

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
MONDAY, APRIL 17, 2000

PRESENT: HOLMES R. SHAVER, PRESIDENT
ROBERT K. TEBAY, COMMISSIONER
DAVID A. COUCH, COMMISSIONER

On this date, the County Commission of Wood County met in regular session. They signed a purchase order, invoices and other correspondence.

On this date, the County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to personal property for Decker Well Service - Parkersburg City District (1999); Gennesis Creations, Inc. - Parkersburg City District (1996 & 1997). The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to real property for AmeriCraft Corporation - Williamstown District (1999) and for Petyon J. Dudley - City District (1995, 1996, 1997, 1998 and 1999).

At 9:30 A.M., Simon A. Knotts and Steven E. Mercer were sworn in as Reserve Deputies for the Wood County Sheriff's Department

At 11:00 A.M., the County Commission met with Doug McKenzie to discuss the GIS bids.

The City of Parkersburg, a municipal corporation, by Joseph T. Santer, its Attorney, tendered to the County Commission its Petition, with exhibits, for annexation of territories to the City of Parkersburg by a minor boundary adjustment, pursuant to the provisions of Chapter 8, Article 6, Section 5 of the Code of West Virginia, as amended. It appearing to the County Commission that said Petition is in proper form and that said petitioner is entitled to file said Petition and make such application, it is ORDERED that said Petition, with exhibits, be and the

same are, hereby filed. It further appearing to the County Commission that the boundary adjustment sought by said Petition is a minor boundary adjustment, that this Commission has jurisdiction to hear and consider such application, a hearing shall be set for May 11, 2000 at 10:00 A.M. and that Notice of said hearing, including a description of the territories sought to be annexed, be published in the Parkersburg News and the Parkersburg Sentinel, once a week for two consecutive weeks. Notice also must be prominently posted at not less than five public places within the areas proposed to be annexed. An Order was prepared regarding this matter and is attached to these minutes.

The County Commission met with Jerry Mangus in regard to a complaint on Dupont Road.
(This was a walk-in appointment)

The County Commission met with Lloyd Short and Shep Dickey who had a complaint about a culvert on Rosemar Road. (This was a walk-in appointment)

Christopher Ullman and Scott Marion, by Counsel, respectfully requested the County Commission of Wood County to grant a right-of-way for ingress and egress across property currently owned by the County, as reflected on the plat prepared by Stephen M. Eaton, LPS and dated September 2, 1999. After review, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by David A. Couch and passed, did hereby AUTHORIZE Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission, to EXECUTE the RIGHT-OF-WAY AGREEMENT by and between the County Commission of Wood County, West Virginia and Christopher Ullman and Scott Marion. The aforementioned Petition and Right-of-Way Agreement with Survey and Description of Survey is attached to these minutes along with the Order that was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by David A. Couch, seconded by Robert K. Tebay and passed, did hereby AUTHORIZE Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission, to EXECUTE the letter addressed to the Department of Health and Human Resources, Parkersburg, West Virginia, enclosing the Monthly Report of the Project Director in regard to the Early Intervention and Family Support Services Grant Number 99881 (Q.U.I.T. Program) for the period of March, 2000. In addition to the Monthly Report of the Project Director, the Monthly Demographic Report, the Monthly Attendance Report and the Daily Time Records are being submitted to the Department of Health and Human Resources, Parkersburg, West Virginia. Documentation pertaining to the Early Intervention and Family Support Services Grant, Q.U.I.T. (Quality Intervention and Treatment) Program, is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of a check in the amount of four thousand seven hundred sixty-three dollars and forty-four cents (\$4,763.44) from the Criminal Justice Services, Charleston, WV, which represents reimbursement to Wood County for expenses incurred during the month of February, 2000 in regard to the Juvenile Accountability Incentive Block Grant Number A-D-017. Receipt of the aforementioned check is pursuant to an Order appearing in Order Book 64, at Page 194 and bearing the date of March 20, 2000, at which time Holmes R. Shaver, in his official capacity as President and on behalf of the County Commission, was AUTHORIZED to EXECUTE the Request of Reimbursement. Documentation pertaining to the Juvenile Accountability Incentive Block Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

Having no further scheduled appointments or business to attend to, the County Commission
adjourned at 4:00 P.M.

