

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA
#1 COURT SQUARE, SUITE 203
PARKERSBURG, WV 26101

IN RE: MINUTES OF MEETING HELD
MONDAY, DECEMBER 10, 2012

PRESENT: DAVID BLAIR COUCH, PRESIDENT
WAYNE DUNN, COMMISSIONER
STEPHEN GAINER, COMMISSIONER

At 9:30 A.M., the County Commission of Wood County met in regular session. They signed purchase orders, invoices, orders and other correspondence.

The County Commission approved an Erroneous Assessment Application in regard to real property for Terrapin Park Limited and Martin E M; Wiggins E L & M J. The County Commission approved an Erroneous Assessment Application in regard to personal property for David Lee Fish, Jr. The County Commission approved an Erroneous Assessment Application in regard to supplemental property for Eric Malhotra.

AGENDA AND DISCUSSION ITEMS

At 10:30 A.M. the commission met with attorney Anna Price regarding a Petition for Probate of a Lost Will of Orvil Merrill, deceased. No objections were made and said Petition was filed (probate order attached).

At 10:45 A.M. the commission met with attorney Gerald Townsend regarding the estate of Donald M. Busch. Martha J. Busch, Administratrix, presented her Motion to Approve Final Report, to Close the Insolvent Estate and Discharge her from further duty as Executrix and release any bond (probate order attached).

At 11:00 A.M. the commission toured the former Easy Rider Bus facility.

They adjourned at 11:30 A.M.

ORDERS APPROVED AND ATTACHED TO THESE MINUTES

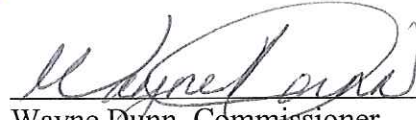
M/2204

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Wayne Dunn, Commissioner



Stephen Gainer, Commissioner

To listen to these minutes, please refer to CD labeled December 10, 2012.

Wood County Commission Meeting
Held December 10, 2012

Please Print

1.	ANNA PRICE
2.	Charles Merrill
3.	Mayeth Merrill
4.	Jerry Townsend
5.	
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Wood County Commission

12/10/2012
1 Court Square, Suite 203
Parkersburg, WV 26101

9:30 A.M.	APPROVE AND SIGN MINUTES, ORDERS, PURCHASE ORDERS, INVOICES, NEW ROAD NAMES, ERRONEOUS ASSESSMENT APPLICATIONS AND ANY OTHER ADMINISTRATIVE DUTIES	MARTY SEUFER, COUNTY ADMINISTRATOR
10:30 A.M.	ORVILLE MERRILL ESTATE – PETITION FOR LOST WILL	ANNA PRICE, ATTORNEY
10:45 A.M.	DONALD M. BUSCH ESTATE – DISALLOW CLAIMS	GERALD TOWNSEND, ATTORNEY

459

Wood County Commission

12/10/12
70/192

Erroneous Assessment Application

Tax Type: **Real Estate**

Tax Ticket: **27415**

Tax Year: **2012**

Upon the application of **TERRAPIN PARK LIMITED** whose address is **229 HUBER VILLAGE BLVD 100 WESTERVILLE, OH 43081-** aggrieved by an erroneous assessment in **PARKERSBURG** District (05), in the County of Wood, for the **2012** tax year.

The County Commission therefore, orders that the said applicant be and hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the **2012** tax year.


If the taxes have been paid the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the the affected tax year, the Sheriff shall allow a credit on future taxes payable.

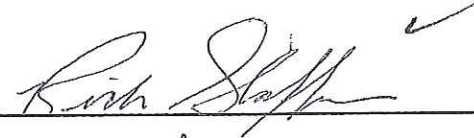
Value was increased due to Data Entry error. Value should be \$1,350,100 with an Assessed value of \$810,060.

All of which is ordered to be certified to the Auditor of the State of West virginia and the Sheriff of WOOD County


Date	Transaction Type	Class	Amount	Tax Rate	Tax Class	Net Value
07/01/2012	BILLING	4	68,001.52	2.912320	4	2,334,960
08/17/2012	REGULAR PAYMENT	4	-34,000.76	2.912320	4	-1,524,900
08/17/2012	REGULAR PAYMENT	4	850.02			
11/16/2012	PENDING EXONERATION	4	-44,409.97			
			Adjusted Net Taxes			810,060



Taxpayer


Prosecutor


Assessor


Commissioner


County Commission President


Commissioner

At a regular session of the County Commission of Wood County, West Virginia, held at the Courthouse of said County, The County Commission did approve this exoneration on December 10, 2012

