

## **RESOLUTION NO. 1190**

A RESOLUTION of the Council of the City of Salisbury proposing the annexation to the City of Salisbury of a certain area of land situate contiguous to and binding upon the Southeasterly corporate limits of the City of Salisbury, to be known as the "Snow Hill Road - Causey and Carey Annexation" being an area located on the Northeasterly and Southwesterly sides of Snow Hill Road.

WHEREAS the City of Salisbury has received a petition to annex, signed by at least twenty-five percent (25%) of the persons who are resident registered voters and of the persons who are owners of at least twenty-five percent (25%) of the assessed valuation of the real property in the area sought to be annexed, and being located on the Northeasterly and Southwesterly sides of Snow Hill Road, said parcel being contiguous to and binding upon the Southeasterly corporate limits of the City of Salisbury;

WHEREAS the City of Salisbury has caused to be made a certification of the signatures on said petition to annexation and has verified that the persons signing the petition represent at least twenty-five percent (25%) of the persons who are eligible voters and property owners owning twenty-five percent (25%) of the assessed valuation of real property in the area to be annexed, all as of January 14, 2005, as will more particularly appear by the certification of W. Clay Hall, Surveyor, of the City of Salisbury, attached hereto; and

WHEREAS it appears that the petition meets all the requirements of the law.

SECTION 1. NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY THAT it is hereby proposed and recommended that the boundaries of the City of Salisbury be changed so as to annex to and include within said City all that parcel of land together with the persons residing therein and their property,

contiguous to and binding upon the Northeasterly and Southwesterly sides of Snow Hill Road, and being more particularly described on Exhibit "A" attached hereto and made a part hereof.

SECTION 2. AND BE IT FURTHER RESOLVED BY THE CITY OF SALISBURY, THAT the annexation of the said area be made subject to the terms and conditions in Exhibit "B" attached hereto and made a part hereof.

SECTION 3. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY, THAT the Council hold a public hearing on the annexation hereby proposed on March 14, 2005, at 6:00 o'clock p.m. in the Council Chambers at the City-County Office Building and the Executive Officer shall cause a public notice of time and place of said hearing to be published not fewer than four (4) times at not less than weekly intervals, in a newspaper of general circulation in the City of Salisbury, of the area to be annexed, accurately describing the proposed annexation and the conditions and circumstances applicable thereto, which said notice shall specify a time and place at which the Council of the City of Salisbury will hold a public hearing on the Resolution.

SECTION 4. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY, THAT this resolution shall take effect upon the expiration of forty-five (45) days following its final passage, subject, however, to the right of referendum as contained in Article 23A of the Maryland Code.

The above resolution was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this 24<sup>th</sup> day of January, 2005, and having been

duly published as required by law in the meantime, was finally passed after a public hearing at its meeting held on this \_\_\_\_\_ day of March, 2005.

\_\_\_\_\_  
Brenda J. Colegrove,  
City Clerk

\_\_\_\_\_  
Michael P. Dunn,  
Council President

APPROVED BY ME this \_\_\_\_\_ day of  
\_\_\_\_\_ 2005.

\_\_\_\_\_  
Barrie P. Tilghman,  
Mayor of the City of Salisbury

## EXHIBIT "A"

### Snow Hill Road – Causey and Carey Annexation

CERTAIN AREAS OF LAND contiguous to and binding upon the southeasterly Corporate Limit of the City of Salisbury to be known as "Snow Hill Road – Causey and Carey Annexation".

AREA I. Beginning for the same at a point on the Corporate Limit, said point lying on the southwesterly right of way line of Snow Hill Road X 1,207,443.63 Y 188,643.42; thence crossing Snow Hill Road and running by and with the lands of Charles E. and Cora E. Haight the following four courses: (1) North forty-one degrees five minutes fifteen seconds East (N 41° 05' 15" E) five hundred and forty-four decimal one, six (544.16) feet to a point X 1,207,801.26 Y 189,053.56; (2) North eighty-six degrees forty-one minutes fifteen seconds East (N 86° 41' 15" E) two hundred and fifteen decimal three, two (215.32) feet to a point X 1,208,016.22 Y 189,066.00; (3) South forty-six degrees twenty-three minutes forty-four seconds East (S 46° 23' 44" E) forty-six decimal three, four (46.34) feet to a point X 1,208,049.78 Y 189,034.04; (4) South forty-one degrees five minutes sixteen seconds West (S 41° 05' 16" W) four hundred and fifty-eight decimal one, zero (458.10) feet to a point at the northeasterly corner of the lands of Frederick C. and Margaret S. Wilson X 1,207,748.71 Y 188,688.77; thence by and with said lands the following two courses: (1) North forty-eight degrees fifty-four minutes forty-four seconds West (N 48° 54' 44" W) ninety decimal one, one (90.11) feet to a point X 1,207,680.79 Y 188,747.99; (2) South forty-one degrees five minutes fifteen seconds West (S 41° 05' 15" W) two hundred and twenty-five decimal zero, zero (225.00) feet to a point on the northeasterly right of way line of Snow Hill Road X 1,207,532.92 Y 188,578.40; thence running generally with the northeasterly right of way line of said road the following ten courses: (1) South thirty-three degrees twenty-two minutes forty-seven seconds East (S 33° 22' 47" E) one hundred and ninety-seven decimal nine, nine (197.99) feet to a point X 1,207,641.85 Y 188,413.08; (2) South thirty-three degrees thirty-one minutes thirty-two seconds East (S 33° 31' 32" E) two hundred and sixteen decimal six, one (216.61) feet to a point X 1,207,761.49 Y 188,232.50; (3) South thirty-five degrees fifty-four minutes forty-six seconds East (S 35° 54' 46" E) two hundred and seventy-four decimal eight, five (274.85) feet to a point X 1,207,922.70 Y 188,009.90; (4) South thirty-seven degrees twenty minutes twenty-one seconds East (S 37° 20' 21" E) two hundred and six decimal six, one (206.61) feet to a point X 1,208,048.02 Y 187,845.63; (5) South thirty-eight degrees forty-nine minutes fifty-seven seconds East (S 38° 49' 57" E) two hundred and sixty-five decimal four, eight (265.48) feet to a point X 1,208,214.48 Y 187,638.83; (6) South forty-one degrees sixteen minutes thirty-seven seconds East (S 41° 16' 37" E) two hundred and forty-eight decimal five, two (248.52) feet to a point X 1,208,378.43 Y 187,452.06; (7) South forty-five degrees twenty minutes fifty seconds East (S 45° 20' 50" E) one hundred and eighty-two decimal zero, three (182.03) feet to a point X 1,208,507.92 Y 187,324.12; (8) South forty-seven degrees thirty minutes forty-seven seconds East (S 47° 30' 47" E) seven hundred and eighty-five decimal nine, eight (785.98) feet to a point X 1,209,087.53 Y 186,793.26; (9) North forty-two degrees thirty minutes nine seconds East (N 42° 30' 09" E) fifteen decimal zero, zero (15.00) feet to a point X 1,209,097.66 Y 186,804.31; (10) South fifty-three degrees twelve minutes twenty-nine seconds East (S 53° 12' 29" E) seventy decimal two, one (70.21) feet to a point at the southeasterly corner of the lands of Allen Memorial Baptist Church X 1,209,153.89 Y 186,762.27; thence running with the southerly boundary line of said lands North forty-four degrees twelve minutes seven seconds East (N 44° 12' 07" E) one thousand six hundred and

