

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

IN RE: MINUTES OF MEETING HELD  
MONDAY, FEBRUARY 4, 2013

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

At 9:00 A.M., the County Commission of Wood County met in regular session. They signed purchase orders, invoices, orders and other correspondence during today's meeting.

The County Commission, upon a motion duly made, seconded and passed, approved minutes of January 17, 24, 28 and 31, 2013.

**AGENDA AND DISCUSSION ITEMS**

At 9:00 A.M., the County Commission met Patricia and Arthur Griffith to discuss a lot in the Happy Valley Flood Mitigation Project. The Commission approved the lease of the lot to the Griffiths. (Order M/2250)

At 9:16 A.M., John Reed, Compliance Officer, met with the Commission to discuss the cleanup of property located at 1537 Meadville Road. He presented a PowerPoint program showing the condition of the property at this time. (Pictures attached to these minutes.)

At 9:25 A.M., the County Commission voted on an Application requesting the Governor of WV issue a requisition on the Governor of Ohio for the extradition of Nathan

Christopher Shelton. Said Application is from the Wood County Prosecuting Attorney's Office. (Order A/1060)

At 9:47 A.M., representatives from the Sons of the American Revolution met with the County Commission to present a flag certificate to the Commissioners to honor them for displaying the American flag.

At 9:58 A.M., John Tebay met with the County Commission to request an appeal for a waiver of the Floodplain Freeboard requirement at 36<sup>th</sup> Street in Vienna. (Order M/2248)

At 10:15 A.M., the County Commission met as the Board of Review and Equalization. At this time they met with John Piggott to discuss property in Harris District, Map 280, Parcel A1 and Map 210, Parcel G. Dean Cottrell and Doug Tennant from the Assessor's Office were present. Mr. Piggott's Applications for Review of Property Assessment are attached to these minutes and shall be made a part thereof.


**ORDERS APPROVED AND ATTACHED TO THESE MINUTES**

M/2244, M/2245, M/2246, M/2247, M/2248, M/2249, M/2250 and A/1060

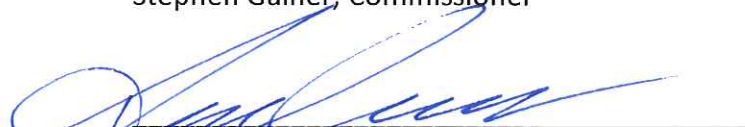
Having no further scheduled appointments or business to attend to, the County Commission, upon a motion made by Stephen Gainer, seconded by David Blair Couch and passed, adjourned at 11:03 P.M.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

  
Wayne Dunn, President

  
Stephen Gainer, Commissioner

  
David Blair Couch, Commissioner

To listen to this meeting, please refer to DVD labeled February 4, 2013.







APPLICATION FOR REVIEW OF PROPERTY ASSESSMENT  
 West Virginia

To The Assessor of WOOD COUNTY or the WOOD COUNTY Board of Equalization and Review:

Your Complaint represents that the following described real estate is valued and assessed out of proportion to its true and actual value on the current tax roll and request a review of the assessed valuation before the next period of liability is effective.

Property assessed in the name of JOHN PIGOTT in HARRIS District: \_\_\_\_\_  
 Address of Property HARRIS HWY

Map Number 280	Parcel Number A1	Description: TCT 33.077-A CO RD 9/15 & OGM W/EXHBT
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Market Value	\$25,100.00	Market Improvement	\$0.00	Market total	\$25,100.00
Assessed Value - Land \$	\$15,060.00	Improvements \$	\$0.00	Totals	\$15,060.00
Cost of Land	Construction By Complainant			Purchase by Complainant	
Cost of Construction or Contract Price	Total purchase price	Date of Purchase	Cost of added improvements	Face amount of fire insurance carried	Offered for sale for
Date of Construction	Date of Offer	Monthly rental received, if rented	Present value in your opinion	Present value in your opinion	
Cost of added improvements					
Face amount of fire insurance carried					
Offered for sale for					
Date of Offer					
Monthly rental received, if rented					
Present value in your opinion					

Approved for recording by the County Commission. \_\_\_\_\_

President

*WAS NOW VALUE NOW WAS Reason and Basis for Complaint*  
*Changed to normal value was raised to high may \$94 is on 65 ac*  
*to \$15000 per yr.*

*need to change back to one FARMS with pasture to get farm value.*  
*on go back to farm way with farmland*  
 I do hereby certify that the above statements are true to the best of my knowledge and ability  
 Address of Complainant: 195 PINEVIEW DR PARKERSBURG WV 26101

