

Prepared by:  
Todd C. Rhea #37275  
Clark & Bradshaw, PC  
92 N. Liberty Street  
Harrisonburg, VA 22802  
(540) 433-2601  
#21-718 /clm

Consideration: \$3,510,127.50  
Actual Value: \$3,510,127.50

Account No. 115 B 1 & 4

Title Insurance Underwriter insuring this instrument is: Chicago Title Insurance Company

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**THIS DEED**, made this 23rd day of March, 2023, by and between  
**CHARLES W. CLARK, MARY STRATE BAHN, DOROTHY STRATE**  
**HARPER, SARAH STRATE REES, ANN STRATE EGGE**, and **RONNIE**  
**ALLEN BARBER**, GRANTORS, and **EP HARRISONBURG OWNER LLC**, a  
Virginia limited liability company, GRANTEE.

**W I T N E S S E T H :**

That for and in consideration of the sum of TEN DOLLARS (\$10.00), cash  
in hand paid by the Grantee to the Grantors, and other good and valuable  
consideration given between the parties hereto at and before the execution and  
delivery of this deed, the receipt of all of which is hereby acknowledged, the  
Grantor does hereby grant and convey with General Warranty and English  
Covenants of title unto the said **EP HARRISONBURG OWNER LLC**, a  
Virginia limited liability company, Grantee herein, all that certain tract or parcel of

land containing 46.443 acres, more or less, together with any improvements thereon, and all rights, privileges, appurtenances, easements and rights-of-way thereunto belonging or in anywise appertaining, located in the City of Harrisonburg, Virginia, as set forth on the attached ALTA/NSPS Land Title survey made by Hal T. Benner, L.S., dated January 19, 2022, revised April 15 2022, revised January 12, 2023, and revised February 9, 2023, which is to be attached hereto and made a part hereof.

The real estate herein conveyed is the property acquired as follows:

- (1.) Tract of land conveyed to Ruth Wampler Clark for and during her lifetime by deed dated December 31, 1965, recorded in the Clerk's Office of the Circuit Court of Rockingham County, Virginia, in Deed Book 524, page 29, and upon her death to her four (4) children, namely Carolyn Clark Brown (now Carolyn Carolyn Clark Glave), Martha Ann Clark (now Martha Clark Barber), William Bruce Clark and Charles Wampler Clark, one of the Grantors herein. Ruth Wampler Clark died on September 3, 1975, thereby vesting fee simple title in the above four (4) children;
- (2.) By Deed of Exchange dated May 19, 1978, William Bruce Clark conveyed his interest in the said property to Carolyn Clark Glave,

Martha Clark Barber and Charles Wampler Clark, recorded in the aforesaid Clerk's Office in Deed Book 524, page 29;

- (3.) Martha Clark Barber and Charles L. Barber, her husband, conveyed one-half (1/2) of her one-third (1/3) interest in the property unto William D. Wampler, by deed dated February 6, 1979, recorded in the aforesaid Clerk's Office in Deed Book 545, page 4;
- (4.) Carolyn Clark Glave, divorced, conveyed her one-third (1/3) interest in the property unto William D. Wampler, by deed dated February 26, 1979, recorded in the aforesaid Clerk's Office in Deed Book 577, page 32;
- (5.) William D. Wampler, conveyed his one-half (1/2) interest in the property, by deed dated January 15, 2003, to Margaret W. Wiseman, recorded in the aforesaid Clerk's Office in Deed Book 2199, page 560;
- (6.) Martha Clark Barber conveyed a one-sixth (1/6) interest of her interest in the property, and Charles Wampler Clark conveyed a one-third (1/3) of his interest in the property to Margaret W. Wiseman by deed of gift dated April 1, 2004, recorded in the aforesaid Clerk's Office in Deed Book 2486, page 727;