RECEIVED
NOV 28 '12

County Administrator
DEC 10 12

County Administrator

By: Kerri Lincicome

259

Wood County Commission

Erroneous Assessment Application

Tax Type: **Real Estate**

Tax Ticket: **27415**

Tax Year: **2012**

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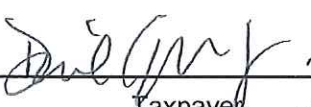
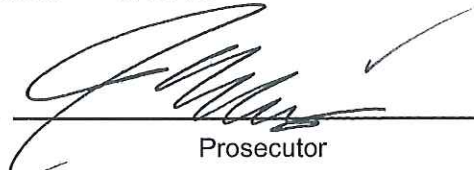


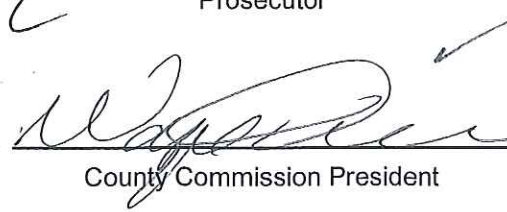
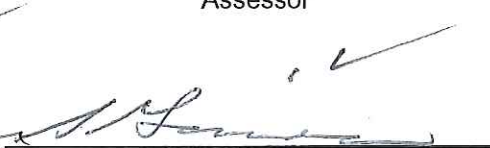
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08/17/2012	REGULAR PAYMENT	4	850.02			
11/16/2012	PENDING EXONERATION	4	-44,409.97			
			Adjusted Net Taxes			810,060

 Taxpayer
 Prosecutor
 Assessor
 Commissioner
 County Commission President
 Commissioner

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RECEIVED

NOV 23 '12

County Administrator

County Administrator

DEC 10 '12

RECEIVED

By: Kerri Lincicome

Application Printed On

Friday, November 16, 2012 9:57 am

RSO

Wood County Commission

Erroneous Assessment Application

Tax Type: **Real Estate**

Description

TCT 1.5-A WALKER CR

Tax Ticket: **45467**

Tax Year: **2012**

Upon the application of **MARTIN E M; WIGGINS E L & M J** whose address is **1411 19TH ST PARKERSBURG, WV 26101**- aggrieved by an erroneous assessment in **WALKER** District (11), in the County of Wood, for the **2012** tax year.

The County Commission therefore, orders that the said applicant be and hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the **2012** tax year.

If the taxes have been paid the Sheriff shall refund the same to them; or if more than a year from the time the property books were delivered to the Sheriff for the the affected tax year, the Sheriff shall allow a credit on future taxes payable.

Due to clerical error parcel was created and taxed my mistake. Parcel Id 11-380-000D is included in parcel Id 11-380-000B. Therefore parcel 11-380-D should not be taxed separately.

All of which is ordered to be certified to the Auditor of the State of West Virginia and the Sheriff of WOOD County

Date	Transaction Type	Class	Amount	Tax Rate	Tax Class	Net Value
07/01/2012	BILLING	2	6.58	1.095800	2	600
12/04/2012	PENDING EXONERATION	2	-6.57	1.095800	2	-600
			Adjusted Net Taxes			0.01
						Adjusted Net Value
						0

Taxpayer

Prosecutor

Assessor

Commissioner

County Commission President

Commissioner

At a regular session of the County Commission of Wood County, West Virginia, held at the Courthouse of said County, The County Commission did approve this exoneration on December 10, 2012

RECEIVED

DEC 04 12

County Administrator

County Administrator

DEC 10 12

RECEIVED

By: Kerri Lincicome

Application Printed On

Tuesday, December 4, 2012 3:42 pm

KSO

12/10/12
70/192

Wood County Commission

Erroneous Assessment Application

Tax Type: **Real Estate**

Description
TCT 1.5-A WALKER CR

Tax Ticket: **45467**

Tax Year: **2012**

Upon the application of **MARTIN E M;WIGGINS E L & M J** whose address is **1411 19TH ST PARKERSBURG, WV 26101-** aggrieved by an erroneous assessment in WALKER District (11), in the County of Wood, for the **2012** tax year.


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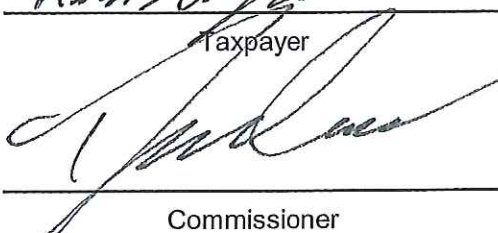
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07/01/2012	BILLING	2	6.58	1.095800	2	600
12/04/2012	PENDING EXONERATION	2	-6.57	1.095800	2	-600
			Adjusted Net Taxes			Adjusted Net Value
			0.01			0

