. BEFORE THE · OF BALTIMORE COUNTY

John S. Donaldson, et ux

• Case No. 94-301-SPH

. FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petition for Special Hearing for that property known as 10 York Road, located in Towson. The Petition was filed by the owners of the property, John S. and Emily T. Donaldson, through their attorney, T. Rogers Harrison, Esquire. The Petitioners seek special hearing relief to approve the nonconforming use of the subject property as a two-apartment dwelling. The subject property and relief sought are more particularly described on the plan submitted into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were John Donaldson, property owner. James Miedefeld, Jr., and T. Rogers Harrison, Esquire, attorney for the Petitioner. Numerous residents of the surrounding community appeared as Protestants in the matter, including Jean Huff, President of the Burkleigh Square Community Association, and Betsy Kahl, both of whom testified in opposition to the relief requested.

Testimony presented revealed that the subject property consists of 0.048 acres, more or less, zoned D.R. 10.5 and is improved with a townhouse dwelling unit containing two apartments. The Petitioners filed the instant Petition to establish the use of the property as a legal, nonconforming two-apartment dwelling. Mr. John Donaldson testified that he purchased the property in December 1981, at which time the dwelling com-

feld and the title history of the property which was entered into evidence as Petitioner's Exhibit 3, demonstrated the property's use as two apartments as far back as August 25, 1955. However, neither the Petitioner nor his witness could personally account for the interior of the subject dwelling prior to August 25, 1955. Mr. Wiedefold was familiar with the property after his grandparents moved there in August 1955. The Petitioner was unable to offer any testimony which would establish that the property existed as two separate apartments prior to Mr. Wie-efelu's personal recollection in August 1955. The property may, in fact, have been two separate apartments prior thereto, however, the Petitioner has failed to produce the necessary witness or affidavits which would establish that the two apartments existed prior to March 29, 1955.

In addition to establishing the two-apartment use prior to March 29, 1955, the Petitioner must prove that the property was used continuously and without interruption each and every year therafter as a two-apartment dwelling. There is a question in my mind as to how the property was used from 1970 until Mr. Donaldson purchased the property in December 1981. Mr. Wiedefeld's familiarity with the property being used as two apartments was from 1955 to 1970. There was no testimony offered as to the use of the property as two apartments for the period of time between 1970 and 1981. Therefore, I find the evidence lacking as to the property being continuously used as a two-apartment dwelling from 1970 to 1981. Due to this 11-year gap during which time the Patitioner was unable to establish the property's use as two apartments, and Mr. Wiedefeld's testimony which the property's use as two apartments, and Mr. Wiedefold's testimony which could not account for the two apartments prior to August 25, 1955, the tained two apartments. Testimony indicated that at the time of his purchase, both his son and daughter were residents there. Mr. Donaldson testified that he has leased the two apartments continuously and without interruption since his purchase of the property in 1981.

Mr. Jim Miedefeld appeared and testified on behalf of the Petition. Mr. Wiedefeld testified that he was familiar with the property from the time he was about 8 years old in 1955 until 1970. He testified that on August 25, 1955 his family purchased the property to provide housing for his grandparents. He testified that at that time the property had been converted into two apartments. He testified that shortly after his grandparents moved in, his grandfather passed away but that his grandmother continued to reside on the first floor of the property until approximately 1970. Mr. Wiedefeld testified that many times after school he would visit with his grandmother and would occasionally visit a Mrs. Hacks in the second floor apartment. He testified that Mrs. Hacks operated the beauty parlor at the corner of York Road and Burke Avenue. Purther testimon indicated that as a boy, he would deliver the newspaper to Mrs. Hacks and was familiar with the second floor apartment at that time

The Petitioner offered as Petitioner's Exhibit 3, a title history of the subject property beginning in 1952 up to the present time. Petitioner's Exhibit 3 demonstrated that a deed conveying title to this property to Mr. Wiedefeld's family was executed on August 25, 1955.

Many of the residents who attended the hearing in opposition to the Petitioners' request testified. Ms. Betsy Kahl, a representative of the Burkleigh Square Community Association, testified in her individual capacity. She testified that the subject property is too small to support two separate apartments. She is concerned about the parking problem that has been greated by virtue of these two spartments and the fact that there is no available parking for the other residents who reside along this stretch of York Road. She also believes that the residential character of the neighborhood is infringed upon by this two-family dwelling

Ms. Jean Huff testified in opposition to the Petitioners' request. She testified that the Burkleigh Square Community Association has been cracking down on multi-family dwellings in the area due to problems associated with the tenants. She testified that Towson State University students have been renting these multi-family deellings in the neighborhood and have caused many problems by being noisy and having weekend parties.

