

Trust Deed

The Trust Deed at bk8307p1446 is not recognized and no reason is given. This prevents the Trustee from entering into a sales contract for the Trust property until the issue is resolved. But the issue is never resolved. This forces the Trustee to continue to pay the real estate taxes until he runs out of money.

Then Judge Smith removes me as Trustee for not selling the Trust property and false accusations listed in the Complaint.

If those in control can ignore this 1992 Deed and not say why for more than twenty-two (22) years, and not be responsible for it, I believe they can do the same with anyone's deed and take over their property.

Prepared by E. A. Prichard of McQuire Woods Battle & Boothe

Why, in 22 years, has no authority in Virginia recognized this Deed for Accotink (parcel 0904-01-0017 in Fairfax County) or said why it should not be recognized? Why the secrecy? Why shut me out?

DEED IN TRUST UNDER LAND TRUST AGREEMENT

THIS DEED IN TRUST UNDER LAND TRUST AGREEMENT, made this 16th day of OCTOBER, 1992 by and between JEAN MARY O'CONNELL/NADER and HOWARD/NADER, husband and wife, SHEILA ANN/O'CONNELL and PIERRE/SHEVENELL, husband and wife, ANTHONY MINER/O'CONNELL, divorced and not remarried, and ANTHONY MINER/O'CONNELL, Trustee Under the Last Will and Testament of Harold A. O'Connell (collectively, "Grantors"); and ANTHONY MINER/O'CONNELL, Trustee, of Fairfax County, Virginia (hereinafter sometimes collectively referred to as "Trustees" or "Grantees"):

WITNESSETH:

That Grantors for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, do hereby grant and convey to the Grantees as trustees the hereinafter described parcel of real estate, situate and being in Fairfax County, Virginia, and being more particularly described on the attached and incorporated EXHIBIT A ("Property").

TO HAVE AND TO HOLD the Property in fee simple, with the appurtenances thereunto belonging, upon the trusts and for the uses and purposes set forth herein and in that certain Land Trust Agreement dated as of 16th day of OCTOBER 1992, which is incorporated herein by this reference.

Full power and authority is hereby granted to the Trustee and their successors and assigns to protect and conserve the property; to sell, contract to sell and grant options to purchase the Property and any right, title or interest therein on any terms; to exchange the Property or any part thereof for any other real or personal property upon any terms; to convey the Property by deed or other conveyance to any grantee, with or without consideration; to mortgage, pledge or otherwise encumber the Property or any part thereof; to lease, contract to lease, grant options to lease and renew, extend, amend and otherwise modify leases on the Property or any part thereof from time to time, for any period of time, for and rental and upon any other terms and conditions; and to release, convey or assign any other right, title or interest whatsoever in the Property or any part thereof.

No party dealing with the Trustee in relation to the Property in any manner whatsoever, and (without limiting the foregoing) no party to whom the Property or any part thereof or any interest therein shall be conveyed, contracted to be sold, leased or mortgaged by the Trustee, shall be obliged (a) to see to the application of any purchase money, rent or money borrowed or otherwise advanced on the Property, (b) to see that the terms of this trust have been complied with, (c) to inquire into the authority, necessity of expediency of any act of any Trustee, or (d) be privileged to inquire into any of the terms of the Trust Agreement. Every deed, mortgage, lease or other instrument executed by the Trustee in relation to the Property shall be conclusive evidence in favor of every person claiming and right, title or interest thereunder; (a) that at the time of the delivery thereof this trust was in full force and effect, (b) that such instrument

TAX MAP 90-4-001-17
CODE OF VIRGINIA 55-17.1
ANTHONY O'CONNELL
6541 FRANCESIA ROAD
SPRINGFIELD, VIRGINIA 22150

BK8307 1446

was executed in accordance with the trusts, terms and conditions hereof and of the Trust Agreement and is binding upon all beneficiaries thereunder, (c) that the Trustee was duly authorized and empowered to execute and deliver every such instrument, and (d) if a conveyance has been made to a successor or successors in trust, that such successor or successors have been properly appointed and are fully vested with all the title, estate, rights, powers, duties and obligations of his, its or their predecessor in trust.