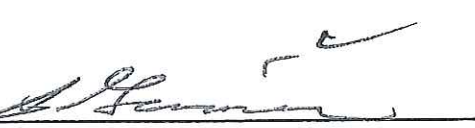

 Taxpayer


 Prosecutor


 Assessor


 Commissioner


 County Commission President


 Commissioner

At a regular session of the County Commission of Wood County, West Virginia, held at the Courthouse of said County, The County Commission did approve this exoneration on December 10, 2012

RECEIVED

DEC 04 '12
County Administrator

County Administrator

DEC 10 '12

RECEIVED

By: Kerri Lincicome

Application Printed On

Tuesday, December 4, 2012 3:42 pm

Wood County Commission

Erroneous Assessment Application

Tax Type: **Personal Property**

Tax Ticket: **824301**

Tax Year: **2012**

Upon the application of **FISH DAVID LEE JR** whose address is **1 JOYCEVILLE TRAILER PARK PARKERSBURG, WV 26101**- aggrieved by an erroneous assessment in **TYGART District (08)**, in the County of Wood, for the **2012** tax year.

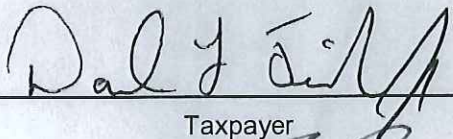
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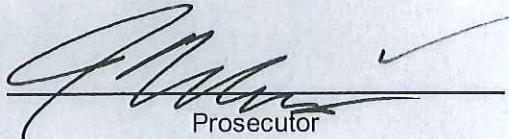
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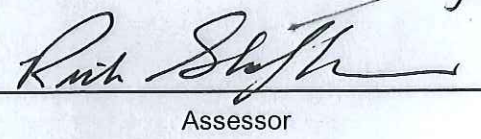
Due to clerical error Homestead was removed by mistake. Mr. Fish has had Homestead since 2006.


All of which is ordered to be certified to the Auditor of the State of West Virginia and the Sheriff of WOOD County

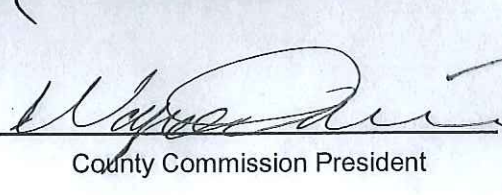
Date	Transaction Type	Class	Amount	Tax Rate	Tax Class	Net Value
07/01/2012	BILLING	2	51.88	1.095800	2	4,734
10/31/2012	PENDING EXONERATION	2	-51.88	1.095800	2	0
			Adjusted Net Taxes			Adjusted Net Value
			0.00			4,734

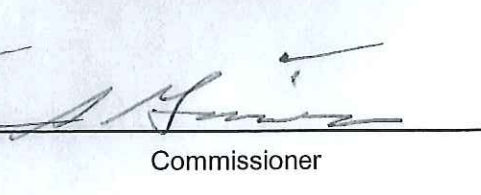

Taxpayer


Prosecutor


Assessor

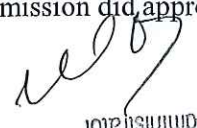

Commissioner


County Commission President


Commissioner

At a regular session of the County Commission of Wood County, West Virginia, held at the Courthouse of said County, The County Commission did approve this exoneration on December 10, 2012

RECEIVED
NOV 30 12
County Administrator


County Administrator
DEC 10 12
RECEIVED

Wood County Commission

Erroneous Assessment Application

12/10/12
70/192

Tax Type: **Personal Property**

Tax Ticket: **824301**

Tax Year: **2012**

Upon the application of **FISH DAVID LEE JR** whose address is **1 JOYCEVILLE TRAILER PARK PARKERSBURG, WV 26101**- aggrieved by an erroneous assessment in TYGART District (08), in the County of Wood, for the **2012** tax year.

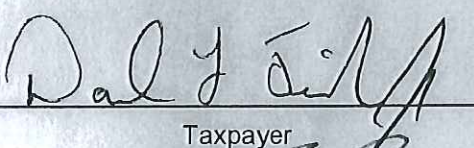
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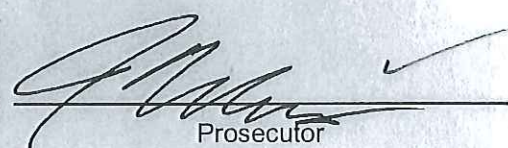
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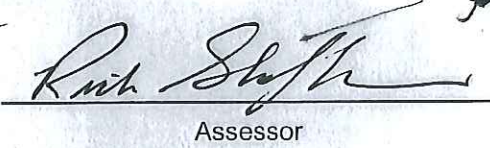
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10/31/2012	PENDING EXONERATION	2	-51.88	1.095800	2	0
			Adjusted Net Taxes			0.00
						Adjusted Net Value
						4,734


Taxpayer


Prosecutor


Assessor


Commissioner


County Commission President


Commissioner

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RECEIVED

NOV 30 2012

County Administrator


County Administrator

DEC 10 2012

RECEIVED

Wood County Commission

Subpo

Erroneous Assessment Application

12/10/12
70/192

Tax Type: **Supplemental**

Tax Ticket: **71969**

Tax Year: **2010**

Upon the application of **MALHOTRA ERIC** whose address is **262 PAHLHURST PLAZA PARKERSBURG, WV 26101-7620** aggrieved by an erroneous assessment in **PARKERSBURG District (05)**, in the County of Wood, for the **2010** tax year.