Approved:

THE COUNTY COMMISSION OF WOOD COUNTY



Holmes R. Shaver, President



Robert K. Tebay, Commissioner



David A. Couch, Commissioner

PURCHASE ORDERS APPROVED ON APRIL 17, 2000

25747

Model Carpet

1236.65

To listen to these minutes, please refer to Tape #15 and Tape #16.

ab

APRIL 17, 2000

Doug Mc Kenzie
Jag Widney
Royal Short

BEFORE THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: CHRISTOPHER ULLMAN and
SCOTT MARION


PETITION

This day comes the Petitioners, CHRISTOPHER ULLMAN and SCOTT MARION, by Counsel and respectfully request the County Commission to grant a right-of-way for ingress and egress across property currently owned by the County. Specifically, the right-of-way would run to real estate owned by the Petitioner.

In support of this Petition, attached hereto, is a copy of the survey showing the exact location of the proposed right-of-way prepared by Stephen M. Eaton, LPS and dated September 2, 1999.

WHEREFORE, the Petitioners respectfully request the County Commission to grant a right-of-way for ingress and egress over and across said property to real estate that they currently own.

CHRISTOPHER ULLMAN
SCOTT MARION
Petitioners
by Counsel,



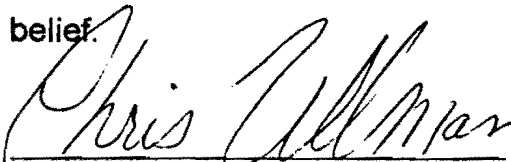
C. DARREN TALLMAN
Counsel for the Petitioners
Post Office Box 851
Parkersburg, WV 26102
(304) 863-5300

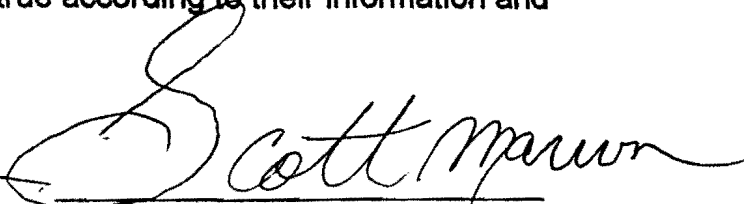
VERIFICATION

STATE OF WEST VIRGINIA,

COUNTY OF WOOD, TO-WIT:

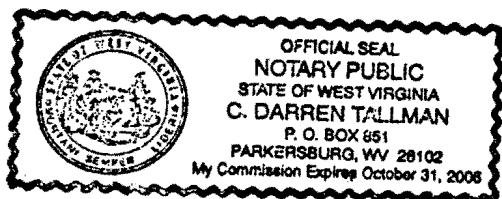
This day personally appeared before the undersigned, CHRISTOPHER
ULLMAN and SCOTT MARION, who, being first duly sworn, depose and say that the
fact contained in the foregoing Petition are true according to their information and
belief.



CHRISTOPHER ULLMAN


SCOTT MARION

Taken, subscribed and sworn to before me this the 27th day of January, 2000.

My Commission Expires: 10/31/06




NOTARY PUBLIC

RIGHT-OF-WAY AGREEMENT

This Right-of-Way Agreement is dated April 17, 2000, by and between the COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA, hereinafter called Grantor and CHRISTOPHER ULLMAN and SCOTT MARION, hereinafter called Grantee.

For and in consideration of the sum of \$1.00 and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Grantor dos hereby grant and convey to Grantee, their successor and assigns, a perpetual right-of-way for ingress and egress over and across that certain real estate located in William District, Wood County, West Virginia, said right-of-way is more particularly described as follows:

BEGINNING at a point in the northerly line of a parcel of land presently owned by the Wood County Court (Airport) described in Deed Book 435 page 427 (Williams District Map 210 Parcel "I-1"), from which a stone found at the northwest corner of said tract bears N. 66-40-21 W 20.00'; thence through said tract with the center line of a proposed 20' right-of-way; S 28-10-112 W 559.16' to a spike set; thence S 70-44-51 W 239.02' to a spike set; thence N 87-20-28 W 154.544' to a spike set in the center line of a 30' unimproved right-of-way for County Road 3/4, and containing 19,050.25 square feet as shown on a plat attached hereto and made part of this description.

