, 1988



STATE OF DELAWARE)
) SS.
 KENT COUNTY)

BE IT REMEMBERED, that on this 16th day of April in the year of our LORD, one thousand nine hundred and eighty-seven personally came before me the Subscriber a Notary Public for the State of Delaware aforesaid *James T. Vaughan &* attorney-in-fact for *Carman & Spinkman, Inc. a Delaware corporation* parties to this Indenture, known to me personally to be such, and severally acknowledged this Indenture to be their Deed.

GIVEN under my Hand and Seal of Office the day and year aforesaid.

Victoria A. Heeger
 Notary Public
 My Commission Expires Oct. 9, 1988

T. A. Heeger

SPECIAL POWER OF ATTORNEY

We, Cummins E. Speakman, Jr. and Julie Rice Speakman, husband and wife, 2 Wa'a Place, Paia, Maui, State of Hawaii, do hereby authorize and empower James T. Vaughn, Jr. of 507 South State St., Dover, Kent County and State of Delaware, as our Attorney-in-Fact, to execute and deliver such sundry papers, including but not limited to the deed and settlement sheet, as are necessary to complete the sale of property known as Belmont Hall, Smyrna, Kent County, Delaware, in which Cummins E. Speakman, Jr. holds an undivided one-third interest, to the State of Delaware Highway Department for the total sale price of \$320,000.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS 13th DAY OF APRIL, 1987.

Signed in the presence of:

[Signature]
[Signature]
 Donna M. Ventura
[Signature]

Cummins E. Speakman, Jr. (SEAL)
 CUMMINS E. SPEAKMAN, JR.

Julie Rice Speakman (SEAL)
 JULIE RICE SPEAKMAN

STATE OF HAWAII
 COUNTY OF MAUI

BE IT REMEMBERED, that on this 13th day of April, 1987, came before me, the subscriber, a notary public for the State and County aforesaid, Cummins E. Speakman, Jr., and Julie Rice Speakman, parties to this indenture, and they acknowledge this indenture to be their act and deed.

GIVEN under my hand and seal of office the day and year aforesaid.

[Signature]

NOTARY PUBLIC

State of Hawaii

My commission expires: 12/25/88



SPECIAL POWER OF ATTORNEY

I, MARION SPEAKMAN HOLDER MATHEWS, widow, of 439 Royal Palm Way, Palm Beach, State of Florida, do hereby authorize and empower JAMES T. VAUGHN, JR. of 414 West Street, Town of Clayton, Kent County and State of Delaware, as my Attorney-in-Fact, to execute and deliver such sundry papers, including but not limited to the deed and settlement sheet, as are necessary to complete the sale of property known as Belmont Hall, Smyrna, Kent County, Delaware, in which I hold an undivided one-third interest, to State of Delaware Highway Department for the total sales price of Three-Hundred Twenty Thousand (\$320,000.00) Dollars.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 15TH day of April, A.D. 1987.

Signed in the Presence of:

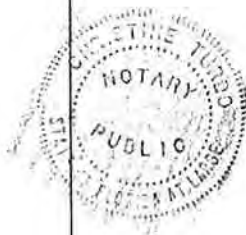
Christine Lumb
(WITNESS)

Marion Speakman Holder Mathews
MARION SPEAKMAN HOLDER MATHEWS

STATE OF FLORIDA x
 x SS:
PALM BCHCOUNTY x

BE IT REMEMBERED, That on this 15TH day of April, A.D. 1987, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, MARION SPEAKMAN HOLDER MATHEWS, widow, Party to this Indenture, known to me personally to be such, and she has acknowledged this Indenture to be her Act and Deed.

GIVEN under my Hand and Seal of office the day and year aforesaid.



RECEIVED FOR RECORD

APR 16 2 59 PM '87

MICHAEL T. SCHUE
RECORDER OF DEEDS
KENT COUNTY, DELAWARE

\$3.00 STATE DOCUMENT FEE PAID

Christine Lumb
NOTARY PUBLIC

Notary Public, State of Florida
My Commission Expires Sept. 4, 1988
Bonded Thru Fidelity Insurance, Inc.

Division of Highways
P.O. Box 778
Dover, Delaware 19903

D E E D

WALTER WILLOUGHBY SPEAKMAN
VIRGINIA W. SPEAKMAN
CUMMINS ELLIOTT SPEAKMAN, JR.
JULIA RICE SPEAKMAN
MARION SPEAKMAN HOLDER MATHEWS

TO

THE STATE OF DELAWARE

State Project No. 83-110-02
Kent County, U. S. Rt 13, Relief Route
County Assessment Parcel - Duck Creek Hundred
19.00-01 and 02, Request No. 9
Belmont Hall, Smyrna
DOJ File No. 871

Submitted to Board of Assessment
SUBMITTED TO THE BOARD
OF ASSESSMENT 4-20-87
Board of Assessment
62.

STATE OF DELAWARE }
KENT COUNTY }

INDEXED

RECORDED in the Office for the Recording of Deeds, Etc
at Dover, in and for the said County of Kent, in
Deed Record K Vol. 43 Page 62 Etc.
the 16th day of April A.D. 19 87.
WITNESS my Hand and the Seal of said office.
Murray T. Schae, Recorder