- (7.) Margaret W. Wiseman conveyed a one-sixth (1/6) interest of her interest in the property to Martha Clark Barber, and conveyed a one-third (1/3) of her interest in the property to Charles Wampler Clark by deed of gift dated May 1, 2004, recorded in the aforesaid Clerk's Office in Deed Book 2486, page 730;
- (8.) Margaret Wiseman Strate died testate on August 29, 2017, and by her Last Will and Testament filed in the aforesaid Clerk's Office as File No. 170417, under Article IV, she devised the residue of her estate, to her four children: Dorothy S. (Strate) Harper, Mary Strate Bahn, Ann S. (Strate) Egge and Sarah S. (Strate) Rees, four of the Grantors herein; and
- (9.) Martha Clark Barber died testate on November 26, 2022, and by her Last Will and Testament filed in the aforesaid Clerk's Office in Will File No. 2022-709, under Article Three Residue, she devised the residue of her real estate to her one child, Ronnie Allen Barber, one of the Grantors herein.

This deed is made expressly subject to easements, conditions, restrictions, and reservations contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the property herein conveyed,

which have not expired by limitation of time contained therein, or otherwise become ineffective.

WITNESS the following signatures and seals.

*Charles W. Clark* (Seal)  
CHARLES W. CLARK

*Mary Strate Bahn* (Seal)  
MARY STRATE BAHN

*Dorothy Strate Harper* (Seal)  
DOROTHY STRATE HARPER

*Sarah Strate Rees* (Seal)  
SARAH STRATE REES

COMMONWEALTH OF VIRGINIA,  
CITY OF HARRISONBURG, to-wit:

The foregoing Deed was acknowledged before me in the jurisdiction aforesaid this 25th day of April, 2023, by CHARLES W. CLARK, MARY STRATE BAHN, DOROTHY STRATE HARPER, SARAH STRATE REES.

My Commission Expires: 6/30/2024.

*Cynthia Lynn Mumaw*  
Notary Public

CYNTHIA LYNN MUMAW  
NOTARY PUBLIC  
Commonwealth of Virginia  
Reg. #167499

Ronnie Allen Barber (Seal)  
RONNIE ALLEN BARBER

COMMONWEALTH OF VIRGINIA,  
CITY of HARRISONBURG, to-wit:

The foregoing Deed was acknowledged before me in the jurisdiction  
aforesaid this 25th day of April, 2023, by RONNIE ALLEN BARBER.

My Commission Expires: 6/30/2024.

Cynthia Lynn Mumaw  
Notary Public

CYNTHIA LYNN MUMAW  
NOTARY PUBLIC  
Commonwealth of Virginia  
Reg. #167499

Ann Strate Egge (Seal)  
ANN STRATE EGGE

COMMONWEALTH OF VIRGINIA,  
CITY/COUNTY of Harrisonburg, to-wit:

The foregoing Deed was acknowledged before me in the jurisdiction  
aforesaid this 25th day of April, 2023, by ANN STRATE EGGE.

My Commission Expires: 6/30/2024.