The above described right-of-way is to be granted for ingress, egress and regress to the Carsey property (now Ullman/Marion property) in Williams District Map 210 Parcel H from the existing County Road.

The purpose of this easement is to provide a right-of-way from County Road 3/4 to the following tract owned by the Grantee:

A tract or parcel of land lying and being situate on the waters of Plum and Island Runs, Williams District, Wood County, WV:

BEGINNING at a stone found, said stone being the common corner of the Carsey tract (DB 922/128), Holtzworth and Collins tract (DB 806/43) and Newton tract (MISC. BOOK 161/476); thence with the common line of the said Carsey and Newton tracts,

S. 18-31-26 E. 2168.64' to a 2" iron pipe found, at the southeast corner of the said Carsey tract; thence with the common line of Carsey and Compton (DB 460/445),

N 69-07-54 W. 1920.73' to an angle iron found, said angle iron being the northeast corner of the Wood County Airport tract (DB 435/427), thence with said tract N. 66-40-21 W. 550.34', passing a stone found at 260.09' to a 3/4" rebar set at the southwest corner of the aforesaid Carsey tract; thence N. 50-42-28 E. 1936.39' to a 3/4" rebar set, in the line of the aforesaid Holtzworth and Collins tract; thence with said tract, S 57-19-56 E. 133.62' to the place of BEGINNING, and containing 50.449 acres, as shown on a plat attached hereto and made part of this description.

This conveyance is subject to all easements, rights of way, restrictions, reservations and protective covenants, including but not limited to all oil, gas and mineral exceptions, reservations and leases, appearing in the chain of title and specifically to the reservations set forth in Deed Book 922 at page 128, to which reference is hereby made and had for a more complete description.

BEING the same real estate conveyed unto Christopher Ullman and Scott Marion, by deed of record in the Office of the Clerk of the County Commission of Wood County, West Virginia in Deed Book 1008 at Page 835.

Grantee will maintain the easement in a state of good repair and efficiency so that no unreasonable damage will result from its use to Grantor's premises. This Agreement shall constitute a covenant running with the land for the benefit of the Grantee, their successors and assigns.

DECLARATION OF CONSIDERATION

This conveyance is exempt from transfer tax as it is a conveyance from the County Commission of Wood County.

COUNTY COMMISSION OF
WOOD COUNTY, WEST VIRGINIA

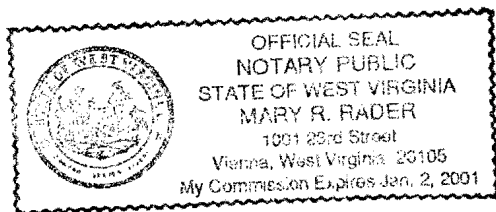
By: _____

Its: _____

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

The foregoing Right-of-Way Agreement was acknowledged before me on this
the 17th day of April, 2000 by Halima R. Shuman as the
President of the County Commission of Wood County, West Virginia, on its
behalf.

My Commission Expires: January 1, 2001



Mary R. Rader
NOTARY PUBLIC

This instrument was prepared under direction of:

C. DARREN TALLMAN
Attorney at Law
Post Office Box 851
Parkersburg, WV 26102

DESCRIPTION OF SURVEY

A tract or parcel of land lying and being situate on the waters of Plum and Island Runs, Williams District, Wood County, W.V. more particularly bounded and described as follows:

BEGINNING at a stone found, said stone being the common corner of the Carsey tract (DB922/128), Holtzworth and Collins tract (DB 806/43), and Newton tract (MISC. BOOK 161/476); thence with the common line of the said Carsey and Newton tracts,

S 18-31-26 E 2168.64' to a 2" iron pipe found, at the southeast corner of the said Carsey tract; thence with the common line of Carsey and Compton (DB 460/445),

N 69-07-54 W 1920.73' to an angle iron found, said angle iron being the northeast corner of the Wood County Airport tract (DB 435/427), thence with the said tract;

N 66-40-21 W 550.34', passing a stone found at 260.09', to a 3/4" rebar set at the southwest corner of the aforesaid Carsey tract; thence,

N 50-42-28 E 1936.39' to a 3/4" rebar set, in the line of the aforesaid Holtzworth and Collins tract; thence with said tract,

S 57-19-56 E 133.62' to the place of **BEGINNING**, and containing 50.499 acres, as shown on a plat attached hereto and made part of this description.