Signature of Complainant: \_\_\_\_\_

*John Renald Bright*

Land		Decrease allowed		Adjusted Assessed	
Building					
Total					

**APPLICATION FOR REVIEW OF PROPERTY ASSESSMENT**

ID # 2013-02-256

, West Virginia

On 01/24/2013

To The Assessor of WOOD COUNTY or the WOOD COUNTY Board of Equalization and Review:

Your Complaint represents that the following described real estate is valued and assessed out of proportion to its true and actual value on the current tax roll and request a review of the assessed valuation before the next period of liability is effective.

Property assessed in the name of JOHN PIGOTT in HARRIS District:

Address of Property BIG CHAMPION RD

Map Number <u>210</u>	Parcel Number <u>1</u>	Description: <u>(COM ACT 210/G 41.14 AC) 2.75-A N LEE CREEK</u>
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Market Value \$1,800.00 Market Improvement \$0.00 Market total \$1,800.00  
 Assessed Value - Land \$ \$1,080.00 Improvements \$ \$0.00 Totals \$1,080.00

Construction By Complainant		Purchase by Complainant	
Cost of Land		Total purchase price	
Cost of Construction or Contract Price		Date of Purchase	
Date of Construction		Cost of added improvements	
Cost of added improvements		Face amount of fire insurance carried	
Face amount of fire insurance carried		Offered for sale for	
Offered for sale for		Date of Offer	
Date of Offer		Monthly rental received, if rented	
Monthly rental received, if rented		Present value in your opinion	
Present value in your opinion			

Approved for recording by the County Commission. \_\_\_\_\_ President

*SARAH AS A1*

Reason and Basis for Complaint

I do hereby certify that the above statements are true to the best of my knowledge and ability and that all questions on this petition pertaining to the property have been answered.

Address of Complainant: 195 PINEVIEW DR PARKERSBURG WV 26101

Signature of Complainant: *John Raymond Reiff*

Land		Decrease allowed	Adjusted Assessed
Building			
Total			



# APPLICATION FOR REVIEW OF PROPERTY ASSESSMENT

ID # 2013-02-255

, West Virginia

On 01/24/2013

To The Assessor of **WOOD COUNTY** or the **WOOD COUNTY** Board of Equalization and Review:

Your Complaint represents that the following described real estate is valued and assessed out of proportion to its true and actual value on the current tax roll and request a review of the assessed valuation before the next period of liability is effective.

Property assessed in the name of JOHN PIGOTT in HARRIS District:  
 Address of Property BIG CHAMPION RD

Map Number 210	Parcel Number G	Description: (COM ACT 210/14.14 AC) 38.39 AC
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Market Value	\$25,000.00	Market Improvement	\$0.00	Market total	\$25,000.00
Assessed Value - Land \$	\$15,000.00	Improvements \$	\$0.00	Totals	\$15,000.00
Cost of Land	<b>Construction By Complainant</b>		<b>Purchase by Complainant</b>		
Cost of Construction or Contract Price	Total purchase price		Date of Purchase		
Date of Construction	Date of added improvements		Face amount of fire insurance carried		
Cost of added improvements	Face amount of fire insurance carried		Offered for sale for		
Face amount of fire insurance carried	Offered for sale for		Date of Offer		
Offered for sale for	Date of Offer		Monthly rental received, if rented		
Date of Offer	Monthly rental received, if rented		Present value in your opinion		
Monthly rental received, if rented	Present value in your opinion		President		
Present value in your opinion					

Approved for recording by the County Commission. \_\_\_\_\_ President

SARVE AS A1

Reason and Basis for Complaint

I do hereby certify that the above statements are true to the best of my knowledge and ability and that all questions on this petition pertaining to the property have been answered.

Address of Complainant: 195 PINEVIEW DR PARKERSBURG WV 26101

Signature of Complainant: \_\_\_\_\_

John Reynolds Beatty

	Decrease allowed	Adjusted Assessed	
Land			
Building			
Total			

Wood County Commission Meeting  
Held February 4, 2013

Please Print

1.	ARTAN GRIFFITH
2.	PATRICIA GRIFFITH
3.	RICHARD BENNETT
4.	William A. Bessels Jr
5.	Dwight Reed
6.	William S. Bessels III
7.	Curt Bessels
8.	Bill Brown
9.	RONALD BARNES
10.	JAMES LOCKHART
11.	JERRY BARNES
12.	Janet Lockhart
13.	Doug TENNANT
14.	John John Tebay
15.	Dean Ottels
16.	
17.	
18.	
19.	
20.	



