

Approved: Ad Harker
Chairman Board of Supervisors of Roanoke County.

Approved: Paul B. Matthews
Sec. Planning Commission of Roanoke County.

MAP OF LONGVIEW

PROPERTY OF THE
HEIRS-AT-LAW OF W.A. PHLEGAR, DECEASED

SALEM VIRGINIA

Survey and Plat by: F.A. Spiggle
State Cert. Land Surveyor.

SCALE 1"=50'

APRIL 24, 1943

THIS IS TO CERTIFY that the undersigned, who constitute the widow and the heirs-at-law of the late W.A. Phlegar, who died intestate on November 24, 1941, are the owners of the property shown on the annexed map, a plat of which property is known as "LONGVIEW". Said sub-division is according to a survey made by F.A. Spiggle, State Certified Land Surveyor, April 24, 1943, and the description of said sub-division as a whole is as follows:

"Beginning at an iron pipe on the north side of College Street, and corner to lot #16 of the Dromore Survey, and running thence with the north side of College Street, S89°30'W 131.5 feet to the corner of Wilson Street; thence with the line of Wilson Street, N2°30'E 136.95 feet to a stake; thence S89°30'W crossing the place of Wilson Street and the east side of College Street 263.4 feet to the corner of a 10 foot alley; thence with the east line of the alley, N2°30'E 145.6 feet to a stake; thence N87°30'W crossing the alley, and leaving an alley 10 feet wide on the north side of lot number 5, 139.5 feet to the east side of Craig Avenue; thence with Craig Avenue, N5°12'E 151 feet to a stake; thence leaving Craig Avenue, a new line, N88°40'E 133.2 feet to a stake; thence S87°30'E 389 feet to a stake on the line of lot #16 of the Dromore Survey; thence with the same S2°30'W 264 feet to the beginning, containing 3 acres."

The above described property was conveyed to Emily E. Phlegar, wife of W.A. Phlegar, by deed dated April 18, 1913, and recorded in Deed Book # 65, at Page # 530, and later devised unto W.A. Phlegar by will, see Will Book # 3, Page # 127, the said property being a portion of the WILLSON ADDITION as shown by plat recorded in Deed Book # 18, at Pages # 492 and 493.

There is excepted from the above description, a 50 foot lot which was conveyed by the late W.A. Phlegar and Grace L. Phlegar unto Joe S. Stanley and Marguerite M. Stanley, by deed dated Oct. 21, 1941, and recorded in Deed Book # 292 at Page # 221, and specifically shown on the annexed plat.

The said sub-division and annexed plat is with the free consent and in accordance with the desire of the undersigned owners, subject however to the following restrictions and reservations, which will ensure not only to the benefit of the undersigned, but also to the benefit of their heirs, devisees and assigns.

The owners and proprietors reserve the full, free and exclusive rights and privileges and franchises in and to all the streets, alleys, etc. embraced within the boundaries of LONGVIEW, which said reservations, so reserved, are not in conflict with Section 5219 of the Virginia Code of 1942, unamended as of the date of the recordation of this plat.

The right to modify this plat and sub-division by changing the size and shape of sections and lots, widths, grades, directions and location of streets and alleys, and vacating and abolishing and relocating the same, is reserved by the undersigned, provided, however, no such streets or alleys shall be abolished or materially changed where same touch or pass through blocks or sections in which a lot or lots have been previously sold without first having obtained the written consent of the owners of such lot or lots and further without first having obtained the consent of the proper zoning and planning commissions, or such like commissions as may then exist, created by the Council of the Town of Salem and the Board of Supervisors of Roanoke County, respectively.

The said undersigned owners, as a condition precedent to the approval of this plat and sub-division and the acceptance of the dedication of the streets and alleys thereon etc. by the Council of the Town of Salem and the Board of Supervisors of Roanoke County, or the proper zoning and planning Commission of either or both, as indicated by the certifications herein, do on their own behalf, and for and on account of their heirs, successors, devisees and assigns, specifically release the Town of Salem and the County of Roanoke, from any and all claim or claims for damages which such owners, their heirs, successors, devisees, or assigns, may of might otherwise have against the Town of Salem and the County of Roanoke by reason of establishing proper grade lines on and along such streets and alleys, as shown hereon (or such changed streets or alleys as may be agreed upon in the future) and releasing necessary grading for the purpose of placing such streets or alleys upon the proper grade or grades as may, from time to time, be established by said Town or said County, and neither said Town nor said County shall be required to construct any retaining wall or walls along said streets or alleys and the property lines thereof.