The County Commission therefore, orders that the said applicant be and hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed in and for the **2010** tax year.

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DUE TO A CLERICAL ERROR THIS ASSESSMENT WAS PLACED IN THE CITY WHEN IN FACT IT IS IN LUBECK DISTRICT. SEE ATTACHED.

All of which is ordered to be certified to the Auditor of the State of West Virginia and the Sheriff of WOOD County

Date	Transaction Type	Class	Amount	Tax Rate	Tax Class	Net Value
04/28/2011	BILLING	4	139.61	2.917600	4	0
04/28/2011	BILLING	4	8.38	2.917600	4	0
04/28/2011	REGULAR PAYMENT	4	-139.61	2.917600	4	0
04/28/2011	REGULAR PAYMENT	4	-8.38	Adjusted Net Value		0
11/26/2012	PENDING EXONERATION	4	-34.49			
Adjusted Net Taxes			-34.49			

Eric Malhotra Taxpayer
[Signature] Prosecutor
Rich Deffen Assessor
[Signature] Commissioner
[Signature] County Commission President
[Signature] Commissioner

At a regular session of the County Commission of Wood County, West Virginia, held at the Courthouse of said County, The County Commission did approve this exoneration on December 10, 2012

RECEIVED

County Administrator

NOV 29 '12
[Signature]
County Administrator

DEC 10 12

RECEIVED

Application Printed On

By: Tessa Miller

Monday, November 26, 2012 3:30 pm

Wood County Commission

12/10/12
7/2/12 SW

Erroneous Assessment Application

Tax Type: **Supplemental**

Tax Ticket: **80006721**

Tax Year: **2011**

Upon the application of **MALHOTRA ERIC** whose address is **262 PAHLHURST PLAZA PARKERSBURG, WV 26101-7620** aggrieved by an erroneous assessment in **PARKERSBURG** District (05), in the County of Wood, for the **2011** tax year.

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Date	Transaction Type	Class	Amount	Tax Rate	Tax Class	Net Value
04/20/2012	BILLING	3	119.44	2.911520	3	4,103
04/20/2012	REGULAR PAYMENT	3	-119.44	2.911520	3	0
04/20/2012	REGULAR PAYMENT	3	-3.60	Adjusted Net Value		4,103
04/20/2012	REGULAR PAYMENT	3	-7.16			
10/31/2012	PENDING EXONERATION	3	-29.57			
Adjusted Net Taxes			-40.33			

X Eric Malhotra Taxpayer Rich Slaff Assessor

[Signature] Prosecutor

[Signature] Commissioner [Signature] County Commission President [Signature] Commissioner

At a regular session of the County Commission of Wood County, West Virginia, held at the Courthouse of said County, The County Commission did approve this exoneration on December 10, 2012

RECEIVED

NOV 23 12
[Signature]

County Administrator

DEC 10 12

RECEIVED

By: Tessa Miller

Application Printed On

Friday, November 9, 2012 8:49 am

Wood County Commission

Subpo

Erroneous Assessment Application

Tax Type: **Supplemental**

Tax Ticket: **71969**

Tax Year: **2010**

Upon the application of **MALHOTRA ERIC** whose address is **262 PAHLHURST PLAZA PARKERSBURG, WV 26101-7620** aggrieved by an erroneous assessment in **PARKERSBURG District (05)**, in the County of Wood, for the **2010** tax year.