The Trustee shall have no individual liability or obligation whatsoever arising from his ownership, as trustee, of the legal title to said property, or with respect to any act done or contract entered into or indebtedness incurred by him in dealing with said property, or in otherwise acting as such trustee, except only so far as said Trust Property and any trust funds in the actual possession of the Trustee shall be applicable to the payment and discharge thereof.

The interest of every beneficiary hereunder and under the Trust Agreement and of all persons claiming under any of them shall be only in the earnings, avails and proceeds arising from the rental, sale or other disposition of the Property. Such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any right, title or interest, legal or equitable, in or to the Property, as such, but only in the earnings, avails and proceeds thereof as provided in the Trust Agreement.

This deed is governed by and is to be read and construed with reference to Section 55-17.1, Code of Virginia (1950 as amended) and now in force.

Except as hereinafter noted, the Grantors covenant that they have the right to convey the Property to the Trustee, that Grantors have done no act to encumber the Property, that the Trustees shall have quiet possession of the Property, free from all encumbrances, and that Grantors will execute such further assurances of the Property as may be requisite.

Howard Nader and Pierre Shevenell join in this Deed in Trust Under Land Trust Agreement for the sole purpose of consenting to the conveyance of the Property, and hereby forever convey, release and waive any marital rights or right to claim an elective share in such Property as part of their spouses' augmented estate pursuant to Code of Virginia, Section 64.1-13, et seq., as amended, and give no covenant or warranty of title to the property hereby conveyed.

WITNESS the following signatures and seals:

Jean Mary O'Connell Nader (SEAL)
Jean Mary O'Connell Nader

Howard Nader (SEAL)
Howard Nader

Sheila O'Connell (SEAL)
Sheila Ann O'Connell

Pierre Shevanel (SEAL)
Pierre Shevanel

Anthony Miner O'Connell (SEAL)
Anthony Miner O'Connell

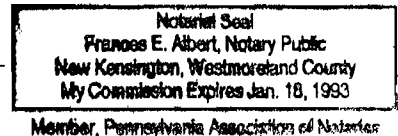
Anthony Miner O'Connell, Trustee (SEAL)
Anthony Miner O'Connell, Trustee
Under the Last Will and Testament of
Harold A. O'Connell

STATE OF Pennsylvania
COUNTY OF Westmoreland, to wit:

13th The foregoing instrument was acknowledged before me this
day of August, 1992, by Jean Mary O'Connell
Nader.

Francis E. Albert
Notary Public

My Commission expires: _____

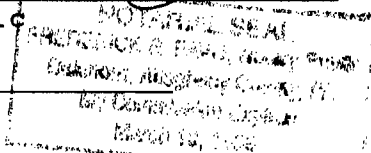


STATE OF Pennsylvania
COUNTY OF Washington, to wit:

14 The foregoing instrument was acknowledged before me this
day of August, 1992, by Howard Nader.

Francis E. Albert
Notary Public

My Commission expires: 3-10-95



STATE OF Maine
COUNTY OF Cumberland, to wit:

The foregoing instrument was acknowledged before me this 8th day of September, 1992, by Sheila Ann O'Connell.

Emerson M. Allen
Notary Public

My Commission expires: Sept 21, 1999

STATE OF Maine
COUNTY OF Cumberland, to wit:

The foregoing instrument was acknowledged before me this 8th day of September, 1992, by Pierre Shevenell.

Emerson M. Allen
Notary Public

My Commission expires: Sept 21, 1999

STATE OF VIRGINIA
COUNTY OF FAIRFAX, to wit:

The foregoing instrument was acknowledged before me this 3rd day of August, 1992, by Anthony Miner O'Connell.