Being the same parcel of land conveyed to David D. and Dolly A. Carsey recorded in the Office of the County Clerk of Wood County, W.V. in Deed Book 922 page 128.

Tract Two: 20' Ingress and Egress right-of-way:

Beginning at a point in the northerly line of the a parcel of land presently owned by the Wood County Court (Airport) described in Deed Book 435 page 427 (Williams District Map 210 Parcel "I-1"), from which a stone found at the northwest corner of said tract bears N 66-40-21 W 20.00'; thence through said tract with the center line of a proposed 20' right-of-way,

S 28-10-12 W 559.16' to a spike set, thence;

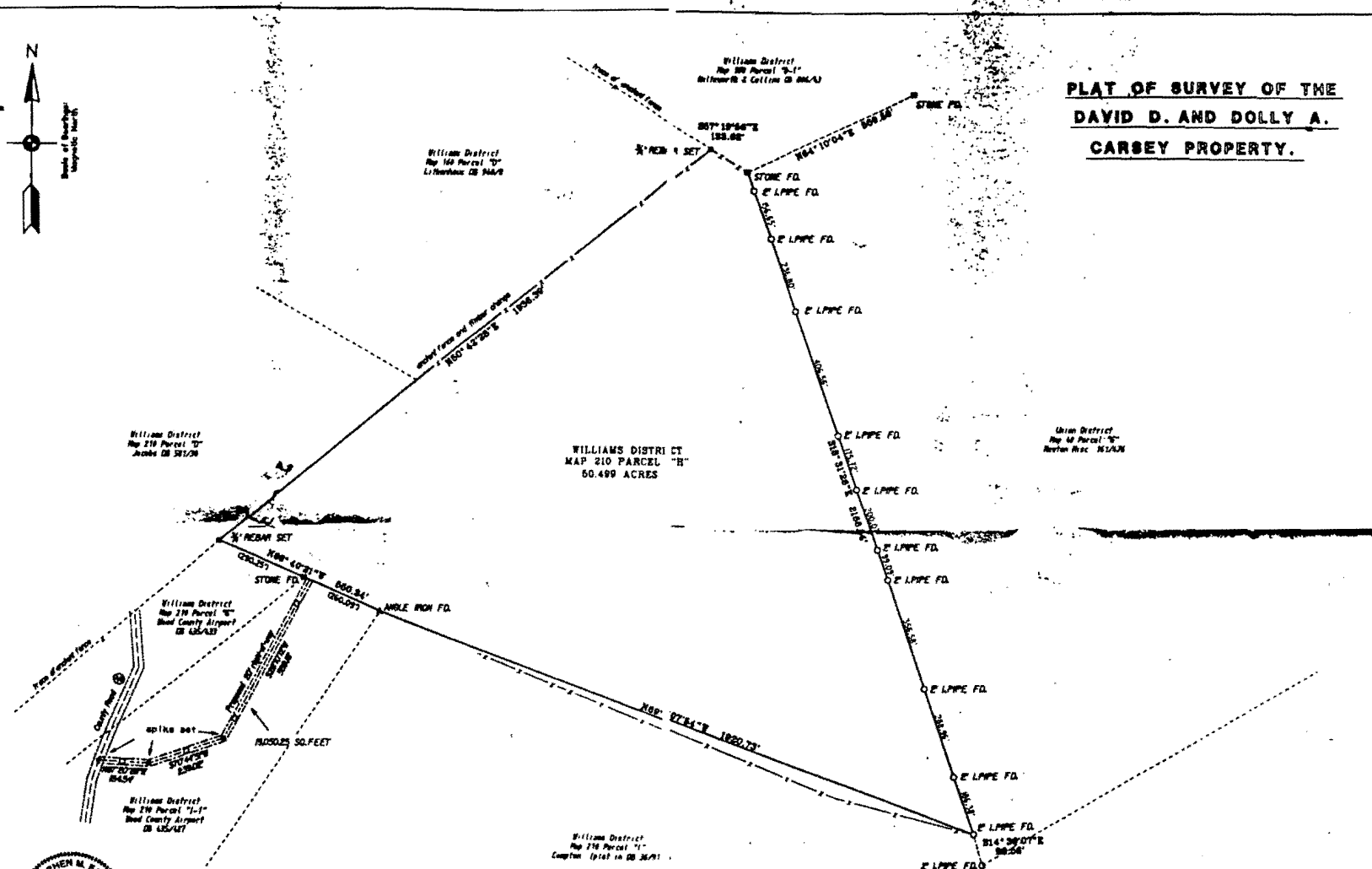
S 70-44-51 W 239.02' to a spike set, thence;