# Wood County Commission

2/4/2013  
 1 Court Square, Suite 203  
 Parkersburg, WV 26101

<b>9:00 AM</b>	REQUEST WAIVER OF FLOODPLAIN FREEBOARD REQUIREMENT – PARKERSBURG DISTRICT –  MAP 19, LOTS 83-89	JOHN TEBAY
	CONSIDER PURCHASE OR LEASE OF HAPPY VALLEY PROPERTY 01/180/71	PATRICIA AND ARTHUR GRIFFITH
	DISCUSS CLEANUP OF EVELYN BROOKS PROPERTY ON 1537 MEADVILLE ROAD	JOHN REED, COMPLIANCE OFFICER
	CONSIDER REQUEST FOR FUNDING FROM VETERANS MUSEUM (CARRYOVER FROM 1/28/13)	
	CONSIDER EMPLOYING KIM CORAM FOR TRAIL PROGRAM (CARRYOVER FROM 1/28/13)	
	PRESENTATION OF FLAG CERTIFICATE TO COUNTY COMMISSION	RONALD BARNS AND JAMES LOCKHART; SONS OF AMERICAN REVOLUTION
	APPROVE AND SIGN MINUTES, ORDERS, PURCHASE ORDERS, INVOICES, NEW ROAD NAMES, ERRONEOUS ASSESSMENT APPLICATIONS, EXTRADITION PAPERS FROM PROSECUTING ATTORNEY AND ANY OTHER ADMINISTRATIVE DUTIES	MARTY SEUFER, COUNTY ADMINISTRATOR
<b>10:00 AM</b>	BOARD OF REVIEW AND EQUALIZATION – HARRIS DISTRICT, MAP 280, PARCEL A1 AND MAP 210 PARCEL G	JOHN PIGGOTT
<b>10:15 AM</b> <b>RESCHEDULED</b>	BOARD OF REVIEW AND EQUALIZATION – VIENNA DISTRICT, MAP 52, PARCELS 1-49	JAMES WEIGLE

2/4/13  
70/223

FEBRUARY 4, 2013

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: JASON WHARTON, PROSECUTING ATTORNEY FOR WOOD COUNTY, PRESENTED AN APPLICATION IN WHICH IT IS REQUESTED THAT THE GOVERNOR OF WV ISSUE A REQUISITION ON THE GOVERNOR OF OHIO FOR THE EXTRADITION OF NATHAN CHRISTOPHER SHELTON.


**ORDER**

On this date, came Jason Wharton, Prosecuting Attorney for Wood County and presented unto the County Commission of Wood County, an Application in which it is requested that the Honorable Earl Ray Tomblin, Governor of the State of West Virginia, issue a requisition on the Governor of the State of Ohio for the extradition of Nathan Christopher Shelton. Nathan Christopher Shelton stands charged with Receiving/Transferring Stolen Property, which was committed in the County of Wood, in the State of West Virginia, on July 23, 2012 and who is now a fugitive from justice of this State, and is now within the jurisdiction of the State of Ohio, in Washington County. The said Application was signed by Wayne Dunn, President of the Wood County Commission, upon a motion made by David Blair Couch, seconded by Steve Gainer and made unanimous by Wayne Dunn.

A copy of the said Application is on file in the Office of the County Administrator.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY

  
\_\_\_\_\_  
Wayne Dunn, President

  
\_\_\_\_\_  
Stephen Gainer, Commissioner

  
\_\_\_\_\_  
David Blair Couch, Commissioner

2/4/13  
70/222

FEBRUARY 4, 2013

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY EXECUTE A RESOLUTION THAT AUTHORIZED WAYNE DUNN, AS PRESIDENT, TO EXECUTE THE GRANT CONTRACT IN REGARD TO THE GOVERNOR'S COMMUNITY PARTNERSHIP GRANT PROGRAM FOR THE NICK NULL MEMORIAL FOUNDATION.

**ORDER**

On this date, the County Commission of Wood County, upon a motion made by Stephen Gainer, seconded by David Blair Couch and made unanimous by Wayne Dunn, did hereby EXECUTE a RESOLUTION that hereby AUTHORIZES Wayne Dunn, 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 Nick Null Memorial Foundation Fallen Soldier Memorial Wall Project #13LEDA0253 in the amount of ten thousand dollars and zero cents (\$10,000.00).