twenty-two decimal zero, five (1,622.05) feet to a point X 1,210,284.77 Y 187,925.09; thence running across said lands the two following courses: (1) North forty-three degrees sixteen minutes fifty-seven seconds West (N 43° 16' 57" W) two hundred and eighty-nine decimal four, six (289.46) feet to a point X 1,210,086.31 Y 188,135.82; (2) North thirty-nine degrees fourteen minutes one second East (N 39° 14' 01" E) ten decimal zero, one (10.01) feet to a point on the northerly boundary line of the Allen Memorial Baptist Church property X 1,210,092.64 Y 188,143.57; thence with said boundary line North forty-three degrees thirty-nine minutes fifty-eight seconds West (N 43° 39' 58" W) seven hundred and forty-nine decimal seven, seven (749.77) feet to a point at the northwest corner of said lands X 1,209,574.96 Y 188,685.93; thence running with the northerly boundary line of the lands of H & R Pepsi, LLC North forty-three degrees forty-three minutes thirty-six seconds West (N 43° 43' 36" W) five hundred and eleven decimal six, two (511.62) feet to a point at the northwest corner of said lands X 1,209,221.32 Y 189,055.65; thence running with the lands of Clifford Smith North eighty-seven degrees twenty-seven minutes eleven seconds East (N 87° 27' 11" E) one hundred and fifty-one decimal three, five (151.35) feet to a point at the southwest corner of the lands of Joyce W. Webster X 1,209,372.52 Y 189,062.38; thence running with said lands North three degrees four minutes sixteen seconds East (N 03° 04' 16" E) three hundred and sixty-nine decimal zero, nine (369.09) feet to a point on the southerly right of way line of Johnson Road X 1,209,392.29 Y 189,430.94; thence running generally with the southerly right of way line of said road the three following courses: (1) North eighty-four degrees eight minutes fifty-seven seconds West (N 84° 08' 57" W) three hundred and twelve decimal zero, eight (312.08) feet to a point X 1,209,081.84 Y 189,462.75; (2) North eighty-five degrees fifteen minutes seven seconds West (N 85° 15' 07" W) four hundred and seventy decimal eight, three (470.83) feet to a point X 1,208,612.62 Y 189,501.72; (3) North eighty-five degrees eighteen minutes twenty-two seconds West (N 85° 18' 22" W) one hundred and thirty-six decimal zero, six (136.06) feet to a point X 1,208,477.02 Y 189,512.85; thence crossing Johnson Road and running North four degrees thirteen minutes twenty-three seconds East (N 04° 13' 23" E) twenty-eight decimal seven, seven (28.77) feet to a point on the Corporate Limit and near the northerly right of way line of Johnson Road X 1,208,479.14 Y 189,541.55; thence with the Corporate Limit North eighty-five degrees fifteen minutes thirty-seven seconds West (N 85° 15' 37" W) one thousand six hundred and six decimal three, five (1,606.35) feet to a brass City survey marker stamped "SNOJO" and set in concrete near the southwesterly right of way line of Snow Hill Road and approximately opposite the northerly right of way line of Johnson Road X 1,206,878.29 Y 189,674.27; thence continuing with the Corporate Limit and generally with the southwesterly right of way line of Snow Hill Road the two following courses: (1) South twenty-four degrees fifty-eight minutes twenty-five seconds East (S 24° 58' 25" E) six hundred and twenty-six decimal seven, four (626.74) feet to a point X 1,207,142.90 Y 189,106.13; (2) South thirty-three degrees one minute fifteen seconds East (S 33° 01' 15" E) five hundred and fifty-one decimal eight, five (551.85) feet to the point of beginning and containing 113.260 acres, all of which being the lands of Charles C. Carey, Jr. and Carolyn P. Carey, as Trustees of the Charles C. Carey, Jr. Living Trust Agreement, Ronald Jaynes Carey, Samuel Wilmer Carey, Jeffrey Wade Carey and Jana Lynn Carey, ENJ Partnership, H & R Pepsi, LLC, Deaf Independent Residences, Inc., Frederick C. and Margaret S. Wilson and a portion of the lands of the Trustees of the Walter Kendall Allen Memorial Baptist Church of Salisbury, Md. and portions of Johnson Road and Snow Hill Road.

AREA II Beginning for the same at a point on the Corporate Limit, said point being the southwesterly corner of the lands of H & R Pepsi, LLC. X 1,206,754.81 Y 187,006. 76; thence running by and with said lands the three following courses: (1) South forty-nine degrees eight

minutes fifty-five seconds East (S 49° 08' 55" E) six hundred and sixty-four decimal six, three (664.63) feet to a point X 1,207,257.54 Y 186,572.03; (2) North forty-two degrees fifty-nine minutes one second East (N 42° 59' 01" E) two hundred and sixty decimal five, six (260.56) feet to a point X 1,207,435.19 Y 186,762.63; (3) South forty-seven degrees twenty minutes six seconds East (S 47° 20' 06" E) seven hundred and sixty decimal one, two (760.12) feet to a point on the northwesterly right of way line of Toadvine Road X 1,207,994.13 Y 186,247.49; thence generally with the northwesterly right of way line of said road the two following courses: (1) North thirty-six degrees forty minutes one second East (N 36° 40' 01" E) two hundred and six decimal five, one (206.51) feet to a point X 1,208,117.45 Y 186,413.13; (2) North thirty-eight degrees fifty-eight minutes zero seconds East (N 38° 58' 00" E) eight hundred and ninety-seven decimal two, five (897.25) feet to a point on the southwesterly right of way line of Snow Hill Road X 1,208,681.70 Y 187,110.76; thence running generally with the southwesterly right of way line of said road the four following courses: (1) North forty-seven degrees thirty-one minutes eleven seconds West (N 47° 31' 11" W) two hundred and seventy-two decimal two, six (272.26) feet to a point X 1,208,480.91 Y 187,294.62; (2) a simple curve to the right radius two thousand eight hundred and twenty decimal zero, zero (2,820.00) feet four hundred and twenty-eight decimal two, one (428.21) feet to a point X 1,208,188.22 Y 187,606.63; (3) North thirty-eight degrees forty-nine minutes ten seconds West (N 38° 49' 10" W) three hundred and twenty-eight decimal four, two (328.42) feet to a point X 1,207,982.35 Y 187,862.52; (4) North thirty-six degrees thirty-one minutes one second West (N 36° 31' 01" W) four hundred and twenty-eight decimal eight, two (428.82) feet to a point on the Corporate Limit X 1,207,727.17 Y 188,207.15; thence with the Corporate Limit South thirty-nine degrees zero minutes thirty-one seconds West (S 39° 00' 31" W) one thousand five hundred and forty-four decimal eight, zero (1,544.80) feet to the point of beginning and containing 42.109 acres, all of which being the lands of H & R Pepsi, LLC.

The total annexation area contains 155.369 acres. All bearings and coordinates are referenced to the Maryland State Coordinate System, 1927 datum.

Exhibit "B"

CONDITIONS OF ANNEXATION

"SNOW HILL ROAD - CAUSEY AND CAREY ANNEXATION"

A. SERVICES AND TAXES

1. Property taxes will be assessed at the first normal taxing period following annexation with the exception of the petitioner of Parcel 482 who is granted exemption until the property is sold, developed or a request made for water and/or sewer service.
2. Existing development areas will be given City services upon request. Services requiring engineering design, construction or budget funding will be initiated with the request and completed as soon as practical.
3. Services for developing areas will be made available in accordance with City policy in effect at the time the Public Works Agreement is signed and the Comprehensive Development Plan is approved. Note: No request for water and sewer service will be considered complete until all applicable fees, charges and assessments are paid.

B. GENERAL PROVISIONS

1. All EXISTING DEVELOPMENT which is served by onsite water and/or sewer systems may maintain those systems as long as they are in good working order and pose no threat to the environment, City water supply or until ordered to abandon the system(s) by the County Health Department or State Department of the Environment. Prior to connection, the property owner must initiate and complete a request for service with the City Department of Public Works. The application is not considered complete until all appropriate fees, charges and/or assessments are paid.
2. NEWLY DEVELOPING PROPERTIES will be required to use any City water and sewer system available at the time of construction or made available in conjunction with construction. All appropriate fees, charges and/or assessments must be paid before connection to the City service lines is completed.

Exhibit "C"

OUTLINE OF SERVICES AND FACILITIES  
"SNOW HILL ROAD - CAUSEY AND CAREY ANNEXATION"

1. LAND USE PLAN

The land to be annexed, consisting of eight parcels shown on Tax Map 48, is currently zoned R-20 Residential under Wicomico County Zoning regulations and is undeveloped with the exception of two single family homes and a pavilion-type structure. Zoning shall be as follows, upon annexation to the City of Salisbury, as recommended by the Salisbury/Wicomico County Planning and Zoning Commission: A Zoning classification of General Commercial shall be applied to Parcels 279, 282, 285, 415, 414, 482 and 492 for a distance of 500 ft. from Snow Hill Road. The zoning classification of R-8A Residential shall be applied to the remainder of Parcels 279, 282, 285, 415 and 492. Light Business and Institutional shall be the zoning classification applied to Parcel 286.

Development plans include commercial development, mixed use residential development and a church complex for this site.

2. LAND FOR PUBLIC FACILITIES

Utility easements for water and sanitary sewer mains throughout the site may be required to be deeded to the City of Salisbury. These lands will be identified on the final approved site plan and will be dependent upon development configuration. No other public facilities are anticipated.

3. EXTENSION OF MUNICIPAL SERVICES

Existing water and sewer mains located adjacent to this site in Johnson Road and along the westerly side of Snow Hill Road can serve this site.

A 750' portion of Johnson Road will be required to be relocated so that it intersects Snow Hill Road opposite Robins Avenue.

Stormwater will be managed for quality and quantity on site and will discharge into Schumaker Pond via a proposed main to be located within the future road area shown on "Mallard Landing Condominium" plats, within the Johnson Road right of way and along the southeasterly property line of the Causey property.

All City services can be available.