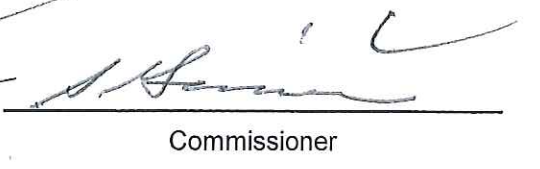
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04/28/2011	BILLING	4	139.61	2.917600	4	0
04/28/2011	BILLING	4	8.38	2.917600	4	0
04/28/2011	REGULAR PAYMENT	4	-139.61	2.917600	4	0
04/28/2011	REGULAR PAYMENT	4	-8.38			
Adjusted Net Value						0
11/26/2012	PENDING EXONERATION	4	-34.49			
Adjusted Net Taxes			-34.49			

 Taxpayer
 (304) 615-0195
 Prosecutor
 Assessor
 Commissioner
 County Commission President
 Commissioner

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RECEIVED

County Administrator

NOV 29 '12

County Administrator

DEC 10 '12

DATE

By: Tessa Miller

Application Printed On

Monday, November 26, 2012 3:30 pm

Wood County Commission

EW

Erroneous Assessment Application

Tax Type: **Supplemental**

Tax Ticket: **80006721**

Tax Year: **2011**

Upon the application of **MALHOTRA ERIC** whose address is **262 PAHLHURST PLAZA PARKERSBURG, WV 26101-7620** aggrieved by an erroneous assessment in **PARKERSBURG** District (05), in the County of Wood, for the **2011** tax year.

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Date	Transaction Type	Class	Amount	Tax Rate	Tax Class	Net Value
04/20/2012	BILLING	3	119.44	2.911520	3	4,103
04/20/2012	REGULAR PAYMENT	3	-119.44	2.911520	3	0
04/20/2012	REGULAR PAYMENT	3	-3.60	Adjusted Net Value		4,103
04/20/2012	REGULAR PAYMENT	3	-7.16			
10/31/2012	PENDING EXONERATION	3	-29.57			
Adjusted Net Taxes			-40.33			

X *Eric Malhotra* Taxpayer *[Signature]* Prosecutor *Rich Stoff* Assessor

[Signature] Commissioner *[Signature]* County Commission President *[Signature]* Commissioner

At a regular session of the County Commission of Wood County, West Virginia, held at the Courthouse of said County, The County Commission did approve this exoneration on December 10, 2012

RECEIVED

NOV 20 2012
[Signature]
County Administrator

County Administrator

DEC 10 2012

RECEIVED

By: Tessa Miller

12/10/12
70/192

DECEMBER 10, 2012

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY EXECUTE A RESOLUTION THAT AUTHORIZED DAVID BLAIR COUCH, AS PRESIDENT, TO EXECUTE THE GRANT CONTRACT IN REGARD TO THE GOVERNOR'S COMMUNITY PARTNERSHIP GRANT PROGRAM FOR THE MOUNTWOOD PARK ELECTRICAL SYSTEM UPGRADES.

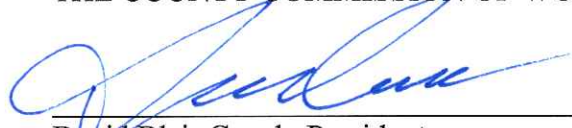
ORDER

On this date, the County Commission of Wood County, upon a motion made by Stephen Gainer, seconded by Wayne Dunn and made unanimous by David Blair Couch, did hereby EXECUTE a RESOLUTION that hereby AUTHORIZES David Blair Couch, in his official capacity as President and on behalf of the County Commission, to EXECUTE the Grant Program Contract in regard to the Governor's Community Partnership Grant Program application for the Mountwood Park Electrical System Upgrade Project #11LEDA1693N in the amount of twenty-five thousand dollars and zero cents (\$25,000.00).


Pertinent documentation pertaining to the aforementioned Governor's Community Partnership Program Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President



Wayne Dunn, Commissioner



Stephen Gainer, Commissioner

M/2204

DECEMBER 10, 2012

12/10/12
701192

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

COPY

RESOLUTION

WHEREAS, The State of West Virginia is sponsoring the Governor's Community Partnership Grant Program; and

WHEREAS, the Governor's Community Partnership Grant Program is designed to provide assistance to Counties and Municipalities in West Virginia to address economic development projects; and

WHEREAS, the County Commission of Wood County is an eligible applicant; and

WHEREAS, the Wood County Commission possesses certain economic development needs which would qualify it for participation in the Governor's Community Partnership Grant Program; and,

WHEREAS, the County Commission of Wood County has reviewed the contract for the listed grant project and accepts the conditions therein,


NOW THEREFORE, BE IT RESOLVED, that David Blair Couch, in his official capacity as President, is AUTHORIZED to execute the Grant Program Contract in regard to the Governor's Community Partnership Program application for the following project:

MOUNTWOOD PARK ELECTRICAL UPGRADE (#11LEDA1693N) - \$25,000.00


RESOLVED this 10TH day of **DECEMBER, 2012**.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



David Blair Couch, President

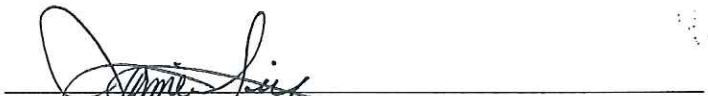


Wayne Dunn, Commissioner



Stephen Gainer, Commissioner

Certified to be a true copy of a Resolution adopted at a regular meeting of the County Commission of Wood County held on December 10, 2012.