N 87-20-28 W 154.54' to a spike set in the center line of a 30' unimproved right-of-way for County Road 3/4, and containing 19,050.25 square feet as shown on a plat attached hereto and made part of this description

The above described right-of-way is to be granted for ingress, egress, and regress to the Carsey property (Williams District Map 210 Parcel "H") from the existing County Road



**PLAT OF SURVEY OF THE
DAVID D. AND DOLLY A.
CARSEY PROPERTY.**



SITUATE ON THE WATERS OF PLUM AND ISLAND RUNS, IN WILLIAMS DISTRICT, WOOD COUNTY, WEST VIRGINIA AS SHOWN ON TAX MAP 210 PARCEL "H".

BEING THE SAME PARCEL OF LAND CONVEYED TO DAVID D. AND DOLLY A. CARSEY RECORDED IN THE OFFICE OF THE COUNTY CLERK OF WOOD COUNTY, W.V. IN DEED BOOK 922 PAGE 128.



MOUNTAIN STATE LAND SERVICES
STEPHEN M. EATON P.S.

200 100 0 200

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: Annexation of Property by
 Minor Boundary Adjustment
 Tygart District, Wood
 County, West Virginia

ORDER

This day came the City of Parkersburg, a municipal corporation, by Joseph T. Santer, its Attorney, and tendered to the Commission its Petition, with Exhibits, a copy of which is attached hereto, for annexation of territories to the City of Parkersburg by a minor boundary adjustment, pursuant to the provisions of Chapter 8, Article 6, Section 5, of the Code of West Virginia, as amended; and

It appearing to the Commission that said Petition is in proper form and that said petitioner is entitled to file said Petition and make such application, it is ORDERED that said Petition, and Exhibits, be, and the same are, hereby filed.

It further appearing to the Commission that the boundary adjustment sought by said Petition is a minor boundary adjustment, that this Commission has jurisdiction to hear and consider such application, a hearing shall be set for the 11th day of May, 2000, at 10:00 o'clock, A.m., and that Notice of said hearing, including a description of the territories sought to be annexed, be published in the Parkersburg News and the Parkersburg Sentinel, newspapers published in Wood County, West Virginia, once a week for two (2) consecutive weeks, with the first publication thereof to be more than fourteen (14) days prior to the said hearing date, and that said Notice also be prominently posted at not less than five (5) public places within the areas proposed to be annexed.

Dated this 17th day of April, 2000.