Mr. Prederick Holter also testified in opposition to the Petition er's request. Mr. Holter has lived in the neighborhood since 1983. He agrees that the property has been used as a two-apartment rental since he has lived in the neighborhood. He testified that the subject property has recently become a problem as a result of the two tenants who currently reside there. He testified that on weekends, this area of York Road has resembled the movie "Animal House" by virtue of the loud parties and the number of students partying at this location. He testified that the noise and marking have been a tremendous problem to the other residents in this

Suzanne Walther appeared and testified in opposition to the Petitioners' request. Ms. Meither corroborated the prior testimony as to parking problems, the parties, and the noise that have generated from this cular property as well as other rental properties along this stretch

Mr. James Hresko, who resides on the adjoining property at 11 York Road, testified in opposition to the Petitioners' request. Mr. Hresko testified that he has lived adjacent to the subject property for the pass 20 years and that in the last 5 years, it has become unbearable to live in his house. He stated that trash in the rear of the property has become a problem, as well as parking and noise from the partying. He testified that there are usually parties going on at the subject property, and that as many as 15 students can be seen partying on the back porch and on tor of the garage on the property. He further testified that he was in the subject dwelling in 1978 and 1979 and was not aware of any kitchen being located on the second floor. He stated that he helped to carry kitcher fixtures into the property for his then neighbor, a Mr. Robert Henson however, he was not aware at to whether he was carrying kitchen fivture for initial installation or replacing fixtures that were already there.

Finally, Mr. Charles Malther testified in opposition to the Petitioners' request. Mr. Walther .lso basically corroborated the testimony of the previous witnesses who testified in opposition to the property

As with all nonconforming use cases, the first task is to deternine whether a lawful nonconforming use existed on the subject property prior to the date on which a change in the zoning regulations caused the use of the property to become illegal. The controlling date in this case

After due consideration of the testimony and evidence presented appears that the relief requested must be denied. The Petitioners had the burden to establish that the subject property had been utilized as two-spartment dwelling since prior to March 29, 1955, the effective date of the regulations governing this parcel of property. The testimony offered by the Petitioner, that being the personal observations of Mr. Jim Wiede

ORIDER Date

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing must be denied THEREPORE, IT IS ORDERED by the Deputy Zoring Commissioner for

Baltimore County this 47th day of May, 1994 that the Petition for Special Hearing to approve the nonconforming use of the subject property as a two-apartment dwelling, in accordance with Petitioner's Exhibit 1, be and

IT IS FURTHER ORDERED that the property be converted to a single family dwelling within sixty (60) days of the date of this Order.

Leuthe, 16 toco TINOTHY N. KOTROCO Deputy Zoning Commissione for Baltimore County

THE - bits

ORDER RECEIVED/FIGH FILING
Date

2/4/4
By

Capacitation

RDER RECEIVED/FOR F

T. Rogers Harrison, Esquire 105 W. Chesapeake Avenue Towson, Maryland 21204 RE: PETITION FOR SPECIAL HEARING E/S York Road, 49.36 BM of the c/l of Burke Avenue 19th Reaction District - 4th Councilmanic District John S. Donaldson, et ux - Petitioners Case No. 94-301-58M Enclosed please find a copy of the decision rendered in the e-captioned matter. The Petition for Special Hearing has been denied coordance with the attached Order. In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on Siling an amount Levelle, Kotroco THE : bis cc: Mr. & Mrs. John Donaldson 1909 Sleepy Hollow Lane, Annapolis, Nd. 21401

Hs. Jean Huff

People's Counsel; Fije

Baltimore County Government Zoning Commissioner Office of Planning and Zonin

Hay 4, 1994

(410) 887-4386

Suite 113 Courthouse 400 Washington Aven Towson, MD 21204

Petition for Special Hearing 94-301-Still for the property located at 10 Vork Rd., Towson, MD 21204

the non-conforming use of this property as a two-apartment

L or on, saves to one assesses of above t	artised as prescribed Ly Zoning Regulations. Special Heaving scheduling, posting, etc., upon Ming of this publics, and further agree to and and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.
	Willy do naturally distance and affice, under the parallele of papers, that from one the legal naturally of the property which is the subject of this Politics.