RESTRICTIONS AND CONDITIONS

The following restrictions and conditions shall, for a period of thirty (30) years from the date of this plat, be covenants running with the land sub-divided in the annexed plat.

(1) Neither shall this tract of land, nor any part thereof, be sold, leased, conveyed or occupied by any person of Negro descent, as defined by the Virginia Code, or by Syrians, Assyrians, Greeks, Turks or Mongolians, except that this shall not apply to a bona fide servant employed and merely temporarily residing upon the premises of an otherwise lawful owner.

In the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia.

This 4th day of October 1943, the annexed plat and sub-division was presented, and with the certificates of acknowledgments thereunto annexed, is admitted to record this 4th day of October 1943 at 2:00 o'clock.

Teste: Cliff Brown
Clerk Circuit Court for the County of Roanoke.

At a regular meeting of the Council of the Town of Salem, Virginia, held on the 10th day of September 1945, all members being present the following ordinance was unanimously adopted:

Be it ordained by the Council of the Town of Salem that the plat and sub-division known as "LONGVIEW" on the written approval and recommendation of the Planning Commission, of the Town of Salem, be, and the same is hereby approved, together with the reservations and conditions written thereon, and incorporated therein, and further subject to the zoning ordinance of the Town of Salem, now in force and effect, as of the adoption of this Ordinance, and the Clerk of Council is hereby directed to certify a copy of this ordinance on the original plat of said sub-division, which original is to be recorded in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia.

A true copy teste:

W. Frank Robinson
Clerk of Council - Town of Salem, Va.

RESTRICTIONS AND CONDITIONS (Continued)

(2) No building or other structure costing less than Three Thousand (\$3,000.00) Dollars (necessary outbuildings excepted) shall be erected on said tract of land herein sub-divided, or any part thereof.

(3) Regardless of any future changes in the annexed plat, not more than one dwelling or like structure shall be erected upon any one lot, and the minimum width of such lot upon which any one dwelling is erected, shall be of a width of fifty (50) feet.

Grace L. Phlegar
Emily E. Phlegar
Archer B. Phlegar
Charles W. Phlegar
Carl L. Phlegar
Robert Glenn Phlegar

STATE OF VIRGINIA
COUNTY OF ROANOKE, to-wit: -

I, James D. Brown, a Notary Public for the County of Roanoke, Virginia, do hereby certify that Grace L. Phlegar and Harry L. Phlegar, whose names are signed to the foregoing certificate, with said reservations and conditions therein set forth, personally appeared before me in my County and State and acknowledged the same.

Given under my hand this 1st day of August 1945.

My Commission expires

May 10, 1947

James D. Brown
Notary Public.

STATE OF PENNSYLVANIA
COUNTY OF ALLEGHANY, to-wit: -

I, Ruth E. Beyer, a Notary Public for the County of Alleghany, Pennsylvania, do hereby certify that Archer B. Phlegar and Charles W. Phlegar, whose names are signed to the foregoing certificate, with said reservations and conditions therein set forth, personally appeared before me in my said County and State and acknowledged the same.

Given under my hand and seal this 31st day of July 1945.

My Commission expires

March 2, 1947

Ruth E. Beyer
Notary Public.

STATE OF INDIANA
COUNTY OF MADISON

I, Edna M. Matthews, a Notary Public for the County of Madison, Indiana, do hereby certify that Carl L. Phlegar, whose name is signed to the foregoing certificate, with said reservations and conditions therein set forth, personally appeared before me in my said County and State and acknowledged the same.

Given under my hand and seal this 2nd day of August 1945.

My Commission expires

April 14, 1946

Edna M. Matthews
Notary Public.

STATE OF OHIO
COUNTY OF CLARK, to-wit: -

I, Edna M. Matthews, a Notary Public for the County of Clark, Ohio, do hereby certify that Robert Glenn Phlegar (the sole heir-at-law of Roy G. Phlegar) whose name is signed to the foregoing certificate, with said reservations and conditions therein set forth, personally appeared before me in my said County and State and acknowledged the same.

Given under my hand and seal this 8th day of August 1945.

My Commission expires

3-4-1948

Edna M. Matthews
Notary Public.