

1918-020

Nansemond Co (Suffolk)

Chancery Causes: Petition of Trustees of the
Greater Suffolk Lodge No. 206
(of the Improved Benevolent & Protective
Order of Elks of the World for
Authority to Encumber Land)

Faison, Harris, King, Corbitt, Lloyd, Wheley

In the Matter of Application of the Trustees of the Greater Suffolk Lodge No. 206 of the Improved Benevolent & Protective Order of Elks of the World to Encumber Land.

This day came Turner Faison, R. H. Harris and Clarence King, trustees of the Greater Suffolk Lodge No. 206 of the Improved Benevolent & Protective Order of Elks of the World, by-counsel, and presented their petition, together with the resolution of said Lodge signed and acknowledged by the President and Secretary of said organization, requesting leave of this Court to encumber the said land mentioned in said petition to the amount of Nine Hundred Dollars, that being the purchase price of said land purchased by the said Lodge from John Richardson; it being the purpose of the said Lodge to give a deed of trust to the said John Richardson for the said amount of Nine Hundred Dollars to secure to him payment of the same.

And it appearing to the Court that by order of the Circuit Court of Hansemond County, entered on the 13th day of October, 1917, in Common Law Order Book No. 5, at page 198, Turner Faison, R. H. Harris and Clarence King, Trustees of the Greater Suffolk Lodge No. 206 of the Improved Benevolent & Protective Order of Elks of the World, were duly appointed trustees to hold the real estate of said Lodge.

And it further appearing to the said Court from the said petition and from the resolution filed therewith that it is the wish of the said organization that the said property be encumbered for the above mentioned purposes;

The Court doth adjudge, order and decree

that the said Trustees be allowed to encumber the said property to the extent of Nine Hundred Dollars by executing a good and sufficient deed of trust to the said John Richardson for that amount; and it further appearing to the Court that Trustees for said Lodge do not, at the present time, possess the legal title to the said property, and that they are unable to obtain such title until the granting of this order; the Court doth further adjudge, order and decree that upon the proper execution of a deed of bargain and sale conveying the legal title to said property to the Trustees of said Lodge, the said Trustees of said Lodge execute the said deed of trust as of the date of said deed, making the said execution of the said deed and said deed of trust a simultaneous transaction, and the said Trustees are further ordered to pay the costs of this suit,

And the said Trustees shall report their proceedings hereunder to the Court.

In the Matter of Appli-
cation of the Trustees
of the Greater Suffolk
Lodge No. 206 of the
Improved Benevolent &
Protective Order of Elks
of the World for authority
to Encumber Land.

DECREE

Enter the day of
January, 1918.

Amos S. McShore

Entered in Chancery
Order Book No. 5,
at page 139.

To the Honorable Circuit Court of Nansemond County.

Your petitioners, Turner Saison, R. H. Harris and Clarence King, trustees of the Greater Suffolk Lodge No. 206 of the Improved Benevolent & Protective Order of Elks of the World, respectfully represent that they are the trustees of the said Lodge, duly appointed according to law, as will appear from the order dated the 13th day of October, 1917, recorded in the Common Law Order Book No 5, at page 198, in the Clerk's Office of the Circuit Court of Nansemond County; that they have been authorized by the said Lodge, as will appear from the resolution hereto attached, to purchase for the use and benefit of the said Lodge from one John Richardson for the sum of Nine Hundred Dollars the following property, to-wit:

All those three certain lots, pieces or parcels of land situated in the Eastern suburbs of the City of Suffolk, known as Lots Nos. 39, 40 and 44 on the plat of building lots opened by M. F. Lloyd, and known as "East Suffolk, which said plat is duly recorded in the Clerk's Office of the Circuit Court of Nansemond County in Deed Book 27, at page 321; it being a part of the same property conveyed to the said John Richardson by James H. Corbitt and others, by deed dated August 1, 1917, and duly recorded in the said Clerk's Office in Deed Book 86, at page 415, and more fully described in the deed from M. F. Lloyd and wife to Peter Whaley, dated the 19th day of December, 1889, and recorded in the said Clerk's Office in Deed Book 23 at page 166.