	Who do relatedly disclose and pilled, under the parallels of people, that I has one the larger amongs of the property which is the publish of the Publish. Larger Committee.
·······	John S. Donaldson
Marine Town	Enily T. Donaldson
	Emily J. Donaldson
	1909 Steepy Hollow La Ma-141-6
	Annepolis, MD 21401

- 5-

relief requested must be denied.

94-301-SPH

ZONING DESCRIPTION FOR 10 York Rd., Towson, MD 21204

Election District 9 Councilmanic District 4

Beginning at a point on the East side of York Road which is sixty - six feetwide at a distance of 49.36 feet South 19 degrees 11 minutes West of the southernmost side of the nearest improved intersecting street Burke Avenue which is forty feet wide. As recorded in Deed Liber 6351 Folio 0739: S. 19 11' W. 19 ft., 8 70 45' E. 115 ft., N. 19 11' E. 19 ft., N. 70 45' W.115 ft. to the place of beginning. Saving and except 0.002 acre of land (102sg. ft.) condemned and transferred to Baltimore County, MD, described in an inquisition in the Circuit Court of Baltimore County (Condemnation 13/145/2451.)

298

Date of Posting 2/18/94 Diameter 918 Posted for Special Horning John + Emily Denaldson 10 Yest 18d, 1824' 5/ Book Arm with a see Toury readway on ready by sound Posted by Management Date of return: 1/25/87 Amber of Steer 7

MINIT OF SALTMONE COUNTY

94-501-5PH

(410) 887-3353

CERTIFICATE OF PUBLICATION TOWSON, MD., Feb. 17 , 1994 Rimore County, Md., once in each of 1 weeks, the first publication appearing on Felo 17, 1984. Henrikson LEGAL AD. - TOWSON

ions VIOLATION receipt 298 - 1/28/94 Taken by : JRF Donaldson - - 10 York Rd. #030 Special Harring - #50.00 201-SPH \$ 85.00

Baltimore County Governme Office of Zoning Administrati 943015/1 DUE DATE: CLOSING DATE OF HEARING DATE

(410) 887-3353

(410) 887-3353

CASE NUMBER/PROJECT NAME: 94-301-SPH (1) Zoning Notice Sign and Post Set(s) @ \$60.00/set = \$60.00 Due*

(In lieu of payment, we ask that you make use of the following waiver)

for ZADR

CASE NUMBER/PROJECT NAME: 94 301-SPH Returned _____ Zoning Notice Sign and Post Set(s).

nt Due weived upon return of the COMPLETE sign and post set(s).
n you return same, bring this form with you.

3

111 West Chesapeake A

94-30 1+5PH PETITION PROCESSING PLAG

This partition has been accepted for filing, after an initial raview, and has been been done to be agends for the zoning solviery committee, but an initial control of the special partition of the special partition of the special partition of the partition of th

The following information is missing:

Descriptions, including accurate beginning point
Actual address of property

Descriptions, including accurate negamina point
Actual address of property
Actual polices of property

<u>Nationer County Toning Regulations</u> require that notice be given to the general public/meighborine property counter relative to the value in the unique to the counter relative to the country which is the subject to the country of the country of the subject to the country of the country of the country of the sign on the property and placement of a notice in at least one newspaper of general circulation in the Country. This office will ensure that the legal requirements for posting and advertising are satisfied. However, the potitioner is responsible for the costs associated with these requirements. Posting fees will be accessed and paid to this office at the time of filing. Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER. Call Jolle ARNOLD JABLON, DIRECTOR Item No.: 298 Petitioner: John S. and Emily T. Dovaldeon location: 10 York Rd, Towson, MD 2/204 PLEASE FORMARD ADVERTISING BILL TO: John S. Donaldson ADDRESS: 1909 Sleepy Hollow Lane Annapolis , MD 21401 PHONE NUMBER: 410-841-6264 (Revised 04/09/93)