## CONDITIONS OF ANNEXATION

### " SNOW HILL ROAD - CAUSEY AND CAREY ANNEXATION "

4. WATER AND SEWER and other improvements and services will be made available to the extent possible to all parcels within the newly annexed areas in accordance with the City Policy in effect at the time the Public Works Agreement is signed and the Comprehensive Development Plan is approved.
5. ZONING of the entire annexation area will be as follows, pending recommendation by the Salisbury/Wicomico County Planning & Zoning Commission: A Zoning classification of General Commercial shall be applied to Parcels 279, 282, 285, 415, 414, 482 and 492 for a distance of 500 ft. from Snow Hill Road. The zoning classification of R-8A Residential shall be applied to the remainder of Parcels 279, 282, 285, 415 and 492. Light Business and Institutional shall be the zoning classification applied to Parcel 286.

#### C. MISCELLANEOUS

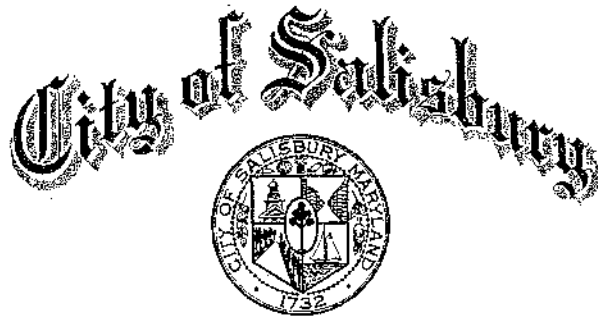
1. As a condition of annexation, the petitioners shall pay the cost of annexation including, but not limited to, advertising costs associated with the annexation.
2. The City of Salisbury accepts no responsibility for the construction, maintenance or upkeep of any existing roadway, public or private, until such is brought up to City standards at the expense of the developer(s) and accepted by the Director of Public Works
3. All new streets or roadways shall be constructed at the expense of the developer(s) to City standards and accepted by the Director of Public Works prior to dedication. Dedication shall be by fee simple ownership.

#### D. SPECIAL CONDITIONS

1. Development of this site shall be in accordance with Comprehensive Development Plans approved by the Salisbury Planning Commission.
2. Petitioners of Parcels 414 and 482 shall not be responsible for the cost of extending water and sewer service adjacent to Snow Hill Road.

Causey and Carey  
Cond.ann.






JOHN F. JACOBS III, P.E.  
DIRECTOR  
NEWELL W. MESSICK III, P.E.  
DEPUTY DIRECTOR

MARYLAND  
DEPARTMENT OF PUBLIC WORKS

GOVERNMENT OFFICE BLDG.  
125 N. DIVISION STREET  
SALISBURY, MARYLAND 21801-4940  
Tel.: (410) 548-3170  
Fax: (410) 548-3107

CERTIFICATION  
SNOW HILL ROAD – CAUSEY AND CAREY ANNEXATION

This is to certify that I have verified the petitions for the annexation and that to the best of my knowledge the persons having signed the petition represent at least 25% of the registered voters residing in the area to be annexed and are the owners of at least 25% of the assessed valuation of real property located in the area to be annexed.

  
W. Clay Hall  
Surveyor

Date: 1/14/05

Certif..ann

# CITY OF SALISBURY

## PETITION FOR ANNEXATION

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To the Mayor and Council of the City of Salisbury

I/We request annexation of my/our land to the City of Salisbury.

Parcel 414

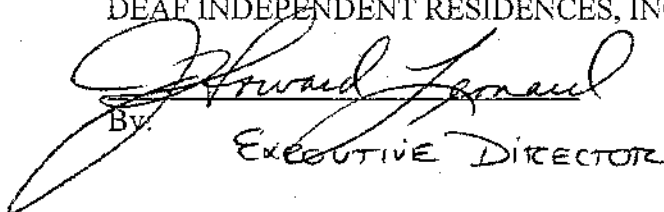
Map 48, Wicomico County

Conditions:

1. Petitioner shall not be responsible for the cost of extending water and sewer service adjacent to Snow Hill Road.
2. Petition shall not be responsible for annexation advertising costs.

Signature:

DEAF INDEPENDENT RESIDENCES, INC.

By:   
EXECUTIVE DIRECTOR

11/8/04  
Date

# CITY OF SALISBURY

## PETITION FOR ANNEXATION

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To the Mayor and Council of the City of Salisbury

I/We request annexation of my/our land to the City of Salisbury.

Parcel 482

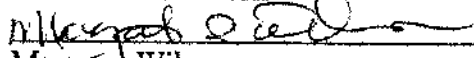
Map 48, Wicomico County

Conditions:

1. Petitioner shall be granted an exemption from City Real Property Tax until the property is sold, developed or requests water and/or sewer service.
2. Petitioner shall not be responsible for the cost of extending water and sewer service adjacent to Snow Hill Road.
3. Petitioner shall not be responsible for annexation advertising costs.

Signature:

  
Frederick C. Wilson

  
Margaret Wilson

9/30/04  
Date

9-30-04  
Date

# CITY OF SALISBURY

## PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

I/We request annexation of my/our land to the City of Salisbury.

Parcel(s) # 285 and 492 owned by

H & R Pepsi, LLC. Deed

Reference 1731/465

Map # 48

SIGNATURE(S)



MORGAN E. HAZEL

4/30/04  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

# CITY OF SALISBURY

## PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

I/We request annexation of my/our land to the City of Salisbury.

Parcel(s) # 286

\_\_\_\_\_

\_\_\_\_\_

Map # 48

SIGNATURE(S)

Thy Paver  
TRUSTEE, Allen Memorial Baptist

5/13/2004  
Date

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_

\_\_\_\_\_  
Date

Sent By: CITY OF SALISBURY;

4105483107;

Apr-7-04 10:35AM;

Page 3/3

# CITY OF SALISBURY

## PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

I/We request annexation of my/our land to the City of Salisbury.

Parcel(s) # 415  
279 & 282

Map # 48

SIGNATURE(S)

John W. Harty  
Edgar Wm. Causey Sr.  
Norma C. Brown  
by Susan B. Meyer P.O.A.

4-8-04  
Date  
4-8-04  
Date  
4-12-04  
Date  
\_\_\_\_\_  
Date



Apr 07 04 05:15p

Bendler Realty Corp.

410-748-0581

P.2

TO: 4107480581

P: 1/1

APR-7-2004 11:56 FROM:

Apr 7 04 10:35AM;

Page 3/3

Sent By: CITY OF SALISBURY;

4105483107;

# CITY OF SALISBURY

## PETITION FOR ANNEXATION

To the Mayor and Council of the City of Salisbury:

I/We request annexation of my/our land to the City of Salisbury.

Parcel(s) #

415272 & 282

Map #

4B

SIGNATURE(S)



SAMUEL W. CAREY

4/7/04

Date



SAMUEL W. CAREY - POWER OF ATTORNEY

4/7/04

Date

FOR: CHARLES C CAREY, JR. LIVING TRUST

RONALD J. CAREY

JEFFREY W. CAREY &amp;

JANA L. CAREY

Date

Date

wp.ppetition for  
11/09/95

### SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That We, Charles C. Carey, Jr. and Carolyn P. Carey, as Trustees of the Charles C. Carey, Jr. Living Trust Agreement, Ronald Jaynes Carey, Jeffrey Wade Carey and Jana Lynn Carey, do hereby make, constitute and appoint Samuel Wilmer Carey of Wicomico County, Maryland, our true and lawful attorney for us and in our name and on our behalf to do and execute all or any of the following acts, deeds, instruments and things, as fully as we might or could do if personally present, to wit:

1. To do and perform whatsoever acts are necessary in consummating sale and settlement specifically including, but not limited to, executing and delivering a deed, granting and conveying that property known as 846 Johnson Road, Salisbury, Maryland and 848 Johnson Road, Salisbury, Maryland, as more fully described in Deed dated June 26, 2002 and recorded in the Land Records of Wicomico County, Maryland in Liber M.S.B. 1938, Folio 609.

2. Giving and granting unto our attorney, full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises as fully and to all intents and purposes as we might or could do if personally present.

3. The signature of our names, by our attorney or any action taken by our attorney pursuant to this Special Power of Attorney, shall be binding and effective against all persons, including our heirs and/or personal representatives.

4. This Special Power of Attorney may be executed in any number of counterparts, all of which shall be of equal force and effect.

5. This Special Power of Attorney shall continue in full force and effect unless and until revoked by written instrument duly executed by us and delivered to our attorney. If this Special Power of Attorney is recorded among the Land Records of Wicomico County and State of Maryland, or any other Counties of the State of Maryland, then, in any such event, it should continue in full force and effect unless and until revoked by written instrument executed and acknowledged by us and duly recorded among the Land Records of such County and/or Counties or City where this Special Power of Attorney may be recorded respectively; and this Special Power of Attorney shall not be affected by my disability.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 2 day of

APRIL, 2003.