Barbara A. Antonucci
Notary Public

My Commission expires: 7-31-94

STATE OF VIRGINIA
COUNTY OF FAIRFAX, to wit:

The foregoing instrument was acknowledged before me this 3rd day of August, 1992, by Anthony Miner O'Connell, Trustee Under the Last Will and Testament of Harold A. O'Connell.

Barbara A. Antonucci
Notary Public

My Commission expires: 7-31-94

Exhibit A

BEGINNING at a stake and stones in the East Ravensworth line a corner to lines of G. Haines in line of lands of C. Potter's Estate and thence running with said line N 8-1/4° E. 450 feet to a stake and stones corner to lands heretofore conveyed by C. Huntington; thence with said land N 68-1/2° W. 939 feet to a stake and stones in center of abandoned road bed of Washington Southern Railway Company; thence with the center thereof S 21-1/2° W. 880 feet to a stake and stones; thence by lands of G. Haines N 89-1/4° E. 1121 feet to the beginning containing 15 acres more or less.

BK8307 1451

JOSEPH BERRY
VIENNA, VIRGINIA
CIVIL ENGINEER
COUNTY SURVEYOR FOR FAIRFAX COUNTY

Description of H.A.O'Connell's property, situated in Mount Vernon District, Fairfax County, Virginia and bounded as follows:-

Beginning at the corner of E.A. Brice in the middle of the old railroad bed, now abandoned; thence with the line of Brice S. 74°08'20"E. (passing through a pipe at 40.0 ft.) 929.77 ft. to a pipe in the line of William Parker; thence with the line of Parker and continuing the same course with the line of Mrs. Edna B. Hunter S. 1°42'25"W. 477.15 ft. to a pipe; thence with another line of Mrs. Hunter S. 85°19'50"W. (passing through a pipe at 1088.26 ft.) 1131.22 ft. to the middle of the old railroad bed; thence with the middle of the old railroad bed N. 16°43'20"E. 859.5 ft. to the beginning. Containing 15.329 acres.

Joseph Berry

With plat attached

OCT 23 1992

RECORDED FAIRFAX CO VA

TESTE:

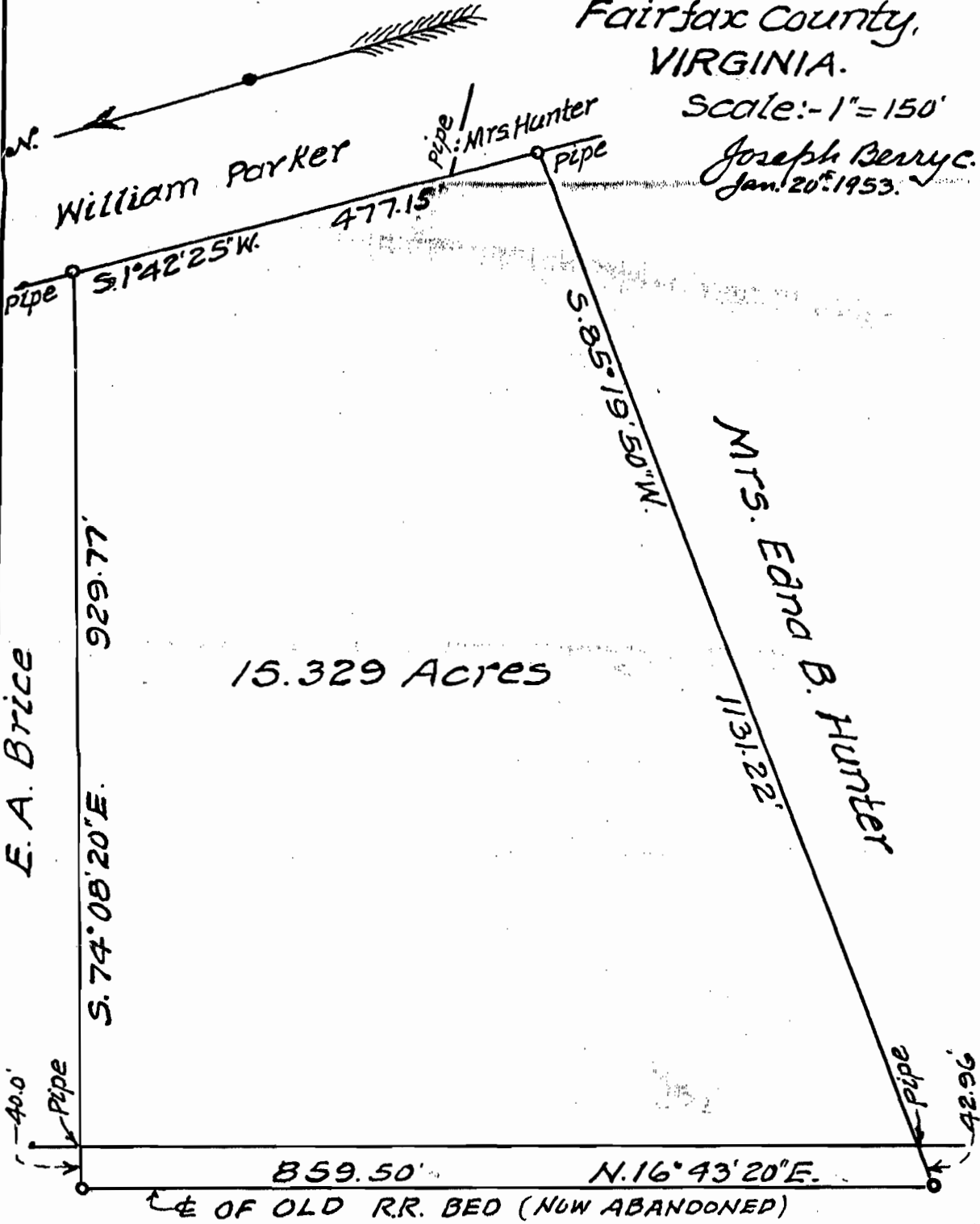
J. Berry
CLERK

Last page of 1992 Deed

PROPERTY OF
H. A. O'CONNELL,
Fairfax County,
VIRGINIA.

Scale: - 1" = 150'

Joseph Berry C.S.
Jan. 20th 1953.



Anthony O'Connell
439 S Vista Del Rio
Green Valley, AZ 85614
January 5, 2014

Correction: Date should be January 5, 2015

Reference: 1992 Deed at bk8307p1446

To the Honorable Judges of the Nineteenth Judicial Circuit Court of Fairfax County,
Virginia:

- The Honorable Dennis J. Smith ←
- The Honorable Jane Marum Roush
- The Honorable Randy I. Bellows
- The Honorable Charles J. Maxfield
- The Honorable Bruce D. White
- The Honorable Robert J. Smith
- The Honorable David S. Schell
- The Honorable Jan L. Brodie
- The Honorable Lorraine Nordlund
- The Honorable Brett A. Kassabian
- The Honorable Michael F. Devine
- The Honorable John M. Tran
- The Honorable Grace Burke Carroll

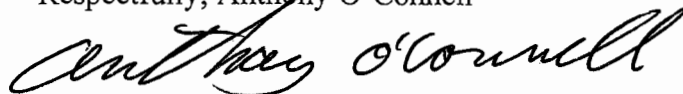
4110 Chain Bridge Road
Fairfax, Virginia 20030 – 4009

Dear Honorable Judges of the Nineteenth Judicial Circuit Court:

Please tell me if you recognize the enclosed 1992 Deed as a deed. Please give a "Yes" or a "No" so that all concerned can rely upon a clear and accountable position. If "No", please explain why.

Necessity makes me ask this.