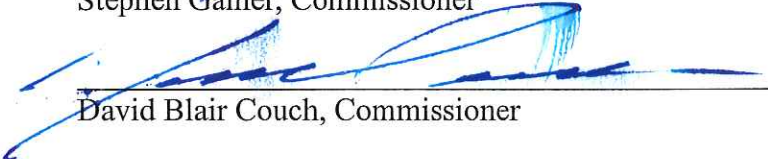
Pertinent documentation pertaining to the aforementioned Governor's Community Partnership Program Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

  
Wayne Dunn, President

  
Stephen Gainer, Commissioner

  
David Blair Couch, Commissioner

M/2244

2/4/13  
70/222

FEBRUARY 4, 2013

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION WAS IN RECEIPT OF A CHECK FROM THE STATE OF WV IN THE AMOUNT OF \$35,462.97 WHICH REPRESENTS REIMBURSEMENT IN REGARD TO THE STRATEGIC PREVENTION FRAMEWORK STATE INCENTIVE GRANT NUMBER 13-CC-09.

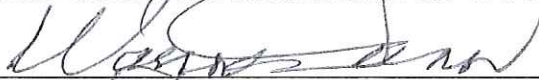
**ORDER**

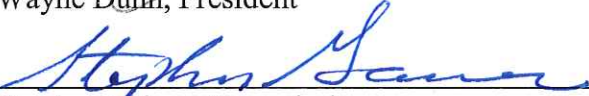
On this date, the County Commission of Wood County was in receipt of a check from the State of West Virginia in the amount of thirty-five thousand four hundred sixty-two dollars and ninety-seven cents (\$35,462.97) which represents reimbursement to Wood County for expenses incurred during the month of September, 2012, in regard to the Strategic Prevention Framework Grant Number 13-CC-09. Receipt of the aforementioned check is pursuant to an ORDER appearing in Order Book 70, at Page 185 and bearing the date of November 26, 2012 at which time David Blair Couch, in his official capacity as President and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request for Reimbursement.

Documentation pertaining to the Prevention Framework State Incentive Grant is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

  
\_\_\_\_\_  
Wayne Dunn, President

  
\_\_\_\_\_  
Stephen Gainer, Commissioner

  
\_\_\_\_\_  
David Blair Couch, Commissioner

M/2245

2/4/13  
70/223

FEBRUARY 4, 2013

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE A  
DONATION TO THE VETERANS MUSEUM.

**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 AUTHORIZE a donation of five thousand dollars and zero cents (\$5,000.00) to the Veterans Museum of the Mid Ohio Valley.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



Wayne Dunn, President



Stephen Gainer, Commissioner



David Blair Couch, Commissioner

M/2246

2/4/13  
70/223

FEBRUARY 4, 2013

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE  
EMPLOYING CORAMS FOR WOOD COUNTY TRAIL  
MANAGEMENT.

**ORDER**

On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Stephen Gainer, and made unanimous by Wayne Dunn, did hereby AUTHORIZE the use of Corams, P.O. Box 14, Davisville, West Virginia, to provide a central point of management for trail development and maintenance in Wood County at a rate of two thousand five hundred dollars and zero cents (\$2,500.00).

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



Wayne Dunn, President



Stephen Gainer, Commissioner



David Blair Couch, Commissioner

M/2247



2/4/13  
70/223

FEBRUARY 4, 2013

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE A  
WAIVER OF THE FREEBOARD REQUIREMENT OF THE  
FLOOD PLAIN ORDINANCE.

**ORDER**

On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Wayne Dunn and made unanimous by Stephen Gainer, did hereby AUTHORIZE a waiver to be issued to Mountain River Physical Therapy for property located on lots 83-89, Map 19, Parkersburg District. Said waiver is for the two (2) foot freeboard requirement in Section 5.3, Elevation and Flood Proofing Information of the Wood County, WV Floodplain Ordinance, and is upon the recommendation of Mr. Ed Hupp, Wood County Floodplain Manager.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

  
Wayne Dunn, President

  
Stephen Gainer, Commissioner

  
David Blair Couch, Commissioner

M/2248

2/4/13  
70/224

FEBRUARY 4, 2013

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY AUTHORIZE THE  
CLEANUP OF THE EVELYN BROOKS PROPERTY LOCATED AT  
1537 MEADVILLE ROAD, DAVISVILLE, WV.