Jamie Six, County Clerk

and entered upon the discharge of said trust, without bond, as provided by said Will.

Letters testamentary are hereby granted the said ROBERT GLENN POSEY, upon the Estate of SHIRLEY POSEY, deceased, in due form.

In accordance with Chapter 44, Article 1, Section 14 of the West Virginia Code, of 1931, as amended, effective July 9, 1993, the Personal Representative, after first being duly sworn, shall make a true and accurate appraisal of the Estate of SHIRLEY POSEY, deceased, both real and personal, and will make their return thereof as required by law.

No reference is made to a Fiduciary Commissioner, for settlement, in this Estate.

IN RE: ESTATE OF ANN W. SCOTT, DECEASED

This day came JAMES G. SCOTT, who was, by the last Will and Testament of ANN W. SCOTT, deceased, named therein to qualify as EXECUTOR, without bond, of said Will.

It appearing to this Commission that JAMES G. SCOTT, be and he is hereby qualified as such EXECUTOR, and entered upon the discharge of said trust, without bond, as provided by said Will.

Letters testamentary are hereby granted the said JAMES G. SCOTT, upon the Estate of ANN W. SCOTT, deceased, in due form.

In accordance with Chapter 44, Article 1, Section 14 of the West Virginia Code, of 1931, as amended, effective July 9, 1993, the Personal Representative, after first being duly sworn, shall make a true and accurate appraisal of the Estate of ANN W. SCOTT, deceased, both real and personal, and will make their return thereof as required by law.

No reference is made to a Fiduciary Commissioner, for settlement, in this Estate.

IN RE: ESTATE OF EDNA L. SPENCER, DECEASED

This day came DEBRA SPENCER NUTTER, who was named DEBRA SPENCER, by the last Will and Testament of EDNA L. SPENCER, deceased, named therein to qualify as EXECUTRIX, without bond, of said Will, in the place and stead of Tracy H. Spencer, who was named first to qualify as Executor, without bond, of said Will, now being deceased.

It appearing to this Commission that DEBRA SPENCER NUTTER, be and she is hereby qualified as such EXECUTRIX, and entered upon the discharge of said trust, without bond, as provided by said Will.

Letters testamentary are hereby granted the said DEBRA SPENCER NUTTER, upon the Estate of EDNA L. SPENCER, deceased, in due form.

In accordance with Chapter 44, Article 1, Section 14 of the West Virginia Code, of 1931, as amended, effective July 9, 1993, the Personal Representative, after first being duly sworn, shall make a true and accurate appraisal of the Estate of EDNA L. SPENCER, deceased, both real and personal, and will make their return thereof as required by law.

No reference is made to a Fiduciary Commissioner, for settlement, in this Estate.

IN RE: ESTATE OF ERNESTINE B. PARSONS, DECEASED

This day came GARY L. PARSONS, who was named, by the last Will and Testament of ERNESTINE B. PARSONS, deceased, named therein to qualify as EXECUTOR, without bond, of said Will.

It appearing to this Commission that GARY L. PARSONS, be and he is hereby qualified as such EXECUTOR, and entered upon the discharge of said trust, without bond, as provided by said Will.

Letters testamentary are hereby granted the said GARY L. PARSONS, upon the Estate of ERNESTINE B. PARSONS, deceased, in due form.

In accordance with Chapter 44, Article 1, Section 14 of the West Virginia Code, of 1931, as amended, effective July 9, 1993, the Personal Representative, after first being duly sworn, shall make a true and accurate appraisal of the Estate of ERNESTINE B. PARSONS, deceased, both real and personal, and will make their return thereof as required by law.

No reference is made to a Fiduciary Commissioner, for settlement, in this Estate.

IN RE: ESTATE OF ORVIL MERRILL, DECEASED

MAYETTA LOUISE MERRILL, in her capacity as Executrix of the Last Will and Testament of Orvil Merrill,
Petitioner

v.

MAYETTA LOUISE MERRILL, as Successor Trustee of the Orvil Merrill Living Trust dated January 20, 1998, and VICKI SUE REUS, CONNIE FINNERTY, STEVEN O. MERRILL, and CHARLES MERRILL, KELLY SMITH, DEREK MERRILL,

Repondents,

and

Any unknown or unborn beneficiaries of Orvil Merrill, deceased,

Unknown or Unborn Respondents

ORDER GRANTING PETITION FOR PROBATE OF LOST WILL

On this 10th day of December, 2012, the County Commission of Wood County, West Virginia, reviewed the evidence supporting the Petition for Probate of Lost Will of Orvil Merrill.

