

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD THURSDAY,
MAY 1, 1986

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

Today was "Know Your Government Day" sponsored by the Parkersburg Elks Club. The students from the area High Schools began their tour at 8:30. They remained in each office for fifteen minutes before going the next. During the stay at the Commission Office the Commissioners gave a breif overview ov their duties and answered the students questions. This continued until noon when the students and City and County Representatives met at the Elk's Club for lunch.

President, Holmes R. Shaver signed an Escrow Agreement in regards to Vandalia Estates. A motion was made by Commissioner, Dexter L. Buckley, Jr. and seconded by President, Holmes R. Shaver. A copy of the Order and Escrow Agreement is attached.

The Commission signed a letter addressed to the Fiscal Officer, Office of Behavioral Health Services, WV Department of Health to the Attention of David L. Ingram, concerning the FY 1986-1987 Budget for Mental Health Services from Western District Guidance Center, Inc.

The Commission signed another letter addressed to the Wood County Airport Authority, Larry Conway, President. This letter concerned the Commission's support of the Air National Guard Project, and \$35,000 of Revenue Sharing Entitlement 17 for the project.

The Commission signed a letter addressed to the County Clerk, H. K. Smith, concerning a check payable to Mountain State Bank in the amount of \$24,528.64.

The Commission signed a letter to Commissioner, William S. Ritchie, Jr. WV Department of Highway, Concerning the resurfacing portions of County 16 (St. Marys Pike). The Commission concurred with the Department of Highways and felt that the project would advance the safety, convenience and development of the area.

Having no further business or appointments the Commission adjourned at noon.


PRESIDENT, HOLMES R. SHAVER


COMMISSIONER, DEXTER L. BUCKLEY, JR.


COMMISSIONER, LEWIS E. GUINN

MAY 1, 1986

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: PRESIDENT HOLMES R. SHAVER SIGNING AN ESCROW
AGREEMENT CONCERNING VANDALIA ESTATES FOR
ROAD AND SEWER AND WATER FACILITIES.

O R D E R

Upon a motion made by Commissioner Dexter L. Buckley, Jr. and seconded by President, Holmes R. Shaver, for President Holmes R. Shaver in his capacity as President of the Commission to sign an Escrow Agreement in regards to Vandalia Estates.

This Escrow Agreement was a stipulation of the Wood County Planning Commission before their approval, in the regular meeting April 23, 1986. The said Escrow Account will be set up to take care of Vandalia Estates road and water and sewer facilities.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY

PRESIDENT, HOLMES R. SHAVER

COMMISSIONER, DEXTER L. BUCKLEY, JR.

COMMISSIONER, LEWIS E. GUINN

ESCROW AGREEMENT

THIS AGREEMENT, Made this 29th day of April, 1986, by and between ERNEST K. DOTSON, single, RODERICK A. NUTTER and DONNA K. NUTTER, husband and wife, WILLIAM C. SCHIMMEL and KAREN S. SCHIMMEL, husband and wife, KENNETH EDWARD THOMPSON and JANET CAROLENE THOMPSON, husband and wife, and SUSAN KAYE REGION, single, hereinafter referred to as "Landowners", as parties of the first part, ROBERT K. TEBAY, III, Escrow Agent, as party of the second part, and THE WOOD COUNTY ~~PLANNING~~ COMMISSION OF WOOD COUNTY, WEST VIRGINIA, and/or the MINERAL WELLS PUBLIC SERVICE DISTRICT, as parties of the third part.

WHEREAS, the Landowners are to become the owners of all the lots in what is to be known as Vandalia Estates Subdivision to Slate District, Wood County, West Virginia, and

WHEREAS, to obtain approval from the Wood County Planning Commission for said Subdivision, there must be adequate assurance and security that the water and gas systems and roads therein be completed as proposed, and

WHEREAS, the parties wish to provide said assurance and security by way of a cash escrow deposit in the amount of \$ 5,000.00.

NOW, THEREFORE, WITNESSETH: That for and in consideration of the sum of ONE (\$1.00) DOLLAR, cash in hand paid, plus other valuable considerations, the receipt of all of which is hereby acknowledged, the Landowners agree to, and acknowledge the delivery of \$ 5,000.00 to the Escrow Agent for the purpose described above upon the following conditions:

a. Landowners jointly and severally, or in conjunction with the Vandalia Estates Homeowners Association, Inc. agree to cooperate with the parties of the third in all respects so as to complete said utility lines and roads as soon as possible.