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

94-301-SPH

Please found billing to: 94-301-584 John S. Donaldson 1909 Sleepy Hollow Lane Ammapolis, Haryland 21401 041-6264 The ioning Constantoner of Bultimere County, by authority of the Soning lot and Emphatisms of Bultimere County, will shold a public bancing on the property identified bancin in Storm 100 of the County of 101-5 bullion; 111 C. Companies Storms in Secondary, 101-101 2004 or how 113, old Courchams, 400 Statistics beams, 700-000, Saryland 2004 or how 113, old Courchams, 400 Statistics beams, 700-000, Saryland 2004 or follows: Cast MUMBEL:94-301-698 (Item 298) 10 York Road 5/5 York Road, 47.36' Mi of c/l Burbs Journs 94 Histories District - 4th Councilmanic Patitionsc(s): John and Holly Rosaldom Special Rearing to approve the non-conforming use of this property as a two-spartment dealling MARINI: MEDIESDET MACE 9, 1994 at 9:00 a.m. No. 106 County Office \$18g.

HOTES: (1) MEANINGS ME MEDICAPPED ACCUMENTAL; FOR SPECIAL ACCOMMUNICATION PLANE CALL MT-3383.

94-301-5PH

No homing constantence of militaires County, by authority of the findesp let and hepitations of Builtance County, still hold a public hearing on the property identified hearin in Born 186 of the county offices buildary. 118. C. descayable homes in brown, Propined ZDAS or the Day of the County of

CONT. MICH. 101-005 (Tim. 200) 10 Tork Book L/S Tork Book, 49.36' St of c/1 Darks browns

Special Rearing to appears the non-conforming use of this property as a two-opertunet dwalling.

STREET, SECRETARY MACE 9, 1994 at 9:00 a.m. So. 106 County Office Side

EXPENSE (1) SECOND SING & POOT MOST HE RETURNED TO HE. 104, 111 H. CHEMPRINE MORNE OF THE MEMORIE MORN.

(2) MEMORIES HAS MEMORICATED ECCENTRALS; FOR SPECIAL ECCOMMONSTONE PLANE CALL 887-1353.

(3) FOR INFORMATION CONCESSION THE FILE MEMORIES, CONTRACT THES OFFICE AT MET-1391.

8

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

February 28, 1994

Mr. and Mrs. John S. Donaldson 1909 Sleepy Hollow Lane Annepolis, Maryland 21401

111 West Chesapeake Avenue Towson, MD 21204

RE: Case No. 94-301-SPH, Item No. 298 Petitioner: John S. Donaldson, et ux. Petition for Special Hearing

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced patition. The attached comments from each reviewing agency are not insteaded to indicate the appropriateness of the zoning action requested, but to assure that all parties. Let, not commissioner, attorney and/or the puttiener, when the commissioner, attorney and/or the puttiener, when commissioner, attorney and/or the puttiener, when the proposed improvements that may have a bearing on this case.

Enclosed are all comments substitted thus far from the nemerors of 20c.

comments of the request information on property station. If restitional comments of the property of the comments of the property of t

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

The director of Zoning Administration and Development Kneepement has instituted a system whereby measurement account of the local that time of the zoning regulations and comply with ord the zoning regulations and petitions [into requirements can file their petitions with this office without the necessity of a preliminary review by zoning percental.



Hal Kassoff

2-7-94

Re: Baltimore County Item No.: \$\psi 298 (JEF)\$

Ms. Charlotte Minton Zoning Administration and Development Management County 100

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item-

Bob Small DAVID M. RATTSEY, ACTING CHIEF

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free Mailing Address: P.O. Box 717 - Beltimore, MD 21203-0717 Street Address: 707 North Calvert Street - Baltimore, Maryland 21202 BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

DATE: February 14, 1994

DECENWEL Pat Keller, Deputy Director Office of Planning and Zoning

FEB 2 3 1994 ZONING COMMISSIONER

(410) 887,3353

The Office of Planning and Zoning has no comments on the following petition(s): Item Nos. 291, 293 and 298. 94.30 -574

Propaged by: Jeffry W. Long
Division Chief: Cary C. Cerno

ZAC.291/PZONE/ZAC1

Zoning Agenda:

700 East Joppa Road Suite 901 Towson, MD 21286-5500

RE: Property Owner: SEE BELOW

Gentlemen:

Arnold Jablon Director Zoning Administration and

LOCATION: SEE BELOW

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Prevention Bureau has no comments at this time.FOR THE FOLLOWING "ITEM NUMBERS": 285, 289, 291, 292, 293, 294 AND 298;