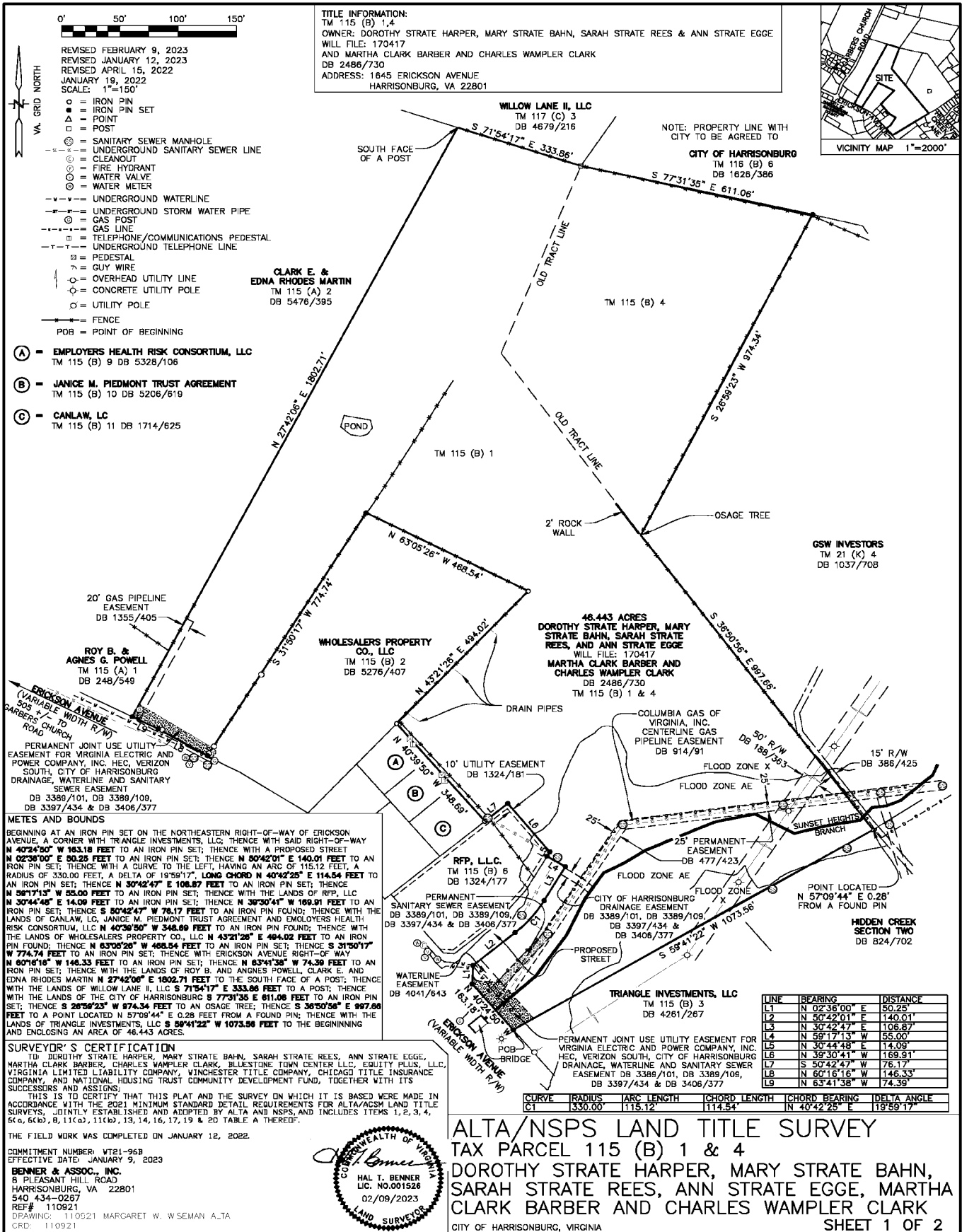
Cynthia Lynn Mumaw  
Notary Public

CYNTHIA LYNN MUMAW  
NOTARY PUBLIC  
Commonwealth of Virginia  
Reg. #167499

After Recordation Return to:  
Grantee's Address:

1888 Main Street, Suite C163  
Madison, MS 39110

This deed has been prepared without the benefit of a title exam on the part of the preparer.



**TITLE INFORMATION:**  
 TM 115 (B) 1, 4  
 OWNER: DOROTHY STRATE HARPER, MARY STRATE BAHN, SARAH STRATE REES & ANN STRATE EGGE  
 WILL FILE: 170417  
 AND MARTHA CLARK BARBER AND CHARLES WAMPLER CLARK  
 DB 2486/730  
 ADDRESS: 1645 ERICKSON AVENUE  
 HARRISONBURG, VA 22801