AT TEST:

Charles Crawford Carey, Jr. (SEAL)  
Charles Crawford Carey, Jr., Trustee  
of the Charles C. Carey, Jr. Living Trust

Carolyn P. Carey (SEAL)  
Carolyn P. Carey, Trustee of the  
Charles C. Carey, Jr. Living Trust

Ronald Jaynes Carey (SEAL)  
Ronald Jaynes Carey

Jeffrey Wade Carey (SEAL)  
Jeffrey Wade Carey

Jana Lynn Carey (SEAL)  
Jana Lynn Carey

STATE OF FLORIDA, COUNTY OF PINELLAS:

I HEREBY CERTIFY, That on this 2 day of APRIL, 2003, before me, the undersigned officer, personally appeared Charles C. Carey, Jr. and Carolyn P. Carey, as Trustees of the Charles C. Carey, Jr. Living Trust Agreement, known to me to be the persons whose names are subscribed to the within instrument and they acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

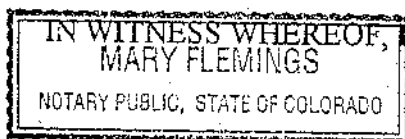
My commission expires:

Margaret A. Christner  
Notary Public



STATE OF Colorado COUNTY OF Larimer

I HEREBY CERTIFY, That on this 7<sup>th</sup> day of April, 2003, before me, the undersigned officer, personally appeared Ronald Jaynes Carey, known to me to be the person whose name is subscribed to the within instrument and he acknowledged that he executed the same for the purposes therein contained.



My commission expires: 11-15-06

Mary Fleming  
Notary Public

STATE OF Maryland COUNTY OF Montgomery

I HEREBY CERTIFY, That on this 23 day of Sept., 2003, before me, the undersigned officer, personally appeared Jeffrey Wade Carey, known to me to be the person whose name is subscribed to the within instrument and he acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.  
**STANLEY S. HONG**  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires October 7, 2006

My commission expires:

St. Hong  
Notary Public

STATE OF Maryland CITY COUNTY OF BALTIMORE

I HEREBY CERTIFY, That on this 30 day of APRIL, 2003, before me, the undersigned officer, personally appeared Jana Lynn Carey, known to me to be the person whose name is subscribed to the within instrument and she acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

My commission expires: 2/1/2005

Jeff L. L...  
Notary Public

FA...Special Power of Attorney

LIBER 1938 FOLIO 609

THIS DEED, Made this 26th day of June, in the year Two Thousand and Two, by Charles Crawford Carey, Jr., Ronald Jaynes Carey, Samuel Wilmer Carey, Jeffrey Wade Carey and Jana Lynn Carey, hereinafter referred to as "Grantors", witnesseth:

THAT FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00) and other good, valuable and sufficient considerations in hand paid, receipt of which is hereby acknowledged, the said Grantors do hereby grant and convey unto CHARLES C. CAREY, JR. and CAROLYN P. CAREY, as Trustees of the Charles C. Carey, Jr. Living Trust Agreement dated October 22, 2001, RONALD JAYNES CAREY, SAMUEL WILMER CAREY, JEFFREY WADE CAREY AND JANA LYNN CAREY, hereinafter referred to as "Grantees", in equal shares, as tenants in common, their heirs and assigns, all the following described property:

ITEM ONE: ALL that tract or parcel of land situate in Nutters Election District of Wicomico County, State of Maryland, on the North side of and binding upon the County Road leading from Salisbury to Snow Hill, and on the East side of and binding upon the County Road leading from the said Snow Hill Road to the "Parker Mills", bounded on the North by the land formerly owned by Emily V. Phillips, on the East by the land now or formerly owned by William J. Toadvine, containing thirty two (32) acres of land, more or less.

ITEM TWO: ALL that lot or parcel of land situate and lying in Camden Election District, Wicomico County, State of Maryland, on the South side of and binding upon the "Johnson Road", and bounded on the East, South and West by property now or formerly of Samuel Crawford Carey and wife, and more particularly described as follows: Beginning at a point on the South side of said "Johnson Road" 650 feet East of the intersection thereof with the East side of the Salisbury-Snow Hill Road; thence running in a Southerly direction in a line parallel with the East side of said Salisbury-Snow Hill Road for a distance of 225 feet; thence running in an Easterly direction in a line parallel with the South side of said "Johnson Road" for a distance of 75 feet; thence running in a Northerly direction in a line parallel to the East side of said Salisbury-Snow Hill Road for a distance of 225 feet to the South side of said "Johnson Road"; thence running in a Westerly direction by and with the same for a distance of 75 feet to the beginning.

The above described properties being all and the same properties conveyed unto Charles Crawford Carey, Jr., Ronald Jaynes Carey, Samuel Wilmer Carey, Jeffrey Wade Carey and Jana Lynn Carey, reserving a life estate unto Charles C. Carey by Sam W. Carey, Attorney-in-Fact for Charles C. Carey by Deed dated May 9, 2001 and recorded among the Land Records of Wicomico County, Maryland in Liber M.S.B. No. 1819, Folio 411; the said Charles C. Carey having since departed this life on May 21, 2002.

NO TITLE EXAMINATION REQUESTED OR PERFORMED

LAW OFFICES  
LONG & MADDOX, P.A.  
121 EAST MAIN STREET  
P.O. BOX 250  
SALISBURY, MARYLAND  
21803-0250  
(410) 746-1356  
FAX (410) 746-8971

REFERENCE to said deeds, plats and to preceding deeds of the property hereby conveyed, and to the references contained therein, is hereby made a part hereof as if herein fully set forth.

TOGETHER with the improvements thereon and all the rights, ways, roads, privileges, appurtenances and advantages thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the above granted property unto the said Grantees, CHARLES C. CAREY, JR. and CAROLYN P. CAREY AS TRUSTEES OF THE CHARLES C. CAREY, JR. LIVING TRUST AGREEMENT DATED OCTOBER 22, 2001, RONALD JAYNES CAREY, SAMUEL WILMER CAREY, JEFFREY WADE CAREY AND JANA LYNN CAREY, in equal shares as tenants in common, their heirs and assigns; forever in fee simple.

AND the said Grantors do hereby covenant that they will warrant specially the property hereby conveyed and that they will execute such other and further assurances of the same as may be requisite and necessary.

AS WITNESS our hands and seals the day and year first above written.

TEST:

*Subscribed by all*

*Charles Crawford Carey, Jr.* (SEAL)  
CHARLES CRAWFORD CAREY, JR.

*Ronald Jaynes Carey* (SEAL)  
RONALD JAYNES CAREY

*Samuel Wilmer Carey* (SEAL)  
SAMUEL WILMER CAREY

*Jeffrey Wade Carey* (SEAL)  
JEFFREY WADE CAREY

*Jana Lynn Carey* (SEAL)  
JANA LYNN CAREY

STATE OF MARYLAND, COUNTY OF WICOMICO:

I HEREBY CERTIFY, that on this 26th day of June, 2002, before me, the undersigned officer, personally appeared CHARLES CRAWFORD CAREY, JR., RONALD JAYNES CAREY, SAMUEL WILMER CAREY, JEFFREY WADE CAREY AND JANA LYNN CAREY, known to me to be the persons whose names are subscribed unto the within instrument and they acknowledged that they executed the same for the purposes therein contained. AT THE SAME TIME, the said Grantors certified under the penalties of perjury

LAND OFFICES  
BARRY A. BALDWIN, P.A.  
154 EAST MAIN STREET  
P.O. BOX 29  
SALESBURY, MARYLAND  
21854-0029  
JAN 1995-2116  
PAG 0110 148-2711

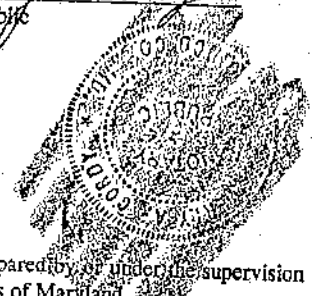
LIBER 1938 FOLIO 611

that the actual consideration paid or to be paid for the foregoing conveyance, including the amount of any mortgage or deed of trust assumed by the Grantees is in the sum total of \$0.

AS WITNESS my hand and Notarial Seal.

*Beverly A. Dandy*  
Notary Public

My commission expires:  
*11/01/04*



The undersigned hereby certifies that this Deed was prepared by or under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland.