Baltimore County Government Fire Department

ZADM

(410) 887-4500

DATE: 02/03/94

REVIEWER: LT. ROBERT P. SAUERWALD Fire Prevention, PHONE 987-4881, MS-1102F

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94-301-5PH BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Larry E. Schmidt Zoning Commission DATE: February 1, 1994

VIOLATION CASE NO.:

John S. Donaldson 1909 Sleepy Hollow Lane Annapolis, Maryland 21401-1049

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

ADDRESS 107 Margaret Avenue Saltimore, Maryland 21221 Mr. Attillo Bredariol

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case. JHT/TF/hek

Re: 94-309

Notify of new hearing date: Jean Hoff 61 Buck Are Towson 21286

Betsy Kahl 61 Burkshive Att. Towson 21286 JOHN FREDERICK SE. BURKE TOWSON 21286 FRESENCK V. HOUTER 3 E. BURKE 21286

Beth Castree for T. Ropers Harrison 105W. Chappale Towon 21204

111 West Chesapeake Avenue Towson, MD 21204

CASE NUMBER:94-301-SPH (Item 298)
10 York Road, 49.36' SW of c/l Burke Avenue
E/S York Road, 49.36' SW of c/l Burke Avenue
9th Election District - 4th Councilmanic
Patitioner(s): John and Emily Donaldson

Special Hearing to approve the non-conforming use of this property as a two-apartment dwelling. HEARING: MONDAY, APRIL 18, 1994 at 8:30 a.m., Rm. 118 Old Courthouse.

NOTICE OF REASSIGNMENT

MARCH 18, 1994

Gelja

co. T. Ropers Harrison Frederick V. Holter John Frederick Betsy Kahl file copy v

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET TRogers Hanson x John Donaldson

-	
PLEASE PRINT CLEARLY	PROTESTANT (5) SIGN-IN SHEET

	WE.	ACCRESS
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and Davis away	
MARY H SMITH	SCHURKSHIRE Rd.
Suzanne Walther	66 Bunkleigh Rd.
Charles Walthea	66 Burkleich Rd.
JAMES HRESKO	11 YORK Rd.
And V. Hack	3 G. BUNKE
	-
	1

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1882766 NO 461 THIS DEED, Rade this 25 in the year one thousand nine hundred fifty-five, by and between NURBAY MacNABB, Executor of the Last Will and Testament of Mildred S. Neill, Recembed) of the City of Baltimore, State of Marriand, party of the first part; JULIA E. DOCINAR (also 2

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3

3351 11739

ASSESSION OF THE PARTY OF

This Deed, Made thus

by and between ROBERT S. HANSON

and MIRGINIA TEE HANSON, his wafe.

in the State of Maryland, of the first part, and

JOHN S. DONALDSON and EMILY T. DONALDSON, his wife,

Witnesseth, That in consideration of the sum of SIXTY THOUSAND DOLLARS (\$60,000.00)

the said ROBERT B. HANSO" and VIRGINIA LEE HANSON, his wife,

grant and convey unto the said JOHN S. DONALDSON and EMILY T. DONALDSON,

his wife, as tenants by the entireties, their

of ground, situate, ly, q and being in

Baltimore County, State of Maryland . afreesaid, and described as follows, that is to say:-

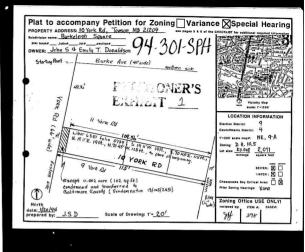
depoint for the same on the eastermost side of the York Road (sixty-six feet value) at the distance of 49.36 feet South 19 degrees 11 manufes Nest from the intersection of the eastermost side of the place of the sixty of the control of the control of the control of the control of a partition wall between the house enceded of the bit now build described and ball between the house enceded of the bit now build described and month of the forest the first of the control of a partition wall between the house enceded of the control of the first of the control of

SAVIIG AND EXCEPTING therefrom age of any arm of land, more or less (102 square feet), in fee limple, age or end vas condemned and transferred to appear feet), in feet limple, as is set forth and more particularly described in a limplestion in the Circuit Court of Baltimore County (Condemnation 11/14/3/431).

THE improvements thereon being known as No. 10 Burkleigh Square (and also known as 10 York Road), Towson, Maryland.

