

Unknown 4

**Anthony OConnell**

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**From:** "Greenlief, Kevin C." <Kevin.Greenlief@fairfaxcounty.gov>  
**To:** "Anthony OConnell" <amo@commspeed.net>  
**Sent:** Tuesday, August 10, 2004 7:10 PM  
**Subject:** RE: Would you please correct the legal description on your real estate tax bill for parcel 0904-01-0017?

Dear Mr. O'Connell:

My staff has traded e-mails and correspondence with you on numerous occasions. We clearly seem to have some failure to communicate on this issue and for that I apologize. First let me explain our position on this, and then I'll explain what it is we are going to do to try to assist you to the extent possible.

First, the legal description of this vacant parcel of 15 acres is "Accotink Station." The Will Book reference is simply made as a convenience to help citizens (especially title examiners) determine the source of initial property transfer. Our listing does not affect your rights as trustee, nor does this impact the Land Records themselves. I do not understand your complaint that you "cannot properly perform your duties as Trustee until the confusions on the court records have been cleared away." There is no confusion in the court records. The chain of title as recorded in the Land Record Office speaks for itself and any title examiner or court would be able to follow the documents so recorded. The fact that we have listed the Will Book reference should have no impact on that whatsoever. Moreover, in our old computer system we had significant space constraints that limited the information we could list. Since the Will Book was the initial transfer (i.e., the start of the chain), that is the reference we listed. As my staff has repeatedly said however, the Land Trust Agreement at DB 8307-1446 has also been listed on our records. It simply wasn't displayed in a box entitled "Legal Description."

We have now implemented a new computer system that offers us some additional space flexibility. As a result, my staff has now added the deed book references you desire to the existing references. The reference included in our legal description area will read "Accotink Station; WB201-109; DB8307-1446; DB8845-1444; DB8845-1449."

Again, this is highly unusual and not at all necessary inasmuch as any title examiner, Attorney or court would be able to follow the clear chain of title as recorded in the Land Records. The listing of these deed book references on our assessment record has no bearing on your role as trustee nor does it impact the chain of title ownership. It simply lists deed book references within the chain.

That said, since we have the space and since this appears to be a significant issue for you and does not otherwise impact the validity of our records, we have made this accommodation at your request. You will receive a second installment tax bill in November. This bill should reflect these changes. If you would like to check this on-line before then, you should be able to see these changes within the next two weeks via the following Internet link:

<http://icare.fairfaxcounty.gov/Main/Home.aspx>

I appreciate that estate management can be a very complicated matter. I wish you much success as you deal with this issue. I trust this concludes the matter at hand.

Sincerely,

Kevin C. Greenlief, Director  
Department of Tax Administration  
Fairfax County, Virginia

-----Original Message-----

**From:** Anthony OConnell [mailto:amo@commspeed.net]

**Sent:** Tuesday, August 10, 2004 11:52 AM

**To:** Greenlief, Kevin C.

**Subject:** Would you please correct the legal description on your real estate tax bill for parcel 0904-01-0017?

Mr. Kevin Greenlief, Director  
Fairfax County Department of Tax Administration  
12000 Government Center Parkway, Suite 223  
Fairfax, Virginia 22035-0076

Dear Mr. Greenlief:

Would you please correct the legal description on your real estate tax bill for parcel 0904-01-0017? The legal description should not be the list of heirs recorded in WB201p109 dated 1975.

That has been superseded by the following documents dated 1992: (1) Book 8307 pages 1446-1452, Deed in Trust Under Land Trust Agreement; (2) Book 8845 pages 1444-1448, Power of Attorney; and (3) Book 8845 pages 1449-1462, Land Trust Agreement. If you read the documents it is self evident.

I cannot properly perform my duties as Trustee until the confusions on the court records have been cleared away.

Would you please tell me what the following, beginning in Book 8307 at page 1446, means to you?