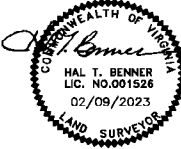
- REVISED FEBRUARY 9, 2023  
 REVISED JANUARY 12, 2023  
 REVISED APRIL 15, 2022  
 JANUARY 19, 2022  
 SCALE: 1"=150'
- = IRON PIN
  - = IRON PIN SET
  - △ = POINT
  - = POST
  - ⊙ = SANITARY SEWER MANHOLE
  - x—x— = UNDERGROUND SANITARY SEWER LINE
  - = CLEANOUT
  - ⊙ = FIRE HYDRANT
  - = WATER VALVE
  - ⊙ = WATER METER
  - v-v- = UNDERGROUND WATERLINE
  - f-f- = UNDERGROUND STORM WATER PIPE
  - ⊙ = GAS POST
  - - - = GAS LINE
  - ⊙ = TELEPHONE/COMMUNICATIONS PEDESTAL
  - T-T- = UNDERGROUND TELEPHONE LINE
  - ⊙ = PEDESTAL
  - ⊙ = GUY WIRE
  - ⊙ = OVERHEAD UTILITY LINE
  - ⊙ = CONCRETE UTILITY POLE
  - ⊙ = UTILITY POLE
  - — — = FENCE
  - POB = POINT OF BEGINNING

- (A) EMPLOYERS HEALTH RISK CONSORTIUM, LLC  
 TM 115 (B) 9 DB 5328/106
- (B) JANICE M. PIEDMONT TRUST AGREEMENT  
 TM 115 (B) 10 DB 5206/819
- (C) CANLAW, LC  
 TM 115 (B) 11 DB 1714/825

**METES AND BOUNDS**  
 BEGINNING AT AN IRON PIN SET ON THE NORTHEASTERN RIGHT-OF-WAY OF ERICKSON AVENUE, A CORNER WITH TRIANGLE INVESTMENTS, LLC; THENCE WITH SAID RIGHT-OF-WAY N 40°23'00" W 183.18 FEET TO AN IRON PIN SET; THENCE WITH A PROPOSED STREET N 02°38'00" E 80.28 FEET TO AN IRON PIN SET; THENCE N 50°42'01" E 140.01 FEET TO AN IRON PIN SET; THENCE WITH A CURVE TO THE LEFT, HAVING AN ARC OF 115.12 FEET, A RADIUS OF 330.00 FEET, A DELTA OF 19°59'17", LONG CHORD N 40°42'25" E 114.54 FEET TO AN IRON PIN SET; THENCE N 30°42'47" E 106.87 FEET TO AN IRON PIN SET; THENCE N 59°17'13" W 65.00 FEET TO AN IRON PIN SET; THENCE WITH THE LANDS OF RFP, LLC N 30°44'46" E 14.09 FEET TO AN IRON PIN SET; THENCE N 39°30'41" W 169.91 FEET TO AN IRON PIN SET; THENCE S 50°42'47" W 78.17 FEET TO AN IRON PIN SET; THENCE WITH THE LANDS OF CANLAW, LC, JANICE M. PIEDMONT TRUST AGREEMENT AND EMPLOYERS HEALTH RISK CONSORTIUM, LLC N 02°38'00" W 348.89 FEET TO AN IRON PIN SET; THENCE WITH THE LANDS OF WHOLESALERS PROPERTY CO., LLC N 43°21'28" E 494.02 FEET TO AN IRON PIN SET; THENCE N 63°05'26" W 468.54 FEET TO AN IRON PIN SET; THENCE S 31°50'17" W 774.74 FEET TO AN IRON PIN SET; THENCE WITH ERICKSON AVENUE RIGHT-OF-WAY N 60°16'16" W 146.33 FEET TO AN IRON PIN SET; THENCE N 83°41'38" W 74.39 FEET TO AN IRON PIN SET; THENCE WITH THE LANDS OF ROY B. AND AGNES POWELL, CLARK E. AND EDNA RHODES MARTIN N 27°42'09" E 1802.71 FEET TO THE SOUTH FACE OF A POST; THENCE WITH THE LANDS OF WILLOW LANE II, LLC S 71°54'17" E 333.86 FEET TO A POST; THENCE WITH THE LANDS OF THE CITY OF HARRISONBURG S 77°31'35" E 611.08 FEET TO AN IRON PIN SET; THENCE S 29°59'23" W 874.34 FEET TO AN OSAGE TREE; THENCE S 36°50'58" E 897.08 FEET TO A POINT LOCATED N 57°09'44" E 0.28 FEET FROM A FOUND PIN; THENCE WITH THE LANDS OF TRIANGLE INVESTMENTS, LLC S 59°41'22" W 1073.56 FEET TO THE BEGINNING AND ENCLING AN AREA OF 46.443 ACRES.