*Jeffrey E. Badger*  
Jeffrey E. Badger,  
Attorney-at-Law

Date: *6/26/02*

RECORDING FEE 5.00  
28.00  
23.00  
Reg: \$1783 Ac: \$ 41720  
\$55 4488 \$14 3 1944  
Jun 26 2002 12:03 PM

P:\real estate\5-1627\deed.doc

RECEIVED FOR TRANSFER  
State Department of  
Assessments & Taxation  
for Wicomico County

*DA* *6/26/2002*  
Date

I HEREBY CERTIFY THAT TAXES ARE PAID ON THE PROPERTY COVERED BY THIS DEED AS WELL AS ANY OTHER TAXES WHICH SHOULD BE COLLECTED BEFORE TRANSFER OF SAME PURSUANT TO SECTION 14 ARTICLE 21 OF THE ANNOTATED CODE OF MARYLAND  
PATRICIA B. PETERSEN *mb*  
DIRECTOR OF FINANCE  
WICOMICO COUNTY, MARYLAND *6/26/02*

AGRICULTURAL TRANSFER TAX

*NA* *6/26/2002*  
Date

*Del*  
LAW OFFICES  
JEFFREY E. BADGER, P.A.  
124 EAST MAIN STREET  
P.O. BOX 129  
WILMINGTON, MARYLAND  
21803-0129  
(410) 748-3356  
FAX (410) 748-4291

Received for Record JUN 26 2002  
and recorded in the Land Records of Wicomico County, Maryland in Liber M.S.B.  
No. *1938* Folios *609-611*  
*Mark A. Bowe* Clerk

841160

LIBER 1009 PAGE 626

THIS DEED, Made this 12th day of April

in the year Nineteen Hundred and Eighty-four, by CLARENCE W. TAYLOR and REGINA R. TAYLOR, hereinafter referred to as "Grantors", witnesseth:

THAT FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00) and other good, valuable and sufficient consideration in hand paid, receipt of which is hereby acknowledged, the said Grantors do hereby grant and convey unto ENJ Partnership, a Maryland General Partnership, initially comprised of Edgar W. Causey, Norma C. Brown and John W. Causey, its successors and assigns, all the following described property:

ALL that tract or parcel of land situate in Nutters Election District, of Wicomico County, State of Maryland, and more particularly described as follows: BEGINNING for the outlines of same at an iron rod set up on the Easterly side of and binding upon the State Road leading from Salisbury to Snow Hill, known as State Route No. 12 at the Southernmost corner of the land conveyed to Charles H. Chatham, Jr. by deed recorded among the Land Records of Wicomico County, Maryland, in Liber J.W.T.S. No. 496, Folio 371 and running thence by and with the Southeast line of said Chatham land, North 49 degrees 38 minutes 24 seconds East, 228.11 feet to a concrete post; thence running by and with the Northeasterly line of said Chatham land, North 40 degrees 21 minutes 36 seconds West, 100.21 feet to the Larry J. Causey land at a concrete post; thence running by and with the Southeasterly line of said Causey land, North 49 degrees 45 minutes East, 508.43 feet to a concrete post; thence continuing by and with said Causey land, North 37 degrees 44 minutes West, 48.74 feet to an iron pipe; thence running South 84 degrees 39 minutes 40 seconds

0111 61-1 18419 20  
00 828 WH3222  
00 828 1101  
00 828 XVLN  
00 828 XVLN  
0700 121 773

JBLII  
2-8405

LAW OFFICES  
EDNG. LAWS,  
HUGHES & BAHEN  
124 EAST MAIN STREET  
SALISBURY, MARYLAND  
21801 - 0250



LIBER 1000 PAGE 627

East, 540.35 feet to a concrete post, to the Nettie F. Carey land; thence running by and with said Carey land, South 34 degrees 06 minutes 40 seconds East, 508.21 feet to a concrete post on the line of land owned or formerly owned by W. Clarence Luffman; thence running by and with said Luffman land, South 52 degrees 53 minutes 20 seconds West, 1,219.47 feet to a concrete post on the Easterly line of said State Road; thence continuing by and with said State Road the three (3) following courses and distances: (1) North 29 degrees 55 minutes 50 seconds West, 200.96 feet to a concrete post; (2) North 27 degrees 16 minutes 50 seconds West, 274.85 feet to a concrete post; (3) North 24 degrees 53 minutes 36 seconds West, 217.69 feet to the place of beginning; containing 20.120 acres as per Survey made by P. J. Hannon Associates, dated March, 1972; AND BEING the same land conveyed unto the within Grantors by deed from Elizabeth C. Wheeler, et al., dated September 28, 1978 and recorded among the Land Records of Wicomico County, Maryland in Liber A.J.S. No. 906, Folio 538.

REFERENCE to said deeds, plat and to preceding deeds of the property hereby conveyed, and to the references contained therein, is hereby made a part hereof as if herein fully set forth.

TOGETHER with the improvements thereon and all the rights, ways, roads, privileges, appurtenances and advantages thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the above granted property unto the said Grantee, its successors and assigns, forever in fee simple.

AND the said Grantors do hereby covenant that they will warrant specially the property hereby conveyed and

LAW OFFICES  
LONG, LAWS,  
HUGHES & BAKEN  
124 EAST MAIN STREET  
SALISBURY, MARYLAND  
21801-0000

that they will execute such other and further assurances of the land as may be requisite and necessary.

AS WITNESS our hands and seals the day and year first above written.

TEST:

Ronald P. Wynn  
Ronald P. Wynn

Clarence W. Taylor (SEAL)  
Clarence W. Taylor  
Regina R. Taylor (SEAL)  
Regina R. Taylor

LIBER 1009 PAGE 629

STATE OF MARYLAND, COUNTY OF <sup>Prince Georges</sup> WICOMICO:

I HEREBY CERTIFY, that on this 11<sup>th</sup> day of April 1984, before me, the undersigned officer, personally appeared CLARENCE W. TAYLOR and REGINA R. TAYLOR, known to me to be the persons whose names are subscribed to the within instrument and they acknowledged that they executed the same for the purposes therein contained. AT THE SAME TIME, the said Grantors certified under the penalties of perjury that the actual consideration paid or to be paid for the foregoing conveyance, including the amount of any mortgage or deed of trust assumed by the Grantee is in the sum total of \$57,000.00.

AS WITNESS my hand and Notarial Seal.

My commission expires:  
July 1, 1986

Ronald P. [Signature]  
Notary Public

Seal affixed next to signatures.

I certify the property conveyed will be transferred on the next sale of lots of Wicomico County which shall be recorded.  
Date 4/19/84 B  
W. Grason White Clerk III  
Supervisor of Assessments

Agricultural Transfer Tax in the  
Amount of \$ 1/4  
Signature TS

I hereby certify that taxes are paid on the property covered by this deed as well as any other taxes which should be collected before transfer of same, pursuant to Section 14 Article 21 of the Annotated Code of Maryland.

4/19/84 C. Joseph Schiller  
Director of Finance  
Wicomico County, Maryland

LAW OFFICES  
LONG, LAWS,  
HUGHES & BAHEN  
164 EAST MAIN STREET  
BALTIMORE, MARYLAND  
21201-0225

Received for Record CONF. 178 and recorded in the  
Land Records of Wicomico County, Maryland in Liber A.J.S.  
No. 1009 Folios 626-629  
[Signature] Clerk

LIBER 1673 FOLIO 591

THIS DEED is made this 15th day of April, in the year Nineteen Hundred and Ninety-Nine, by WILLIAM RICHARD TOADVINE and MYRTLE VIRGINIA TOADVINE, hereinafter referred to as "Grantors", witnesseth:

THAT FOR AND IN CONSIDERATION of the sum of FOUR HUNDRED FIFTY THOUSAND DOLLARS (\$450,000.00) and other good, valuable and sufficient considerations in hand paid, receipt of which is hereby acknowledged, the said Grantors do hereby grant and convey unto the "TRUSTEES OF THE WALTER KENDALL ALLEN MEMORIAL BAPTIST CHURCH OF SALISBURY, MARYLAND", a body corporate of the State of Maryland, hereinafter referred to as "Grantee", its successors and assigns, all the following described property:

ALL that lot, tract or parcel of land situate, lying and being in Nutters Election District, Wicomico County, State of Maryland, and being located on the Northeasterly side of Snow Hill Road, containing 40 acres of land, more or less, and being shown and designated as all of Lot #2 on the plat entitled "Wm. J. Toadvine Home Farm" made by P. S. Shockley, S.W.C., dated November 24, 1930, and filed in Chancery Case No. 3944 as recorded in Wicomico County, State of Maryland, in Chancery Book No. 56, Folio 492; except so much thereof as conveyed unto the State of Maryland by the following two Deeds: (1) Deed dated November 6, 1974, and recorded among the Land Records of Wicomico County, State of Maryland, in Liber A.J.S. No. 829, Folio 814; and (2) Deed dated August 23, 1973, and recorded among the aforesaid Land Records in Liber J.W.T.S. No. 804, Folio 227; AND BEING land conveyed unto the within Grantors by Items Second and Third of the Deed from William Richard Toadvine and Myrtle Virginia Toadvine dated December 31, 1990, and recorded among the aforesaid Land Records in Liber M.S.B. No. 1242, Folio 481.

REFERENCE to said deeds, plat and to preceding deeds of the property hereby conveyed, and to the references contained therein, is hereby made a part hereof as if herein fully set forth.