**"DEED** (underline, color, and bold mine) *IN TRUST UNDER LAND TRUST AGREEMENT*

*THIS DEED IN TRUST UNDER LAND TRUST AGREEMENT, made this 16<sup>th</sup> 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*

**From:** Anthony OConnell <aoconnell@cableone.net>  
**Subject:** **Questions for Stewart Title**  
**Date:** June 13, 2007 7:00:30 AM MST  
**To:** Lisa Overton <LOVERTON@steward.com>, Steve Blizzard  
<SBLIZZAR@steward.com>  
 1 Attachment, 166 KB

Ms. Lisa Overton, Vice President, and Mr. Steve Blizzard, Attorney, of Stewart Title:

Would you please answer these questions?

(1) The attached copy of Ms. Overton's letter to my mother dated April 22, 1988, shows she handled the settlement for my 1988 sale. I was surprised to be told the day before settlement that I had to sign a deed that said I could not qualify as Trustee. The attached six documents show I qualified as Trustee in 1986. Where does it say in the Court records that I could not qualify as Trustee? I am concerned that something similar may happen again.

(2) Does Stewart Title find the following legal description in the real estate tax records for parcel 0904 01 0017 correct: "ACCOTINK STATION WB201 109 DB8307-1446 DB8845-1444 DB8845-1449"? Please read the documents. Please give me a yes or a no.

(3) Why does Stewart Title allow someone not from Stewart Title to respond to questions for Stewart Title?

Anthony Miner O'Connell, Trustee for parcel 0904 01 0017



[1988 sale.pdf \(166 KB\)](#)

From: "Lisa Overton" <LOVERTON@stewart.com>  
Subject: **RE: Where does it say I could not qualify as Trustee?**  
Date: June 14, 2007 10:21:09 AM MST  
To: elynchjr@i95businessparks.com, "Anthony OConnell" <aoconnell@cableone.net>, "Steve Blizzard" <SBLIZZAR@steward.com>, "Lisa Overton" <LOVERTON@steward.com>  
Cc: "Andy Somerville" <andy@smcconcrete.com>

**Hi Bill and Mr. O'Connell:**

**Yes, that is me from 1988 – can't believe how old you are making me feel, and I can honestly tell you that I do not remember that specific 1988 case.**

**Having said that however, when I look at the documents you attach, you did in fact sign the deed as a Trustee, the qualification simply required that a**

**Co-trustee also sign since you were not a resident of Virginia. I do not recall which firm we were using in 1988 to prepare our deeds, we have used quite a few different firms in the past, but it looks as though in the derivation of title paragraph that you underline they simply tried to consolidate the statement of facts. Perhaps they should have been more clear and said that Mr. Higham was appointed WITH you as co-trustee and not in your place.**

**There is no requirement for a Trustee under a land trust to be a Virginia resident; therefore it is a non issue in this case.**

*Lisa Overton  
Stewart Title and Escrow Inc.  
10505 Judicial Drive, #300  
Fairfax, Virginia 22030  
Ph: 703-352-2924  
Fax: 703-991-2449  
Cell: 703-447-9348  
email: loverton@stewart.com*

**From:** Bill Lynch [mailto:elynychjr@i95businessparks.com]  
**Sent:** Tuesday, June 12, 2007 4:31 PM  
**To:** 'Anthony OConnell'; 'Steve Blizzard'; 'Lisa Overton'  
**Cc:** 'Andy Somerville'  
**Subject:** RE: Where does it say I could not qualify as Trustee?

Tony –

I think the short answer is that was then, this is now.

Lisa has handled title work for the Lynch family and me since about 1980 so I am pretty sure she worked on the sale of the home in 1988. I have never had a problem at settlement when she has been involved. She is very thorough and I trust her judgment.

The operative trust agreement is dated in 1992. I don't recall what the documentation was in 1986, but all the documentation that you require to act as Trustee is of record with the 1992 Trust and the Power of Attorney.

Are there any other documents that you are aware of that are not of record?

Bill

-----Original Message-----  
From: Anthony OConnell [mailto:aoconnell@cableone.net]  
Sent: Tuesday, June 12, 2007 2:46 PM  
To: Steve Blizzard; Lisa Overton  
Cc: Edwin W. Lynch, Jr.; Andy Somerville  
Subject: Where does it say I could not qualify as Trustee?