**SURVEYOR'S CERTIFICATION**  
 TO DOROTHY STRATE HARPER, MARY STRATE BAHN, SARAH STRATE REES, ANN STRATE EGGE, MARTHA CLARK BARBER, CHARLES WAMPLER CLARK, BLUESTONE TOWN CENTER LLC, EQUITY PLUS, LLC, VIRGINIA LIMITED LIABILITY COMPANY, WINCHESTER TITLE COMPANY, CHICAGO TITLE INSURANCE COMPANY, AND NATIONAL HOUSING TRUST COMMUNITY DEVELOPMENT FUND, TOGETHER WITH ITS SUCCESSORS AND ASSIGNS:  
 THIS IS TO CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a), 6(c), 8, 11(c), 11(d), 13, 14, 16, 17 AND 19 BY 20 TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON JANUARY 12, 2022.  
 COMMITMENT NUMBER: VT21-968  
 EFFECTIVE DATE: JANUARY 9, 2023  
**BENNER & ASSOC., INC.**  
 8 PLEASANT HILL ROAD  
 HARRISONBURG, VA 22801  
 540 434-0287  
 REF# 110921  
 DRAWING: 110921 MARGARET W. W SEMAN ALTA  
 CRD: 110921



**ALTA/NSPS LAND TITLE SURVEY**  
 TAX PARCEL 115 (B) 1 & 4  
 DOROTHY STRATE HARPER, MARY STRATE BAHN,  
 SARAH STRATE REES, ANN STRATE EGGE, MARTHA  
 CLARK BARBER AND CHARLES WAMPLER CLARK  
 CITY OF HARRISONBURG, VIRGINIA  
 SHEET 1 OF 2

LINE	BEARING	DISTANCE
L1	N 02°38'00" E	50.25
L2	N 50°42'01" E	140.01
L3	N 30°42'47" E	106.87
L4	N 59°17'13" W	65.00
L5	N 30°44'48" E	14.09
L6	N 39°30'41" W	169.91
L7	S 50°42'47" W	78.17
L8	N 60°16'16" W	146.33
L9	N 63°41'38" W	74.39

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	330.00	115.12	114.54	N 40°42'25" E	119°59'17"