LAW OFFICES  
LONG, RADDER, ELLIOTT  
& ROBERTSON  
174 EAST MAIN STREET  
P.O. BOX 259  
SALISBURY, MARYLAND  
21801-0259  
(410) 749-2254  
FAX (410) 749-4731

TOGETHER with the improvements thereon and all the rights, ways, roads, privileges, appurtenances and advantages thereto belonging or in any way appertaining.

TO HAVE AND TO HOLD the above granted property unto the said Grantee, its successors and assigns, forever in fee simple.

AND the said Grantors do hereby covenant that they will warrant specially the property hereby conveyed and that they will execute such other and further assurances of the land as may be requisite and necessary.

AS WITNESS our hands and seals the day and year first above written.

TEST

Chapman L. Lami  
Chapman L. Lami

William Richard Toadvine (SEAL)  
William Richard Toadvine  
Myrtle Virginia Toadvine (SEAL)  
Myrtle Virginia Toadvine

STATE OF MARYLAND, COUNTY OF Wicomico

I HEREBY CERTIFY, that on this 15th day of April, 1999, before me, the undersigned officer, personally appeared WILLIAM RICHARD TOADVINE, known to me to be the person whose name is subscribed unto the within instrument and he acknowledged that he executed the same for the purposes therein contained. AT THE SAME TIME, the said Grantor certified under the penalties of perjury that the actual consideration paid or to be paid for the foregoing conveyance, including the amount of any mortgage or deed of trust assumed by the Grantee is in the sum total of \$450,000.00.

AS WITNESS my hand and Notarial Seal.

My commission expires:

Sept. 1, 1999

Mike C. Bailey  
Notary Public



LAW OFFICES  
LOWE, BADGER, SULLIVAN  
& ROBERTSON  
124 EAST MAIN STREET  
P.O. BOX 289  
SALISBURY, MARYLAND  
21801-0289  
(410) 749-2356  
FAX (410) 749-8731

STATE OF MARYLAND, COUNTY OF *Wicomico*

I HEREBY CERTIFY, that on this 15th day of April, 1999, before me, the undersigned officer, personally appeared MYRTLE VIRGINIA TOADVINE, known to me to be the person whose name is subscribed unto the within instrument and she acknowledged that she executed the same for the purposes therein contained. AT THE SAME TIME, the said Grantor certified under the penalties of perjury that the actual consideration paid or to be paid for the foregoing conveyance, including the amount of any mortgage or deed of trust assumed by the Grantee is in the sum total of \$450,000.00.

AS WITNESS my hand and Notarial Seal.

My commission expires:

Sept. 4, 1999

*Mike C. Bailey*  
Notary Public



The undersigned hereby certifies that this Deed was prepared by or under the supervision of an attorney admitted to practice before the Court of Appeals of Maryland.

DATE: 4-15-1999

*John B. Long II*  
Attorney-at-Law

JBL:scb  
F:\Real-Est\5-1741\Deed

AGRICULTURAL TRANSFER TAX

\$1,254.00 (15.00)

By BE 4-15-99 Date

RECEIVED FOR TRANSFER

State Department of  
Assessments & Taxation  
for Wicomico County

By BE 4-15-99  
IR FD SURE \$ 5.00  
RECORDATION FEE 28.00  
IR TAX STATE 2,870.00  
TOTAL 4,345.00

I HEREBY CERTIFY THAT TAXES ARE PAID BY  
PROPERTY COVERED BY THIS DEED AS  
IF AS ANY OTHER TAXES WHICH SHOULD  
COLLECTED BEFORE TRANSFER OF SAME  
PURSUANT TO SECTION 14 ARTICLE 21 OF THE  
ANNOTATED CODE OF MARYLAND.  
C. JOSEPH SCHILLER  
DIRECTOR OF FINANCE  
WICOMICO COUNTY, MARYLAND

4/15/99 HJS

*Del.*  
LAW OFFICES  
LONG, RADNICK, SULLIVAN  
& ROBERTSON  
124 EAST MAIN STREET  
P.O. BOX 289  
SALISBURY, MARYLAND  
21801-0289  
(410) 740-2266  
FAX (410) 740-4721

Received for Record APR 15 1999 and  
recorded in the Land Records of Wicomico  
County, Maryland in Liber M.S.B.  
No. 1673 Folios 591-593  
*Marked L. Long* Clerk

THIS DEED, made this 14<sup>th</sup> day of February 2000, by The Pepsi-Cola Bottling Company of Salisbury, Maryland, hereinafter referred to as "Grantor", WITNESSETH:

THAT FOR AND IN CONSIDERATION of the receipt by the Grantor from H&R Pepsi, LLC, a Maryland Limited Liability Company, of real property located in Wicomico County, Maryland, having a net assessed value of Seven Hundred Twenty-Two Thousand Three Hundred Nineteen Dollars (\$722,319.00) and cash of Two Hundred Twenty-Two Thousand Dollars (\$222,000.00), the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey unto H & R Pepsi, LLC, a Maryland Limited Liability Company, its successors and assigns, hereinafter referred to as "Grantee", forever in fee simple, all of the following described real property:

ITEM ONE: All that lot, tract or parcel of land situate, lying and being in Salisbury Election District, of Wicomico County and State of Maryland, located on the Easterly side of and binding upon U.S. Route 50, formerly known as Spring Hill Road, and on the Southerly side of and binding upon Naylor Mill Road, being bounded on the Easterly side by the land now or formerly owned by Corona Nurseries, Inc., and being more particularly described as follows: Beginning for the same at the intersection formed by the Easterly line of U.S. Route 50 with the Northerly line of a 15-foot private road; (1) thence running in a Northerly direction by and with the Easterly line of Spring Hill Road 1158 feet, more or less, to the Southerly line of Naylor Mill Road; (2) thence by and with the Southerly line of Naylor Mill Road North 52 degrees 07 minutes East 221.1 feet; (3) thence continuing by and with the Southerly line of Naylor Mill Road North 52 degrees 07 minutes East 180.28 feet; (4) thence North 37 degrees 53 minutes West 10 feet; (5) thence by and with the Southerly line of Naylor Mill Road North 52 degrees 07 minutes East 1930.75 feet to the Westerly line of the land now or formerly owned by Corona Nurseries, Inc.; (6) thence by and with the Westerly line of the aforesaid Corona Nurseries, Inc., land the following three courses: (a) South 38 degrees 32 minutes East 305.25 feet; (b) South 33 degrees 17 minutes East 990 feet; (c) South 02 degrees 38 minutes East 879.05 feet to the Northerly line of the aforesaid 15-foot private road; (7) Thence by and with the Northerly line of the aforesaid private road South 75 degrees 13 minutes West 2258 feet to the place of beginning, containing 87.4 acres, more or less, AND BEING more particularly shown and designated as two parcels on an unrecorded plat entitled "Property Survey for Herbert W. Lowe Heirs" dated July 21, 1958, made by Gilbert M. Hinch, except so much thereof as was acquired by the State of Maryland

to the use of the State Roads Commission from Herbert Wilson Lowe, Jr., and Myrtle G. Lowe, his wife, by Inquisition dated February 3, 1954, and recorded among the Land Records of Wicomico County, Maryland, in Liber J.W.T.S. No. 355, Folio 563, AND LESS any and all off-conveyances therefrom; AND BEING the same land, less any off-conveyances therefrom, that was conveyed unto The Pepsi-Cola Bottling Company of Salisbury, Maryland, a Maryland corporation, by deed dated June 2, 1969, and recorded among the aforesaid Land Records in Liber J.W.T.S. No. 692, Folio 581 *et seq.*, reference to said deed and to preceding deeds of the property hereby conveyed, and to the references therein contained, is hereby made as a part hereof as if fully herein set forth.

ITEM TWO: All that farm or tract of land, situate, lying and being in Salisbury Election District, Wicomico County, State of Maryland, about two and one-half (2-1/2) miles from the City of Salisbury, more particularly described as follows: ALL that tract of land located on the Easterly side of and binding upon U.S. Route 50, formerly Spring Hill Road, and bounded on the North by the road separating this property from the property now or formerly known as the Lowe property, on the East by the property now or formerly owned by Anne T. Morris and others, and on the South by the property formerly owned by Harry K. Williams and which is now or was formerly owned by Chandler & Carey, Inc., containing 83 acres of land, more or less, all as more particularly shown on the plat entitled "Property Survey for Henry E. Cumlich", made by P. I. Hannon Associates, dated January 13, 1967, LESS any off-conveyances therefrom; AND BEING all the same land, less any off-conveyances therefrom, if any, which was conveyed unto The Pepsi-Cola Bottling Company of Salisbury, Maryland by deed dated April 26, 1972, and recorded among the aforesaid Land Records in Liber J.W.T.S. No. 761, Folio 512 *et seq.*; SUBJECT, HOWEVER, to the deed dated May 15, 1953, from the said Leroy E. Elzey and Hannah P. Elzey to the State of Maryland, to the use of the State Roads Commission, recorded among the aforesaid Land Records in Liber J.W.T.S. No. 349, Folio 397 AND any other off-conveyances therefrom; reference to said plat, deeds, Will and to preceding deeds of the property hereby conveyed and to the references contained therein is hereby made a part hereof as if herein fully set forth.