The Petition for Probate of Lost Will was filed with the County Commission on September 28, 2012 and all beneficiaries and heirs at law were duly given notice of the hearing by Certified Mail. No objections to the prayer for relief in the Petition were filed with the County Commission or upon Anna M. Price, Esquire.

Prepared by:
s/ Anna M. Price
Anna M. Price, Esquire
(WV Bar# 11515)
HUDDLESTON BOLEN LLP
P.O. BOX 2185
Huntington, WV 25722-2185
Telephone - (304) 529-6181
Facsimile - (304) 522-4312

IN RE: ESTATE OF ORVIL MERRILL, DECEASED

This day came MAYETTA LOUISE MERRILL, who was, by the last Will and Testament of ORVIL MERRILL, deceased, named therein to qualify as EXECUTRIX, without bond, of said Will.
It appearing to this Commission that MAYETTA LOUISE MERRILL, be and she is hereby qualified as such EXECUTRIX, and entered upon the discharge of said trust, without bond, as provided by said Will.
Letters testamentary are hereby granted the said MAYETTA LOUISE MERRILL, upon the Estate of ORVIL MERRILL, deceased, in due form.

In accordance with Chapter 44, Article 1, Section 14 of the West Virginia Code, of 1931, as amended, effective July 9, 1993, the Personal Representative, after first being duly sworn, shall make a true and accurate appraisalment of the Estate of ORVIL MERRILL, deceased, both real and personal, and will make their return thereof as required by law.
No reference is made to a Fiduciary Commissioner, for settlement, in this Estate.

IN RE: ESTATE OF DONALD M. BUSCH, DECEASED

ORDER

This 10th day of December, 2012, came Martha J. Busch, Administratrix, C.T.A. of the Estate of Donald M. Busch, Deceased, and presented her Motion to Approve Final Report, to Close the Insolvent Estate and Discharge her from further duty as Executrix, and her bond, if any, be released.

Appearing on behalf of movant was her attorney, Gerald W. Townsend.

Findings of Fact

From the records and evidence at hearing the County Commission finds the following facts to be true:

1. The probate estate of DONALD M. BUSCH, Deceased, consisted solely of tangible and intangible personal property with value of \$1,990.00;
2. The Administratrix, CTA, exhausted all of the assets of the probate estate by payment of:

CLASS 1 PRIORITY Costs of Administration	\$1,200.00
CLASS 2 PRIORITY Reasonable Funeral Expenses	\$4,950.00
3. CLASS 7 Creditors' Proofs of Claims in sum of \$9,412.97 were filed by the following Claimants who were notified by Certified Mail, Return Receipt Requested, at their proper addresses, of the hearing upon Motion of Administratrix, CTA.

<u>Claimant</u>	<u>Amount of Claim</u>
Premier Bank, Unsecured loan #3060000201	\$6,519.44
Premier Bank, Unsecured loan #3060000344	\$1,994.11
WesBanco Bank, Unsecured Credit Line Loan #310820738	\$ 899.42
Total Unpaid Claims Against Estate which the estate has no funds to pay	\$9,412.97

Conclusions of Law

The Commission makes the following Conclusions of Law:

1. This estate is insolvent.
2. The Administratrix, CTA, has applied the assets of the Probate Estate to payment of debts of the estate in their proper priority of payments as required by West Virginia Code Section 44-2-21.
3. All unpaid Proofs of Claim which have been filed but not paid are of inferior priority to the debts of the estate which were paid. Since the estate is insolvent, all unpaid Proofs of Claim should be abated and this estate should be closed without payment or release of filed Proofs of Claims because there are no assets in the probate estate from which to pay said claims.
4. The Final Report of the Administratrix, CTA, should be filed and processed according to law.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commission does hereby grant the relief sought in the Motion of the Administratrix, CTA, and it is ORDERED that:

1. The Final Report of MARTHA J. BUSCH, Administratrix, CTA, of the Estate of Donald M. Busch Deceased, be approved;
2. Those claims listed in the Findings of Fact above, are abated;
3. The Estate of Donald M. Busch, Deceased, is closed; and,
4. The ADMINISTRATRIX, CTA, is DISCHARGED from further duty and any bond be and it is hereby RELEASED.