**NOTES:**

1. ALL LOT CORNERS ARE EVIDENCED BY IRON PINS OR POINTS AS SHOWN HEREON. THE RELATIVE POSITIONAL PRECISION EXCEEDS THE MAXIMUM ALLOWED UNDER SECTION 3.D.V. OF THE 2021 ALTA/NSPS STANDARDS.
2. EXCEPT AS SHOWN OR NOTED ON THE SURVEY, THE SUBJECT PROPERTY DOES NOT SERVE ANY ADJOINING PROPERTY, DRAINAGE, UTILITY, OR INGRESS OR EGRESS.
3. THE SUBJECT PROPERTY HAS ACCESS TO AND FROM THE FOLLOWING DEDICATED AND PUBLIC STREET: ERICKSON AVENUE.
4. THIS PARCEL SITE IS IN FEMA FLOOD HAZARD ZONE X (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN) ACCORDING TO THE SCALED LOCATION FROM FIRM COMMUNITY-PANEL NUMBERS 51165C0391D AND 51165C0392D DATED FEBRUARY 6, 2008 AND FROM THE CITY OF HARRISONBURG GIS.
5. THIS PARCEL IS CURRENTLY ZONED B-2.
6. SETBACK: FRONT YARD 30 FEET, SIDE YARD 30 FEET, AND REAR YARD 10 FEET, EXCEPT ON THE SIDE OF A LOT ABUTTING A RESIDENTIAL DISTRICT, THEN 30 FEET; MAXIMUM BUILDING HEIGHT 35 FEET.
7. THERE ARE NO PARKING SPACES ON THIS PARCEL.
8. NO PART OF THE VISIBLE ABOVE GROUND IMPROVEMENTS ENCLOSES OR OVERHANGS ANY EASEMENT, RIGHT-OF-WAY OR LAND OF OTHERS, EXCEPT AS SHOWN AND NOTED HEREON. THE EXISTENCE OF UNDERGROUND UTILITIES NOT VISIBLE FROM GROUND LEVEL HAVE BEEN LOCATED BY MEANS OF INSPECTION PORT, MANHOLES, VALVE COVERS, PEDESTALS AND MARKINGS FROM UTILITY COMPANIES.
9. THERE ARE NO VISIBLE ENCROACHMENTS ON SAID DESCRIBED PROPERTY BY PARTY WALLS, STREETS, ALLEYS, BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS SITUATED ON ADJOINING PROPERTY, EXCEPT AS SHOWN ON THE SURVEY.
10. THERE IS NO EVIDENCE OBSERVED OF SUBJECT PROPERTY HAVING EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
11. THERE IS NO EVIDENCE OBSERVED OF CHANGES IN STREET RIGHT-OF-WAY LINES, RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS IN RECENT MONTHS.
12. ALL UTILITY SERVICES REQUIRED FOR OPERATION OF THE PREMISES ENTER THE PREMISES THROUGH ADJOINING STREETS OR EXISTING EASEMENTS.
13. THERE IS NO EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
14. THERE WERE NO CEMETERIES, GRAVE SITES OR BURIAL GROUNDS OBSERVED.
15. THERE WERE NO BUILDINGS OBSERVED.
16. THERE IS A PROFESSIONAL LIABILITY INSURANCE POLICY OBTAINED BY BENNER AND ASSOCIATES IN THE AMOUNT OF \$1,000,000.00 IS IN EFFECT THROUGHOUT THE CONTRACT TERM.

**TITLE INSURANCE EXCEPTIONS, SCHEDULE B, PART II:**

10. EASEMENT GRANTED COLUMBIA GAS OF VIRGINIA BY INSTRUMENT(S) RECORDED IN DEED BOOK 914 AT PAGE 91. AS SHOWN HEREON.
11. EASEMENT GRANTED COMMONWEALTH GAS SERVICES, INC. BY INSTRUMENT(S) RECORDED IN DEED BOOK 1355 AT PAGE 405. AS SHOWN HEREON.
12. EASEMENT(S) GRANTED CITY OF HARRISONBURG, A VIRGINIA MUNICIPAL CORPORATION, BY INSTRUMENT(S) RECORDED IN DEED BOOK 3389 AT PAGE 101 AND IN DEED BOOK 3389 AT PAGE 109. AS SHOWN HEREON.
13. EASEMENT GRANTED VIRGINIA ELECTRIC POWER COMPANY BY INSTRUMENT(S) RECORDED IN DEED BOOK 3397 AT PAGE 434. AS SHOWN HEREON.
14. EASEMENT GRANTED VERIZON SOUTH, INC. BY INSTRUMENT(S) RECORDED IN DEED BOOK 3406 AT PAGE 377. AS SHOWN HEREON.
15. DEED OF EASEMENT GRANTED CITY OF HARRISONBURG, A VIRGINIA MUNICIPAL CORPORATION, BY INSTRUMENT(S) RECORDED IN DEED BOOK 4041 AT PAGE 643. AS SHOWN HEREON.
16. EASEMENT GRANTED GTE SOUTH, INCORPORATED, BY INSTRUMENT(S) RECORDED IN DEED BOOK 1637 AT PAGE 280. NOT APPLICABLE.

**ALTA/NSPS LAND TITLE SURVEY**  
**TAX PARCEL 115 (B) 1 & 4**  
**DOROTHY STRATE HARPER, MARY STRATE BAHN,**  
**SARAH STRATE REES, ANN STRATE EGGE, MARTHA**  
**CLARK BARBER AND CHARLES WAMPLER CLARK**  
 CITY OF HARRISONBURG, VIRGINIA

**BENNER & ASSOC., INC.**  
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 DRAWING: 110921 MARGARET W. WISEMAN ALTA  
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