ITEM THREE: All that tract or parcel of land situate, lying and being in the Salisbury Election District of Wicomico County, State of Maryland now containing 47.07 acres of land, more or less, less any off-conveyances therefrom, if any, on the East side of West Road, AND BEING part of the land that was conveyed unto The Pepsi-Cola Bottling Company of Salisbury, Maryland by Certificate Of Conveyance Of Real Property By Articles Of Merger between Corona Nurseries, Inc. and The Pepsi-Cola Bottling Company of Salisbury, Maryland recorded among the Land Records of Wicomico County, Maryland in Liber 852, Folio 229 *et seq.*

ITEM FOUR: All that tract or parcel of land situate, lying and being in the



Salisbury Election District of Wicomico County, State of Maryland now containing 77.26 acres of land, more or less, less any off-conveyances therefrom, if any, on the West side of West Road, AND BEING part of the land that was conveyed unto The Pepsi-Cola Bottling Company of Salisbury, Maryland by Certificate Of Conveyance Of Real Property By Articles Of Merger between Corona Nurseries, Inc. and The Pepsi-Cola Bottling Company of Salisbury, Maryland, recorded among the Land Records of Wicomico County, Maryland in Liber 852, Folio 229 et. seq; and

**ITEM FIVE:** All that lot, tract or parcel of land situate, lying and being in the Nutters Election District of Wicomico County, State of Maryland, on the Northeasterly side of and binding upon the State road leading from Salisbury to Snow Hill, designated as Lot No. 1 on Plat of the William J. Toadvine Home Farm, made for Seth P. Taylor, Trustee, by Peter S. Shockley, Surveyor for Wicomico County, dated November 24, 1930, and duly filed in No. 3944 Chancery in the Circuit Court for Wicomico County, Maryland, and containing Twenty (20) acres of land, more or less, AND BEING the same land that was conveyed unto The Pepsi-Cola Bottling Company of Salisbury, Maryland from The Pepsi-Cola Canada Dry Distributing Co., a wholly owned subsidiary of The Pepsi-Cola Bottling Company of Salisbury, Maryland, by Item One of the Deed of even date herewith and recorded among the Land Records of Wicomico County, Maryland immediately prior hereto.

**ITEM SIX:** All that lot, tract or parcel of land situate, lying and being in the Nutters Election District of Wicomico County, State of Maryland, on the Southwesterly side of and binding upon the State road leading from Salisbury to Snow Hill, and fronting thereon a distance of 1,457.28 feet and adjoining the lands now or formerly owned by Agnes Malone, the lands now or formerly owned by J. Morris Vincent, and the lands now or formerly owned by Purnell D. White, containing 42.5 acres of land, more or less, and being Lot No. 2 as laid down on a plat of the "D. J. Pryor Land", made by P. S. Shockley, Surveyor, dated February 3, 1911, and recorded among the Land Records of Wicomico County, Maryland in Liber J.W.T.S. No. 307, Folio 311; AND BEING the same land that was conveyed unto The Pepsi-Cola Bottling Company of Salisbury, Maryland from The Pepsi-Cola Canada Dry Distributing Co., a wholly owned subsidiary of The Pepsi-Cola Bottling Company of Salisbury, Maryland, by Item Two of the Deed of even date herewith and recorded among the Land Records of Wicomico County, Maryland immediately prior hereto.

REFERENCE to the foregoing plat (if any), Deed and to all preceding Deeds to and plats of the properties hereby conveyed, and to the references therein contained, is hereby made for a more

definite description of the properties hereby granted and conveyed, or for any other purpose, to the same extent as though herein more fully set forth.

TOGETHER WITH the buildings and improvements thereon and all the rights, ways, roads, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above granted properties unto the said H&R Pepsi, LLC, a Maryland Limited Liability Company, its successors and assigns, forever in fee simple.

AND the said Grantor hereby covenants that it will warrant specially the properties hereby conveyed, and that it will execute such other and further assurances thereof as may be requisite.

THIS DEED is part of a Like Kind Exchange of real property made in accordance with Section 1031 of the Internal Revenue Code of 1986, as amended.

AS WITNESS the hand and seal of the Grantor the day and year first above written.

WITNESS:

THE PEPSI-COLA BOTTLING COMPANY  
OF SALISBURY, MARYLAND, a Maryland  
Corporation

A. [Signature]

By: Cotton Hazel (SEAL)

STATE OF MARYLAND )

SS:

COUNTY OF WICOMICO)

I HEREBY CERTIFY that on this 14th day of February, 2000, before me, the subscriber, a Notary Public of the State of Maryland and in and for the County aforesaid, personally appeared Cotton Hazel, Vice-President of the Pepsi-Cola Bottling Company of

Salisbury, Maryland, a Maryland corporation, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she is the Vice-President of the Pepsi-Cola Bottling Company of Salisbury, Maryland, a Maryland Corporation, and the he/she executed the same for the purposes therein contained by signing the name of the Corporation by himself/herself as Vice-President.

IN WITNESS WHEREOF, I hereunto set my hand and official notarial seal.

*Kathleen A. Kelly*  
Notary Public  
My Commission Expires: May 1, 2001



This instrument has been prepared by or under the supervision of the undersigned, A. Gillis Allen, II, an attorney at law within the meaning of Section 3-104, Real Property Article, Annotated Code of Maryland.

*A. Gillis Allen, II* (SEAL)  
A. Gillis Allen, II  
Attorney at Law

I HEREBY CERTIFY THAT TAXES ARE PAID ON THE PROPERTY COVERED BY THIS DEED AS WELL AS ANY OTHER TAXES WHICH SHOULD BE COLLECTED BEFORE TRANSFER OF SAME PURSUANT TO SECTION 14 ARTICLE 21 OF THE ANNOTATED CODE OF MARYLAND.  
G. JOSEPH SCHILLER  
DIRECTOR OF FINANCE 2/15/2000  
WICOMICO COUNTY, MARYLAND

RECEIVED FOR TRANSFER  
State Department of  
Assessments & Taxation  
for Wicomico County  
By *DS* Date *2/15/2000*

DEED FEE STATE	5.00
RECORDING FEE	20.00
RECORDATION T	4,344.70
TR TAX STATE	4,721.50
TOTAL	9,121.50
Recpt #	6723
BLR #	615
RECEIVED	2/15/2000

AGRICULTURAL TRANSFER TAX

\$ *0.00*  
By *DS* Date *2/15/2000*

Received for Record FEB 15 2000  
recorded in the Land Records of Wicomico  
County, Maryland in Liber M.S.B.  
No. *173* Folios *465-469*

*Mark S. Brown* Clerk

*Del Allen Atty*

334  
875943

LIBER 1093 FOLIO 334

THIS DEED, Made this 9th day of February, 1987, by FRANKLIN D. EHINGER, JR. and NORMA G. EHINGER, husband and wife, of Wicomico County, State of Maryland.

W I T N E S S E T H:

That for and in consideration of the sum of EIGHTY-FIVE THOUSAND NINE HUNDRED (\$85,900.00) DOLLARS, and other good and valuable considerations, the receipt of which is hereby acknowledge, we, the said FRANKLIN D. EHINGER JR. and NORMA G. EHINGER, husband and wife, do hereby grant and convey, in fee simple, unto DEAF INDEPENDENT RESIDENCES, INC., a Non-Profit Corporation of the State of Maryland, all that tract of land, situate, lying and being in Nutters Elections District of Wicomico County, State of Maryland.

On the Easterly side of and binding upon the State Road leading from Salisbury to Snow Hill and more particularly described as follows:

BEGINNING for the same at Cement Post settled in the ground on the Easterly line of said Snow Hill Road at the Southwest Corner of the land conveyed to Larry J. Causey, Jr. by G. Herbert Chatham and wife by deed, dated August 13, 1954 and recorded in the Land Records of Wicomico County, Maryland in Liber J.W.T.S. No. 357, Folio 530. Said point of beginning being more particularly shown and designated on a Plat hereinafter referred to as follows:

Thence (1) by and with said Causey Land N 49° 45' 20" a distance of 200 feet to a Cement Post on the line of other land now or formerly of Charles Herbert Chatham, thence (2) by and with said other land of Charles Herbert Chatham S 40° 15' E, a distance of 100 feet to a Cement Post, thence (3) continuing by and with said Chatham Land S 49° 45' W, a distance of 228.11 feet to a Cement Post settled in the ground on the Easterly line of said Snow Hill Road, thence (4) by and with the Easterly line of said Snow Hill Road N 24° 33' W, a distance of 103.87 feet to the place of beginning, containing 21,405 square feet of land, more or less; being more fully shown and designated on a Plat entitled Property Survey, Charles H. and Jeanne H. Chatham, dated April 19, 1960, made by G. F. Schafer, Surveyors, and recorded among the aforesaid Land Records in Liber J.W.T.S. 496, Folio 374 and being in all respects the same property which was conveyed unto the said Franklin D. Ehinger, Jr. and Norma G. Ehinger, his wife, by deed, dated October 22, 1982 from James C. Smith and Linda D. Smith, his wife, and recorded among the aforesaid Land Records in Liber A.J.S. 980, Folio 20.