BEING the same land and premises which, by Seed dated August 1, 1979, and recorded among the Land Records of Baltimore County, Maryland, in Liber 6058, folio 188, was granted and conveyed by Julia P. Lane to Robert B. Manson and Virginia &ee Bannon, the Grantors herein, in fee simple.

a 0281***********************



ACTION Lee Hanson deeds to John S. Donald son 5 wife Emily T. Donaldson Julia P. Lane deeds to Robert L. Hanson & wife Virginia Lee Hanson Horare P. Lame & Julia P. Lame deeds to Julia P. Lame Henry F. "noher & Eva R. Wiedefeld. quardrans for Eva R. Kocher, deeds Granted and conveyed by Murray McN abb. Executor of the last will and testament of Mildred S. Naill, de ceased, Julia E. Dolinar and Frank Kocher and Eva Kocher, his wife, as tenants by entireties; the said frank Kocher departed this life on or about the 7th of October, 1955. thereby vesting his wife. Eva Kocher, with the entire fee simple interest in and to the above lot of ground: (L2766/F462 explains how Frank and Eva Kocher became owners of the property) Conveyed by Frank F. Fitspatrick to

This Does ande this twenty stath day of .ebroary in the year one

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the property of the second interpretables containing and exactled to the same

there are not to hild the most let of ground and granions share described and mentioned

Jim Wiedefeld (grandson of Eva R Kocker) work phone 296-5040

Horace + Julia Lane (line in FL) 407-466-2014

I ONER'S EXHIBIT 3









• PROTESTANT'S EXHIBIT NO. 1

Deed History 10 Burkleigh Square (also known as 10 York Rd.) Towson, Maryland

Date Liber\Folio Grantor Purchaser(s) Amount Amount Mortgage if any Misc. info Pebruary 26, 1935 948\530 Colonial Mortgage Company Mr. Frank Fitzpatrick and wife Julia No amount given in deed

Julia Fitzpatrick passed away between purchase of this property its sale in 1950

December 12, 1950 1925\4 Mr. Frank Fitzpatrick (widower) Mildred S. Nail1 Date Liber\Folio Grantor Purchaser(s) Amount Hortqage if any Misc. info \$500.00

Hildred S. Naill passed away May 3, 1955 The property was sold at public auction by the Executor of the Last Will and Testament

Date Liber Folio Grantor Purchaser Amount

June 11, 1955 1766/461 3rd paragraph Murray MacNabb, executor Julia E. Delinar \$12,625

Amount Mortgage if any Miss. info

August 25, 1955 2766/461 (same as above) Murray MacNabb, for M. Naill; Julia Delinar Hr. Frank Kocher, Eva Kocher (wife)

The sale of the property was between three parties with the third party (Mr. and Mrs. Kocher) paying the entire sum of \$12,625 directly to Mr. MacNabb, executor Frank Rocher passed away October 5, 1955 approx, one month after this purchase

Crantot Purchaser(s) Assunt Mortgage if any Mist, Info

December 18,1972 51273394 Two guardians for Eva Kocher (Frank deceased) Borace P. Lane, Julia P. Lane (wife) c22,000

One quardian for Mrs. Kocher was Henry Kocher

Date Liber\Folio Crantor Purchaser(s) Amount Mortgage If any Misc Info May 13, 1977 5753\520 Horace P. Lane, Julia P. Lane Julia P. Lane \$5.00

Basically, husband sold the home to the wife for a very small amount of money.

Date Liber\Folio Grantor Purchaser(s) Amount Mortgage if any

August 1, 1979 5058\248 Julia P. Lane Robert B. Manson, Virginia Lee Hanson (wife) 752,000

552,000 Mortgage for \$53,000 Held by Beulah S.T. Monk of North Carolina Mortgage amount is greater than purchase price. Misc. info

December 1981 9282\554 Beulah S.T. Monk released the mortgage for \$1

Liber\Folio Mortgage Date Liber\Folio

December 1, 1981 6351/739 Robert B. and Virginia Lee Hanson John S. Donaldson, Emily T. Donaldson (wife) 560,000 572,000 Stated mortgage is a commercial loan. Grantor Purchaser(s) Amount

Mortgage Misc.

This history of the deeds for 10 York Road was taken from the Ballmore County Land Records. I tried to be as accurate as possible but I am not by any means an expert at reading deeds and therefore may have made unintentional errors in my research. To the best of my knowledge, the information given above is correct.

Joan E. Huff 61 Burke Ave.



