

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF THE MEETING HELD JULY 22, 1985

PRESENT: PRESIDENT, DEXTER L. BUCKLEY, JR.  
COMMISSIONER, HOLMES R. SHAVER

The County Commission of Wood County convened in regular session today at 9:00 A.M. with Dexter L. Buckley, Jr. President; and Holmes R. Shaver, Commissioner, in attendance. Lewis E. Guinn, Commissioner, is on vacation this week.

Shortly after 9:00 A.M. members of the Wood County Historical Landmarks Commission presented to the Commission six (6) framed photographs. The photographs represented the following; the log cabin located in the City Park, the first high school in Wood County, the former City Building, the present Courthouse, and two photographs of a former Courthouse for Wood County. Said photographs will be hung in the County Commission Office, Room 203, of the Courthouse by order approved by the Commission bearing the date of July 22, 1985. Members representing the Historic Landmarks Commission were Dr. S. William Goff, Dr. Robert D. Crooks, and Harry Hartleben.

Robert M. Grant was sworn in at 9:30 A.M. as the Commissions representative to the Little Kanawha Resource Conservation and Development board to replace Marvin Leach.

Scheduled for 11:00 A.M. was a hearing on a street closing. Said closing was upon petition of Raymond C. Smith and Virginia M. Smith. The Smith's were represented by Attorney Frank R. Yoke, Jr. The petition requested that a section of Crescent Avenue located in a subdivision known as Franklin Place No. 2 and containing 0.048 acres, more or less, be closed and vacated as a street, alley, or public way. Said subdivision is recorded in Plat Book 3, Page 39 in the County Clerk's Office. The dedicated public

way as shown in the above-mentioned plat book was requested by the petitioners, Raymond C. Smith and Virginia M. Smith, be closed and a proposed new right-of-way be approved to allow property owners abutting such right-of-way access to their property. No objections to this request were heard at the hearing. Therefore, hearing no objections, the County Commission ordered said portion of Crescent Avenue be closed as proposed and the new right-of-way as proposed be approved. The order setting out such action is attached to these minutes. A copy of the plat outlining such changes will be recorded in a plat book in the County Clerk's Office bearing the signature of the President of the County Commission.

At 1:30 P.M. the Commission heard a continuance of the Ruby Bennett incompetency hearing. The Commission heard testimony from Ruby Bennett, Arthur Monroe (Mrs. Bennett's brother) and from Linda McFee (Neice of Mrs. Bennett). Attorneys Bruce White, Joseph Brown, and Blaine Myers were present for said hearing. The attorneys requested a continuance to be scheduled Thursday, July 25, 1985, at 10:00 A.M. to hear testimony from physicians involved in said case who were unable to attend the hearing held on this date. Said continuance was granted by the Commission.

At approximately 3:00 P.M., Larry P. Edgell was sworn in as a Correctional Officer by the Commission. Mr. Edgell had passed the required test and had been certified by the Civil Service Board as required by Chapter 7, Article 7 of the Civil Service Code. Mr. Edgell was to begin his duties as Correctional Officer on Tuesday, July 23, 1985, dependent upon completion of a physical examination scheduled during the same hour he was sworn in by the Commission.

An order from the Wirt County Commission concerning jail cost for inmates incarcerated in the Correctional Center in Wirt County was received

and filed by the Commission.

The Commission authorized the Finance Department by letter to transfer Jail Improvement funds.

A letter of resignation from Deborah L. Wright, Secretary, was received by the Commission and filed.

Improvers concerning Personal Property taxes, exonerations concerning Real Estate taxes, and purchase orders were signed by the Commission.

The remaining part of the afternoon was spent with conducting routine County business and receiving an update on County business from Mary Rader, Adminisitrator.

Being no further business to bring before the Commission, the Commission adjourned at 4:00 P.M.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY



PRESIDENT, DEXTER Z. BUCKLEY, JR.



COMMISSIONER, HOLMES R. SHAVER

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

RAYMOND C. SMITH and  
VIRGINIA M. SMITH,  
husband and wife,

PETITIONERS

VS.

// UPON PETITION

CLYDE M. CARMICHAEL, HELEN H.  
CONGLETON GREER, UNION CENTRAL  
NATIONAL BANK, CHARLES H. RUDOLPH,  
JR., TRUSTEE and STEVEN E. WILSON,  
TRUSTEE,

DEFENDANTS

O R D E R

This 22nd day of July, 1985, at 11:00 O'Clock A. M., came Raymond C. Smith and Virginia M. Smith, husband and wife, in person and by Frank R. Yoke, Jr., their attorney, Clyde M. Carmichael and Helen H. Congleton Greer, in person, pursuant to an Order entered on the 13th day of June, 1985 setting this matter for hearing, the Defendants, Union Central National Bank, Charles H. Rudolph, Jr., Trustee, and Steven E. Wilson, Trustee, having heretofore filed with the Commission their reply admitting the allegations contained in Paragraphs Nos. 1 through 10 of the Petition, in which said reply Defendants, Union Central National Bank, Charles H. Rudolph, Jr. and Steven E. Wilson pray that the relief requested by the Petitioners be granted and that the interests of the Defendants be protected.