**ORDER**

On this date, the County Commission of Wood County upon a motion made by David Blair Couch, seconded by Wayne Dunn and made unanimous by Stephen Gainer , did hereby AUTHORIZE the cleanup of the Evelyn Brooks property located at 1537 Meadville Road Davisville, West Virginia. Said cleanup is to be completed by April 8, 2013.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

  
\_\_\_\_\_  
Wayne Dunn, President

  
\_\_\_\_\_  
Stephen Gainer, Commissioner

  
\_\_\_\_\_  
David Blair Couch, Commissioner

M/2249

2/4/13  
70/224

FEBRUARY 4, 2013

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: THE COUNTY COMMISSION DID HEREBY ORDER A LEASE AGREEMENT BE DRAWN UP WITH PATRICIA AND ARTHUR GRIFFITH REGARDING HAPPY VALLEY FLOOD MITIGATION LOT NO. 6 ON HAPPY VALLEY ROAD

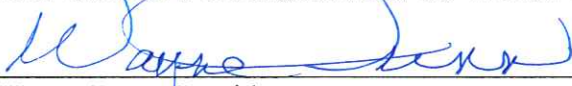
**ORDER**

On this date, the County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Stephen Gainer and made unanimous by Wayne Dunn, did hereby ORDER that a Lease Agreement be drawn up to lease the County-Owned Property Lot No. 6 located on Happy Valley Road to Patricia and Arthur Griffith, 782 Happy Valley Road. Said lease is for a five (5) year term at a rate of one hundred twenty-one dollars and zero cents (\$121.00) per year. Said lease shall be subject to all conditions listed in Exhibit A attached to this order.

Information relating to the Happy Valley Flood Mitigation Project is on file in the Office of the County Administrator.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

  
Wayne Dunn, President

  
Stephen Gainer, Commissioner

  
David Blair Couch, Commissioner

M/2250

2/4/13  
70/224

## Exhibit A

WHEREAS, The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended ("The Stafford Act"), identifies the use of disaster relief funds under Section 404 (Hazard Mitigation Grant Program, "HMGP"), including the acquisition and relocation of structures in the floodplain;

WHEREAS, Section 404 of the Stafford Act provides a process for a Community, through the State, to make application for funding to be used to acquire interests in property, including the purchase of structures in the floodplain, to demolish and/or remove the buildings, and to convert the land use into perpetual open space;

WHEREAS, the West Virginia Division of Homeland Security & Emergency Management has made such application and has entered into a FEMA-State Agreement dated January 12, 2009 and herein incorporated by reference;

WHEREAS, The County Commission of Wood County acting by and through the State of West Virginia, has entered into a cooperative grant agreement with West Virginia Division of Homeland Security & Emergency Management.

WHEREAS, the terms of the Stafford Act, regulations promulgated thereunder (44 C.F.R. §206.434), and the FEMA-State Agreement require that the Grantee agree to conditions which are intended to restrict the use of the land to open space in perpetuity in order to protect and preserve natural flood plain values; and

NOW THEREFORE, the grant is made subject to the following terms and conditions:

1. Terms. Pursuant to the terms of the Stafford Act, regulations promulgated thereunder (44 C.F.R. §206.434), as they read now and may be amended in the future, and the FEMA-State Agreement, the following conditions and restrictions shall apply in perpetuity to each property described in the attached deed and acquired by the Grantee pursuant to the Stafford Act §404 acquisition program:
  - a) Compatible uses. The land shall be used only for purposes compatible with open space, recreational, or wetlands management practices; in general, such uses include parks for outdoor recreational activities, nature reserves, unimproved pervious parking lots and other uses described in 44 C.F.R. §206.434, as it reads now and may be amended in the future.
  - b) Structures. No new structures or improvements shall be erected on the property other than:
    - i. A public facility that is open on all sides and functionally related to the open space use;
    - ii. A public restroom; or

- iii. A structure that is compatible with the uses described in Paragraph 1(a), above, and approved by the Director in writing prior to the commencement of the construction of the structure.

Any structures built on the property according to this paragraph shall be flood proofed or elevated to the Base Flood Elevation plus one foot of freeboard.