ENTER this 10th day of December, 2012.
s/ David Blair Couch

Commissioner
 s/ Wayne Dunn
 Commissioner
 s/ Stephen E. Gainer
 Commissioner

Order submitted by
 s/ Gerald W. Townsend
 Gerald W. Townsend
 Counsel for Movant-Administratrix, CTA
 Martha J. Busch
 Fluharty & Townsend
 417 Grand Park Drive, Suite 101,
 Parkersburg, WV 26105

IN RE: ESTATE OF RAY NICELY MAHAFFEY, DECEASED. (REFERRED TO A FIDUCIARY COMMISSIONER)

This day came JAMES B. MAHAFFEY, and made known to this Commission the need of a Fiduciary Commissioner to settle the Estate of RAY NICELY MAHAFFEY, deceased; and

It appearing to this Commission that no reference was made to a Fiduciary Commissioner for settlement of said Estate in the former qualification of JAMES B. MAHAFFEY, as EXECUTOR, of the Estate of RAY NICELY MAHAFFEY, deceased, on the 8th of November, 2012, it is hereby ordered that said Estate be, and it is hereby, referred to ERNEST M. DOUGLASS, Fiduciary Commissioner, for settlement.

IN RE: ESTATE OF WILLIAM P. DOTSON, DECEASED

This day came LINDA SUE DOTSON, who was, by the last Will and Testament of WILLIAM P. DOTSON, deceased, named therein to qualify as EXECUTRIX, without bond, of said Will.

It appearing to this Commission that LINDA SUE DOTSON, be and she is hereby qualified as such EXECUTRIX, and entered upon the discharge of said trust, without bond, as provided by said Will.

Letters testamentary are hereby granted the said LINDA SUE DOTSON, upon the Estate of WILLIAM P. DOTSON, deceased, in due form.

In accordance with Chapter 44, Article 1, Section 14 of the West Virginia Code, of 1931, as amended, effective July 9, 1993, the Personal Representative, after first being duly sworn, shall make a true and accurate appraisalment of the Estate of WILLIAM P. DOTSON, deceased, both real and personal, and will make their return thereof as required by law.

No reference is made to a Fiduciary Commissioner, for settlement, in this Estate.

IN RE: ESTATE OF JAMES JOSEPH RUF, DECEASED

This day came RUTH WILLIAMSON RUF, who was, by the last Will and Testament of JAMES JOSEPH RUF, deceased, named therein to qualify as EXECUTRIX, without bond, of said Will.

It appearing to this Commission that RUTH WILLIAMSON RUF, be and she is hereby qualified as such EXECUTRIX, and entered upon the discharge of said trust, without bond, as provided by said Will.

Letters testamentary are hereby granted the said RUTH WILLIAMSON RUF, upon the Estate of JAMES JOSEPH RUF, deceased, in due form.

In accordance with Chapter 44, Article 1, Section 14 of the West Virginia Code, of 1931, as amended, effective July 9, 1993, the Personal Representative, after first being duly sworn, shall make a true and accurate appraisalment of the Estate of JAMES JOSEPH RUF, deceased, both real and personal, and will make their return thereof as required by law.

No reference is made to a Fiduciary Commissioner, for settlement, in this Estate.

IN RE: ESTATE OF PHILLIP A. WHITE, DECEASED

This day came VAN S. WHITE and ALLISON J. SPENCER, along with counsel, Robert Ellison, who were, by the last Will and Testament of PHILLIP A., deceased, named therein to qualify as CO-EXECUTORS, without bond, of said Will.

It appearing to this Commission that VAN S. WHITE and ALLISON J. SPENCER, be and they are hereby qualified as such CO-EXECUTORS, and entered upon the discharge of said trust, without bond, as provided by said Will.

Letters testamentary are hereby granted the said VAN S. WHITE and ALLISON J. SPENCER, upon the Estate of PHILLIP A. WHITE, deceased, in due form.

In accordance with Chapter 44, Article 1, Section 14 of the West Virginia Code, of 1931, as amended, effective July 9, 1993, the Personal Representative, after first being duly sworn, shall make a true and accurate appraisalment of the Estate of PHILLIP A. WHITE, deceased, both real and personal, and will make their return thereof as required by law.

No reference is made to a Fiduciary Commissioner, for settlement, in this Estate.

IN RE: ESTATE OF KEITH ROBERT JOACHIM, DECEASED. (REFERRED TO A FIDUCIARY COMMISSIONER)

This day came RYAN KEITH JOACHIM, and made known to this Commission the need of a Fiduciary Commissioner to settle the Estate of KEITH ROBERT JOACHIM, deceased; and

It appearing to this Commission that no reference was made to a Fiduciary Commissioner for settlement of said Estate in the former qualification of RYAN KEITH JOACHIM, as ADMINISTRATOR, of the Estate of KEITH ROBERT JOACHIM, deceased, on the 10th of September, 2012, it is hereby ordered that said Estate be, and it is hereby, referred to JUSTIN L. HARDMAN, Fiduciary Commissioner, for settlement.

There appearing no further business to claim the attention of this Commission, it is hereby ordered that this Commission, do now adjourn to meet in Regular Session, Thursday, December 13, 2012, at 9:30 o'clock A. M.

 President