And it appearing to the Commission from the exhibits filed,

that the Petitioners have caused to be served upon the Defendants at least fifteen (15) days prior to this hearing, a Notice showing the time and purpose of such hearing and that the Petitioners have caused a Notice of the time and purpose of such hearing to be published as a Class I legal advertisement, the same having been published in the Parkersburg News, a newspaper published regularly in Wood County, West Virginia, which said publication appeared on the 19th day of June, 1985, all of which appears by an affidavit of publication, which said affidavit of publication and the notice and return of service thereof are hereby ORDERED filed.

After due consideration of the petition, the Commission does find that the Petitioners, and the Defendants, Clyde M. Carmichael and Helen H. Congleton Greer, are all the owners of the property abutting upon said street which is sought to be closed and that the Defendant, Union Central National Bank, is a lien holder, having a deed of trust on the property owned by the Defendants, Clyde M. Carmichael and Helen H. Congleton Greer.

The Commission does further affirmatively find that so much of said street as is now sought to be closed, that being a portion of Crescent Avenue, lying and being in Parkersburg District, Wood County, West Virginia, and more particularly bounded and described as follows, to-wit:

BEGINNING at a stake in the southerly line of Glenn Avenue and at the northwesterly corner of Lot No. 255 of Franklin Place No. 2, a plat of

which Addition is recorded in the Office of the Clerk of the County Commission of Wood County, West Virginia in Plat Book 3, at page 39; thence with the westerly line of Lot 255, S. 27° 48' W. 123.91 feet to a point in the northerly line of Crescent Avenue; thence with the northerly line of Crescent Avenue, extended, N. 64° 42' W. 11.15 feet to a pipe; thence N. 22° 23' E. 121.3 feet to the southerly line of Glenn Avenue, extended; thence with the southerly line of Glenn Avenue, extended, S. 71° 20' E. 22.55 feet to the place of beginning, containing 0.048 acres, be the same more or less, -

is an unused road, not open and subject to public use, and that the use and rights of no persons, firms or corporations in such road will be impaired or lost by the closing and vacation thereof.

The Commission does further affirmatively find that the tract described as containing 0.053 acres and shown upon the plat of survey, prepared by Paul K. Marshall, entitled Raymond C. Smith et ux Property, Parkersburg District, Wood County, West Virginia, bearing date May 27, 1985 and therein labeled "to be dedicated as a street" attached to the Petition as Petitioners' Exhibit #1, has, in fact, been used as a street for a number of years next preceding the filing of the petition herein, and does further find that that portion of land labeled "to be dedicated as a street", together with the remaining portion of Crescent Avenue which is not herein closed, has become through many years of use, Crescent Avenue, and does further affirmatively find that the plat herein referred to should be and is hereby accepted and approved for recordation by this Commission as an amendment to Franklin Place No. 2 for all purposes and for the particular purpose of changing the location of Crescent Avenue.

It is accordingly ORDERED as follows:

1. That that portion of Crescent Avenue herein particularly described, containing 0.048 acres, more or less, be, and the same is hereby closed and vacated as a street, alley or public way.

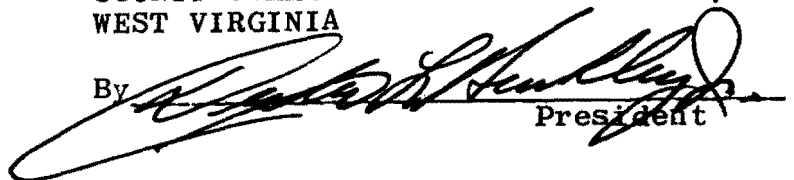
2. That the plat prepared by Paul K. Marshall, entitled Raymond C. Smith et ux Property, Parkersburg District, Wood County, West Virginia, showing the location of Crescent Avenue and that portion of Tract D-1, page 220 of the Parkersburg District Tax Map therein labeled "to be dedicated as a street" containing 0.053 acres, which said plat is dated the 27th day of May, 1985, be, and the same is hereby accepted and approved for recordation by this Commission as an amendment to Franklin Place No. 2, for all purposes and for the particular purpose of changing the location of Crescent Avenue.

3. That a copy of this Order be certified by the Clerk of this Court for entry in the Office of the Clerk of the County Commission of Wood County, West Virginia, pursuant to Chapter 7, Article 1, Section 3(h) of the Code of West Virginia of 1931, as amended.

ENTER:

COUNTY COMMISSION OF WOOD COUNTY,  
WEST VIRGINIA

By

  
President

JULY 22, 1985

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: PICTURES BEING PRESENTED TO THE W.C.C.  
BY W.C.H.L.C.

O R D E R

Came this day Dr. S. William Goff, Dr. Robert D. Crooks, and Harry Hartleben from the Wood County Historical Landmarks Commission and presented to the Wood County Commission six (6) framed pictures to be hung in the County Commission Office, Room 203 in the Wood County Courthouse.

Said pictures are of the following: Log Cabin at the City Park; the first High School in Wood County; the former City Building, two pictures of a former Courthouse; and the present Courthouse.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

  
PRESIDENT, DEXTER L. BUCKLEY, JR.

  
COMMISSIONER, HOLMES R. SHAVER