- c) Disaster Assistance. No future disaster assistance from any Federal source for any purpose related to the property may be sought, nor will such assistance be provided;
- d) Transfer. The Grantee agrees that it shall convey any interest in the property only with prior approval of the transferee from the Regional Director of FEMA and only to another public entity or to an organization qualified under Section 170(h) of the Internal Revenue Code of 1954, as amended, and applicable regulations promulgated thereunder. However, the Grantee may convey a lease to a private individual or entity for purposes compatible with the uses described in Paragraph 1(a), above, including agriculture, with the prior approval of the Regional Director.

If title to the property is transferred to a public entity other than a qualified state or federal agency with a conservation mission, it must be conveyed subject to a Conservation Easement that shall be recorded with the deed and shall incorporate all terms and conditions set forth herein, including the easement holder's responsibility to enforce the easement. This shall be accomplished by one of the following means:

- i. The Grantee shall convey, in accordance with section (d), above, a conservation easement to someone other than the title holder, or
  - ii. At the time of title transfer, the Grantee shall retain such conservation easement, and record it with the deed.
- 2. Inspection. FEMA, its representatives, and assigns, including "WVDHS&EM", shall have the right to enter upon the property, at reasonable times and with reasonable notice, for the purpose of inspecting the property to ensure compliance with the terms of the grant.
  - 3. Enforcement. If the subject property is not maintained according to the terms of the grant, the Grantee "WVDHS&EM", and FEMA, its representatives, and assigns are responsible for taking measures to bring the property back into compliance.
    - a) The State will notify the Grantee in writing and advise the Grantee that it has 60 days to correct the violation.
    - b) If the Grantee fails to demonstrate a good faith effort to come into compliance with terms of the grant within the 60-day period, the State shall enforce the terms of the

grant by taking any measures it deems appropriate, including but not limited to bringing an action at law or in equity in a court of competent jurisdiction.

c) FEMA, its representatives and assigns may enforce the terms of the grant by taking any measures it deems appropriate, including but not limited to the following:

i. Requiring transfer of title in accordance with Paragraph 1(d). The Grantee shall bear the costs of bringing the property back into compliance with the terms of the grant; or

ii. Bringing an action at law or in equity in a court of competent jurisdiction against the State or the Grantee.

4. Severability. Should any provision of this grant or the application thereof to any person or circumstance be found to be invalid or unenforceable, the rest and remainder of the provisions of this grant and their application shall not be affected and shall remain valid and enforceable.

WITNESS THE FOLLOWING SIGNATURES this \_\_\_\_\_ day of \_\_\_\_\_ 200 \_\_\_\_ .

Seller(s) \_\_\_\_\_

STATE OF WEST VIRGINIA, COUNTY OF \_\_\_\_\_, TO WIT:

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 200 \_\_\_\_ .

By \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Notary Public: \_\_\_\_\_

The (Name of Community), West Virginia

By: \_\_\_\_\_  
Name Title

STATE OF WEST VIRGINIA, COUNTY OF \_\_\_\_\_; \_\_\_\_\_, TO WIT:

The Forgoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_

By: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Notary Public: \_\_\_\_\_

The State of West Virginia  
WVDHS&EM

By: \_\_\_\_\_  
Governor's Authorized Representative

STATE OF WEST VIRGINIA, COUNTY OF \_\_\_\_\_, TO WIT:  
The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 200

By: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_  
Notary Public:

**CERTIFICATE OF ENTITLEMENT**

2/4/13  
70/222

**Section 1. To be completed by the Magistrate**

I, Joe A Kuhl, a duly-elected/duly-appointed magistrate in and for WOOD County do hereby affirm and attest as follows:

1. That my home telephone number is (304) 485-8980;
2. That this number is available to the general public, as well as to law-enforcement personnel, at all times;
3. That this telephone number appears in the current telephone directory; and
4. That the above-referenced telephone is situated at my principal place of residence.

Given under my hand this 25<sup>th</sup> day of November, 2012

Signed: Joe Kuhl  
Magistrate

**Section 2. To be completed by the Administrative Director**

**SUPREME COURT OF APPEALS  
State of West Virginia**

2013 JAN -9 AM 11:41  
RECEIVED  
WV SUPREME COURT  
HULL BUILDING SERVICES

TO THE COUNTY COMMISSION, COUNTY OF Wood

I hereby certify to the County Commission that Magistrate Joe A. Kuhl

has met the requirements for reimbursement of his/her base home telephone charges, and is to be paid

for the same, such payment to be made from the Magistrate Court Fund. The magistrate officially was/will

be in office on January 1, 2013



Signed: [Signature]  
Administrative Director of the Courts

Date: January 8, 2013