TOGETHER with the buildings and improvements thereon erected, and all the rights, ways, alleys, waters, privileges, easements, appurtenances and advantages thereunto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the above described real estate unto DEAF INDEPENDENT RESIDENCES, INC., a Non-Profit Corporation of the State of Maryland, its successors and assigns, in fee simple, forever.

And the said Grantors do hereby covenant that they will warrant specially the property hereby conveyed, and that they will execute such further assurances of said land as may be requisite.

LIBER 1093 FOLIO 335

WITNESS our hands and seals the day and year first hereinbefore written.

WITNESS:

Louise A. Nemshick

Franklin D. Ehinger, Jr. (SEAL)  
Franklin D. Ehinger, Jr.

Maile S. Davis

Norma H. Ehinger (SEAL)  
Norma G. Ehinger

STATE OF MARYLAND, COUNTY OF Wicomico, TO WIT:

I hereby certify that on this 9th day of February, 1986, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Franklin D. Ehinger, Jr. and Norma G. Ehinger, the above grantors herein, and he did acknowledge the foregoing Deed to be his act and deed; and at the same time he also certified under the penalties of perjury that the actual consideration paid or to be paid for the foregoing conveyance, including the amount of any mortgage or deed of trust assumed by the Grantee, is in the sum total of \$74,900.00.

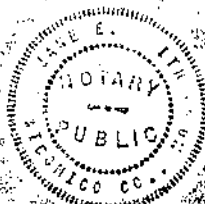
WITNESS my Hand and Notarial Seal.

Jane E. Smith-Castle  
Notary Public

My commission expires: July 1990

I hereby certify that I am an Attorney duly admitted to practice before the Court of Appeals of Maryland and that this instrument was prepared under my supervision.

George T. Horman  
George T. Horman, Attorney



the deed  
Date 2/11/87 DS

Samuel J. Horman  
Supervisor of Assessment

Signature DS

I hereby certify that taxes are paid on the property covered by this deed as well as any other taxes which should be collected before transfer of same, pursuant to Section 14 Article 21 of the Annotated Code of Maryland.

2/11/87  
C. Joseph Schiller  
Director of Finance  
Wicomico County, Maryland

REC FEE 13.50  
RecTax 344.00  
TRFTax 427.50  
TOTL 785.00  
2126CHK 785.00

02 01987 2-11 A10:52

Received for Record Feb 11 1987 and recorded in the Land Records of Wicomico County, Maryland in Liber A.J.S. No. 1093, Folios 334-335.

J. James Smith Clerk

2126

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Encl. 2-23-87 to Jerome Offutt, 14 West Grand St., Frederick, MD 21701

LIBER 983 PAGE 280

THIS CONFIRMATORY DEED, Made this 21<sup>st</sup> day of December in the year Nineteen Hundred and Eighty-Two, by LARRY J. CAUSEY, JR. and ELIZABETH T. CAUSEY, his wife, hereinafter referred to as "Grantors", witnesseth:

WHEREAS by a Deed dated December 9, 1976, Larry J. Causey, Jr. and Elizabeth T. Causey, his wife, granted and conveyed the herein described property unto Frederick C. Wilson and Margaret S. Wilson, his wife, same being recorded among the Land Records in Wicomico County, State of Maryland, in Liber A.J.S. No. 866, Folio 780; and

WHEREAS, the description has been deemed to be defective in that the southeasterly line has an improper distance recited therein and as a result thereof these presents are executed.

NOW, THEREFORE, IN CONSIDERATION of the sum of Ten Dollars (\$10.00) and other good, valuable and sufficient considerations in hand paid, receipt of which is hereby acknowledged, the said Grantors do hereby grant and convey unto FREDERICK C. WILSON and MARGARET S. WILSON, his wife, hereinafter referred to as "Grantees", as tenants by the entireties, their assigns and the personal representatives and assigns of the survivor of them, all the following described property: ALL that lot or parcel of land situate, lying and being in Nutters Election District, Wicomico County, State of Maryland and being located on and binding upon the East side of Snow Hill Road and being more particularly described as follows: Beginning for the outlines of the same at a cement post set in the ground on the Easterly side of Snow Hill Road, 1,239.3 feet, South 24 degrees 33 minutes East of the center line of Johnson Road, (1) thence North 49 degrees 45 minutes East, 225.0 feet to a cement post; (2) thence South 40 degrees 15 minutes East, 90.11 feet to a cement post; (3) thence South 49 degrees 45 minutes West 250.33

22-11-90-1 2841 28  
98-91 2841 28  
98-91 2841 28  
98-91 2841 28  
98-91 2841 28

LAW OFFICES  
LONG, LAWS,  
HUGHES & BAKEN  
124 EAST MAIN STREET  
SALISBURY, MARYLAND  
21601-0284

LIBER 983 PAGE 291

feet to a cement post on the Easterly side of Snow Hill Road; (4) thence North 24 degrees 33 minutes West, by and with the Snow Hill Road, 93.6 feet to the place of beginning as shown on the plat entitled "Property Survey, Larry J. Causey, Jr." made by Harold W. Hampshire, Surveyor, dated October 12, 1976 and recorded among the aforesaid Land Records in Liber J.W.T.S. No. 866, Folio 782; and being the same land conveyed unto the said Larry J. Causey, Jr. and Elizabeth T. Causey, his wife, by Deed from Juanita M. Jones, dated December 10, 1969, and recorded among the aforesaid Land Records in Liber J.W.T.S. No. 702, Folio 206.

REFERENCE to said deeds, plat and to preceding deeds of the property hereby conveyed, and to the references contained therein, is hereby made a part hereof as if herein fully set forth.

TOGETHER with the improvements thereon and all the rights, ways, roads, privileges, appurtenances and advantages thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the above granted property unto the said Grantees, as tenants by the entireties, with the right of survivorship, their assigns, and the personal representatives and assigns of the survivor of them, forever in fee simple.

AND the said Grantors do hereby covenant that they will warrant specially the property hereby conveyed and that they will execute such other and further assurances of the land as may be requisite and necessary.

AS WITNESS our hands and seals the day and year first above written.

WITNESS:

Cynthia B. Laws

Larry J. Causey, Jr.  
Larry J. Causey, Jr. (SEAL)

Cynthia B. Laws

Elizabeth T. Causey  
Elizabeth T. Causey (SEAL)

LAW OFFICES  
LONG, LAWS,  
HUGHES & BAHEN  
124 EAST MAIN STREET  
BALTIMORE, MARYLAND  
21201-0226

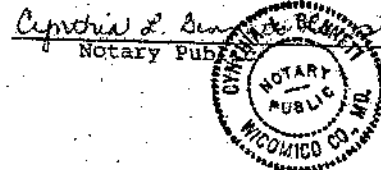
LIBER 983 PAGE 292

STATE OF MARYLAND, COUNTY OF Wicomico

I HEREBY CERTIFY, that on this 11<sup>th</sup> day of December 1982, before me, the undersigned officer, personally appeared Larry J. Causey, Jr. and Elizabeth T. Causey, his wife, known to me to be the person whose names are subscribed to the within instrument and they acknowledged that they executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

My commission expires:  
July 1, 1986



I certify the property conveyed will be taxed on the assessment books of Wicomico County with the deed has been recorded.  
Date 1/7-83 yds

F.W. Grason Winterbottom III  
Supervisor of Assessments

Agricultural Transfer Tax in the

Amount of \$ N/ASignature DS

"I hereby certify that the subject matter of this instrument does not require the collection of taxes and the same may be transferred without further order of this office." 1-7-83 wd.

C. JOSEPH SCHILLER  
Director of Finance  
Wicomico County

JBL II: CBL (edf)  
File 1-6763

LAW OFFICES  
LONG, LAWS,  
RUGHES & BAHEN  
300 EAST MAIN STREET  
SALISBURY, MARYLAND  
21801 - 0288

Received for Record Jan 6 1983 and recorded in the  
Land Records of Wicomico County, Maryland in Liber A.J.S.  
No. 983, Folios 290-292  
G. James Smith Clerk

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E. & Del. L. L. H. & B. atty. 1/11/83