

Deed, DE, Sussex, Shepherd Drain, 1811

THIS INDENTURE made this 14th day of June in the year of Our Lord 1811. By and between **WHITTINGTON TULL** and **MARY [TULL]** his wife of Sussex County and the state of Delaware of the one part and **SHEPHERD DRAIN [BRIAN]** of the same county and state of the other part.

WITNESSETH that whereas a certain **BARKLEY TOWNSEND** had granted unto him by Patent under the great seal of our state of Delaware bearing date the 17th day of December 1796 all that tract or parcel of land called and known by the name of Wall Creek lands situated lying and being in Broad Creek hundred in the county and state of for said and the same **BERKELEY TOWNSEND** being there of so seized and possessed died intestate leaving issue four children namely **WILLIAM [TOWNSEND]**, **ELEANOR [TOWNSEND]**, **THOMAS [TOWNSEND]** and **SALLY [TOWNSEND]** who proceeded, agreeable to law, for a division of the lands and the said **BERKELEY TOWNSEND** and whereas it appears of record that in the division of lands aforesaid the aforesaid tract or parcel of land called whale Wall Creek Landing was allotted to **THOMAS TOWNSEND** who by his deed of bargain and State duly executed on the 13th day of February eighteen hundred and four and involved among the records of Sussex County as will more fully appear by reference thereunto conveyed unto the above named **WHITTINGTON TULL** all that track your parcel of land of forces called Aunt known by the name of wall Creek Landing.

NOW THIS INDENTURE FURTHER WITNESSETH that the said **WHITTINGTON TULL** and **MARY** his wife being thereof so seized and actually in possession of the said tract of land called Wall Creek Landing, for and in consideration of the sum of \$200 current money of the said state of Delaware to them in hand paid by the said **SHEPHERD DRAIN** before the signing, sealing and delivery of these presents the receipt whereof the said **WHITTINGTON TULL** and **MARY** his wife does hereby confess and acknowledge and themselves therewith fully satisfied contented and paid and for every part and parcel there of does here by aquit, exonerate, and discharge him the said **SHEPHERD DRAIN**, his heirs and assigns, forever, hath bargain and sold and by these presents doth grant, bargain, and sell, alien, enfeoff, convey, and confirm unto him the said **SHEPHERD DRAIN** his heirs and assigns for all that tract or parcel of land called and known by the name of Wall Creek Landing active land is bounded and described in the following manner, to wit:

Beginning at a marked Red Oak standing on the north side of Broad Creek near a deep valley that makes out of said Creek the said tree being the first beginning boundary of a tract of land called **JOBS'** lot, since Running With The said tract called **JOBS'** lot, North 44 and 3/4 degrees, easterly 100 purchases, since South 48 degrees easterly 50 perches or to the line of the Indian Land show called, since finding on and running with the said Indian Land South 41 degrees West 127 perches to Broad Creek, since crossing the mouth of wall creek North 48 degrees West 58th polls, since North 44 degrees east 27 perches home to The First beginning boundary.

Containing 42½ acres of land according to an survey thereof taken on the ground the 9th day of February 1804 by Leven Collins.

With all and singular the houses, outhouses, yards, Gardens, Orchards, fencing, woods, under-woods, ways, waterways privileges and advantages to the same belonging or in any wise appertaining. To have and to hold the same and every part and parcel there of free and clear of all manner of a conference and to the only purpose, used, benefit, and behoof of him the said **SHEPHERD DRAIN** his heirs and assigns

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forever and to and for no other you use, intent or purpose whatsoever, either in law or equity and the said **WHITTINGTON TULL** and **MARY** his wife for themselves their heirs Executives and administrators and every of them does further covenant and agree to and with the said **SHEPHERD DRAIN** his heirs and assigns forever that they, their heirs, executors, and administrators the aforesaid 42½ acres of land being all that tract or parcel of land called Wall Creek Landing with all and every of the appurtenances shall and will by virtue of these presents warrant and forever defend against the lawful claim of all persons claiming the same or any part thereof from under them or either of them.

And testimony where of the said **WHITTINGTON TULL** and **MARY** his wife half to these presents interchangeably set their hands and seals I fixed the day and date first above written.

WHITTINGTON TULL {seal}
MARY TULL {seal}

Signed sealed and delivered in the presence of

JEREMIAH SAWYER
KENDALL M. LEWIS

[Shepherd Brian]
[Shepherd Bryan]
[Shephard Brian]
[Shephard Bryan]

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