That the said trustees have been authorized by said Lodge, as will appear by the said resolution, to execute a deed of trust to secure the said John Richardson the said sum of \$900.00, that being the purchase price of said property.

The said trustees further represent that they have agreed to purchase from said John Richardson the said lots, to be used as a home for the said Lodge, and that the said John Richardson has agreed to sell to the said Lodge on the terms hereinabove set out; that there is now a deed of trust on said lots executed by the said John Richardson in favor of James H. Corbitt and others; that the said beneficiaries in said deed of trust agree to join in the execution of the deed from said John Richardson for the purpose of releasing the lien of their deed of trust.

Now, therefore, in accordance with the said resolution, certified by the proper officers of said organization, hereto attached, your petitioners ask leave, upon the execution and delivery to them of the deed of bargain and sale conveying the property hereinabove described to the said trustees for the said Lodge, to encumber the said property by giving a deed of trust thereon to secure the purchase price as hereinabove set out; and said trustees further pray that this Honorable Court will cause to be entered such orders as may be necessary and proper to affect the purposes hereinabove mentioned.

Turner Faison

Clarence King

R. H. Harris

Trustees of Greater
Suffolk Lodge No. 206
of the Improved Bene-
volent & Protective
Order of Elks of the
World.

By Samuel H. Hutton

Their Attorneys

At a special meeting of the members of the Greater Suffolk Lodge No. 206 of the Improved Benevolent & Protective Order of Elks of the World ~~was~~ held at Suffolk, Virginia, on Wednesday, the third day of October, at 7:30 P. M., pursuant to a call of the Trustees, notice of which meeting was duly mailed to all of the members of this Lodge according to law; the following resolution was adopted:

Whereas, a certain proposition had been made by the Greater Suffolk Lodge No. 206 of the Improved Benevolent & Protective Order of Elks of the World to purchase three certain lots, hereinafter described, from one John Richardson; to pay therefore the sum of \$900.00, and to execute and deliver to the said John Richardson a deed of trust on said three lots, securing the said John Richardson the payment of the sum of \$900.00, that being the full amount of the purchase price of said lots; and,

Whereas, the said proposition is approved by the members of this Lodge; be it resolved that the said Trustees of this Lodge be, and hereby are, authorized, instructed and empowered to do all things necessary, including the execution and delivery of said deed of trust, to carry into affect the aforesaid resolution.

The said property is described as follows:
All those three certain lots, pieces or parcels of land situated in the Eastern suburbs of the City of Suffolk, known as Lots Nos. 39, 40 and 44 on the plat of building lots opened by M. F. Lloyd, and

known as "East Suffolk", which said plat is duly recorded in the Clerk's Office of the Circuit Court of Nansemond County in Deed Book 27, at page 321; it being a part of the same property conveyed to the said John Richardson by James H. Corbitt and others, by deed dated August 1, 1917, and duly recorded in the said Clerk's Office in Deed Book 86, at page 415, and more fully described in the deed from M. F. Lloyd and wife to Peter Holland, dated the 19th day of December, 1889, and recorded in said Clerk's Office in Deed Book 23, at page 166.

Witness the signatures of the President and Secretary of the said Lodge this the 3rd day of October, 1917.

Luke Leure Sr.

President

Miller Waff

Secretary

Greater Suffolk Lodge No. 206 of the Improved Benevolent & Protective Order of Elks of the World.

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plication of the
Trustees of the Greater
Suffolk Lodge No. 206
of the Improved Bene-
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PETITION.

1918 Jan'y filed
JRM

J. R. SAUNDERS
Attorney at Law
PINNER BUILDING
Suffolk, Va.

1918

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of the Trustees of the
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Poor Quality Original. Best Possible Capture