"Completion" shall mean the completion of the physical project to the satisfaction of the parties of the third part and the payment of all contractors and materialmen who worked on or furnished material for said project.

b. The completion date shall be on or before April 1, 1987, unless extended by agreement of the parties hereto.

c. If the utility line and road project is not completed as proposed by the completion date, the Escrow Agent, upon written notice by the parties of the third part will pay and deliver to the parties of the third part the monies deposited in escrow plus interest, if any, accruing on that amount.

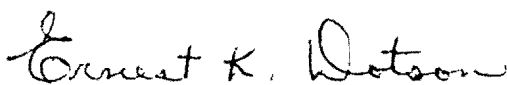
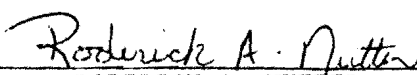
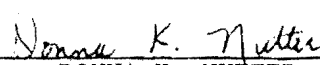
d. If the escrow account is paid to the parties of the third part as described in Paragraph c., the parties agree to hold and save harmless the Escrow Agent for any claim that may raise from that payment.

e. If the project is completed as described in Paragraph a., the Escrow Agent, upon written notification of the parties of the third part, along with proper affidavits from said parties of the third part acknowledging the payment of materialmen and laborers, will return the escrow monies, plus interest, if any, pro-rata to the Landowners, their successors or assigns.

f. This agreement is binding on the parties hereto, their successors and assigns.

g. The Escrow Agent and parties of the third part assume no responsibility for any deficiency that may become due to materialmen and laborers on the water and sewer project, and the Landowners hereby hold and save harmless the Escrow Agent and/or parties of the third part for any such deficiency.

WITNESS the following signatures:

	
ERNEST K. DOTSON	LOT #1
	
RODERICK A. NUTTER	LOT #6
	
DONNA K. NUTTER	LOT #6

William C. Schimmel
WILLIAM C. SCHIMMEL LOT #3

Karen S. Schimmel
KAREN S. SCHIMMEL LOT #3

Kenneth Edward Thompson
KENNETH EDWARD THOMPSON LOTS 4 & 5

Janet Carolene Thompson
JANET CAROLENE THOMPSON LOTS 4 & 5

Susan Kaye Region
SUSAN KAYE REGION LOT #2

Robert K. Tebay III Agent
ROBERT K. TEBAY, III, ESCROW AGENT

WOOD COUNTY ~~PLANNING~~ COMMISSION

BY: Thomas Alan
ITS: President

MINERAL WELLS PUBLIC SERVICE DISTRICT

BY: _____
ITS: _____

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO-WIT:

The foregoing instrument was acknowledged before me by ERNEST K. DOTSON, single, this 29 day of April, 1986.

My commission expires: 11/28/88

Julia J. Pattillo
NOTARY PUBLIC

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO-WIT:

The foregoing instrument was acknowledged before me by RODERICK A. NUTTER and DONNA K. NUTTER, husband and wife, this 29th day of April, 1986.

My commission expires: 11/23/88

Julia J. Pattillo
NOTARY PUBLIC

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO-WIT:

The foregoing instrument was acknowledged before me by WILLIAM C. SCHIMMEL and KAREN S. SCHIMMEL, husband and wife, this 29 day of April, 1986.

My commission expires: 11/28/88

Diana D. Cottrill
NOTARY PUBLIC

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO-WIT:

The foregoing instrument was acknowledged before me by KENNETH EDWARD THOMPSON and JANET CAROLINE THOMPSON, husband and wife, this 29 day of April, 1986.

My commission expires: 11/28/88

Diana D. Cottrill
NOTARY PUBLIC

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO-WIT:

The foregoing instrument was acknowledged before me by SUSAN KAYE REGION, single, this 29 day of April, 1986.

My commission expires: 11/28/88

Diana D. Cottrill
NOTARY PUBLIC

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO-WIT:

The foregoing instrument was acknowledged before me by ROBERT K. TEBAY, III, Escrow Agent, this 29 day of April, 1986.

My commission expires: 11/28/88

Diana D. Cottrill

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO-WIT:

The foregoing instrument was acknowledged before me by _____
Holmes B. Sharer the its President of the WOOD COUNTY
~~PLANNING~~ COMMISSION, who acknowledged said writing to be the act and deed of
said Commission this 1st day of May, 1986.

My commission expires: February 25, 1992

Pauline M. Eaton
NOTARY PUBLIC

STATE OF WEST VIRGINIA,
COUNTY OF WOOD, TO-WIT:

The foregoing instrument was acknowledged before me by _____
_____, the _____ of the MINERAL
WELLS PUBLIC SERVICE DISTRICT, who acknowledged said writing to be the act
and deed of said public service district.

My commission expires: _____

NOTARY PUBLIC