Respectfully, Anthony O'Connell



Enclosure: 1992 Deed at bk8307p1446 (first two pages)



NINETEENTH JUDICIAL CIRCUIT OF VIRGINIA

Fairfax County Courthouse
4110 Chain Bridge Road
Fairfax, Virginia 22030-4009

703-246-2221 • Fax: 703-246-5496 • TDD: 703-352-4139

DENNIS J. SMITH, CHIEF JUDGE
JANE MARUM ROUSH
RANDY I. BELLOWS
BRUCE D. WHITE
ROBERT J. SMITH
DAVID S. SCHELL
JAN L. BRODIE
LORRAINE NORDLUND
BRETT A. KASSABIAN
MICHAEL F. DEVINE
JOHN M. TRAN
GRACE BURKE CARROLL
DANIEL E. ORTIZ
JUDGES

COUNTY OF FAIRFAX

CITY OF FAIRFAX

BARNARD F. JENNINGS
THOMAS A. FORTKORT
RICHARD J. JAMBORSKY
JACK B. STEVENS
J. HOWE BROWN
F. BRUCE BACH
M. LANGHORNE KEITH
ARTHUR B. VIEREGG
KATHLEEN H. MACKAY
ROBERT W. WOOLDRIDGE, JR.
MICHAEL P. McWEENEY
GAYLORD L. FINCH, JR.
STANLEY P. KLEIN
LESLIE M. ALDEN
MARCUS D. WILLIAMS
JONATHAN C. THACHER
CHARLES J. MAXFIELD
RETIRED JUDGES

February 11, 2015

Anthony O'Connell
439 S Vista Del Rio
Green Valley, AZ 85614

Dear Mr. O'Connell:

The "enclosed document " was the 1992 Deed at bk8307p1446 (first two pages)

Why, in 22 years, has no authority in Virginia recognized this Deed or said why it should not be recognized? Why is this Deed invisible?

We received your letter of January 5, 2014. I am sure the year was simply a typographical error as the letter was just received. Your request for an opinion regarding an enclosed document is not made in the context of any pending matter in the Fairfax Circuit Court. Furthermore, even if it was, sending a letter to judges does not constitute the filing of pleadings as pleadings are filed with the Clerk of Court.

A request for an opinion or ruling by a judge not properly made in a pending case requests an advisory opinion. Judges "will consider, sua sponte, whether a decision would be an advisory opinion, because we do not have the power to render a judgment that is only advisory." Charlottesville Operators Ass'n v. Albemarle Cnty., 285 Va. 87, 99-100, 737 S.E.2d 1, 14 (2013); see also Martin v. Zihel, 269 Va. 35, 40, 607 S.E.2d 367, 369 (2005).

Accordingly, on behalf of our entire court, we decline your request for an opinion.

Respectfully yours,

[Handwritten signature of Dennis J. Smith]

Dennis J. Smith,
Chief Judge, 19th Judicial Circuit of Virginia

My previous letter to the Judges was mailed on January 5, 2015. I received this reply from Chief Judge Smith on February 23, 2015

Certified Mail Receipt 7012 2920 0000 3117 9808

Anthony O'Connell, Trustee
439 S. Vista del Rio
Green Valley, Arizona 85614
February 25, 2015
anthonymineroconnell@gmail.com

Chief Judge Dennis J. Smith
Nineteenth Judicial Circuit of Virginia
Fairfax County Court House
4110 Chain Bridge Road
Fairfax, Virginia 22030-4009

Reference:

Re: Why is the 1992 Trust Deed at bk8307p1446 not recognized?

The Honorable Chief Judge Dennis J. Smith:

Please tell me why the 1992 Trust Deed at bk8307p1446 ,which shows that the Grantee, Anthony Miner O'Connell, Trustee, owns the Trust property in fee simple, is not recognized.

Sincerely,



Anthony Miner O'Connell

No response

After 22 years I believe it is fair to assume that no authority in Virginia is going to recognize the 1992 Deed at bk8307p1446 or say why it should not be recognized. Or stop our innocent sister Jean Nader from being used, or try to expose the accounting at bk467p191, or expose the lien trail from Fairfax County to Highland County.