ENTER: WOOD COUNTY COMMISSION

By 

Its President

4/17/00
64/213
210

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: Annexation of Property By
 Minor Boundary Adjustment
 Tygart District, Wood
 County, West Virginia

NOTICE

Notice is hereby given that the County Commission of Wood County, West Virginia, will on the 11th day of May, 2000, at 10:00 o'clock, A.m., in the Courtroom of said County Commission at the Wood County Courthouse, located in the City of Parkersburg, Wood County, West Virginia, hear the application and petition of the City of Parkersburg joined by Robert L. & Judith E. Stephens, Danny E. & Rose S. Peters, Virginia P. & Norma M. Pfalzgraf, M. Qamar & Ghazala Siddiqui, Irene V. Bebensee, Natalie M. Barnette, Anne M. & Robert A. Riffle, Jr., Charles E. Jr. & Debra S. Martin, Delbert E. & Phyllis J. Morris, Douglas J. Currey, Charles T. & Eve J. Bradford, Patrick H. & Peggy L. Ahlborn, Allen Robert & Sheila M. Behnke, E. David & Rebecca A. Johnson, David E. & Colleen L. Redinger, and Lyndall L. & Judith W. Jones, for the annexation of territories to the City of Parkersburg by minor boundary adjustment. The territories sought to be annexed to the said City of Parkersburg are hereinafter described by metes and bounds.

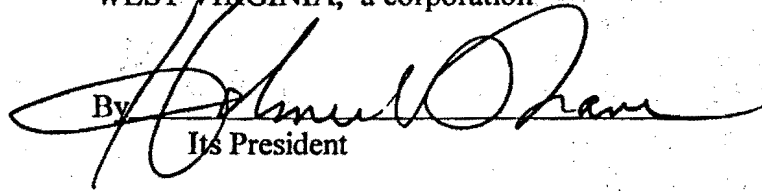
Any person having objections to such annexation, or desiring to be heard, may appear at the time and place aforesaid and be heard if they so desire.

The said territories to be annexed to the City of Parkersburg are situated in the Tygart District, County of Wood and State of West Virginia, and are more particularly described as follows:

(See Legal Description attached hereto and made a part hereof.)

Territory above sought to be annexed is commonly described as a portion of
Fletcher Heights Subdivision; Earl Street, and portion of Willoughby Drive.

COUNTY COMMISSION OF WOOD COUNTY,
WEST VIRGINIA, a corporation

By 
Its President

Publish as Class II-0

Legal Description of Land to be Annexed

A parcel of land in Tygart District, Wood County, West Virginia, more particularly described as follows:

Beginning at a point in the existing Corporation Line of the City of Parkersburg, said point being at the intersection of the southerly line of 19th Avenue and the easterly line of Earl Street, and further being the northwesterly corner of Lot 1 of Fletcher Heights Redivision No. 2 of W.A. Fletcher Addition, as shown in Plat Book 11, Page 55, in the Office of the Clerk of the County Commission of Wood County, West Virginia; Thence, leaving the existing corporation line, in a southerly direction, with the easterly line of the Earl Street to the southwesterly corner of the said Lot 1 of Fletcher Heights; Thence, in an easterly direction, with the southerly line of the said Lot No. 1, to the southeasterly corner of Lot 1 of the said Fletcher Heights, said point also being the northeasterly corner of Lot 5 of the said Fletcher Heights; Thence, in a southerly direction, with the easterly line of the said Lot 5, to the northerly line of 20th Avenue; Thence, with the northerly line of 20th Avenue, in a westerly direction, to the easterly line of Earl Street; Thence, crossing 20th Avenue, in a southerly direction, with the southerly prolongation of the easterly line of Earl Street, and in a southerly and easterly direction, with the easterly and northerly line of Willoughby Drive, to the southwesterly corner of Lot 47 of the said Fletcher Heights; Thence, in a northerly direction, with the westerly line of the said Lot No. 47, to the northwesterly corner of Lot 47 of the said Fletcher Heights; Thence, in an easterly direction, with the northerly line of the said Lot No. 47, to the northeasterly corner of Lot 47 of the said Fletcher Heights; Thence, in a southerly direction, with the easterly line of the said Lot No. 47, to the northerly line of Willoughby Drive; Thence, in an easterly direction, with the northerly line of Willoughby Drive, to the southwesterly corner of Lot 52 of the said Fletcher Heights; Thence, in a northerly direction, with the westerly line of the said Lot No. 52, to the northwesterly corner of Lot 52 of the said Fletcher Heights; Thence, in a westerly direction, with the southerly line of Lot No. 44 of the said Fletcher Heights, to the southwesterly corner of the said Lot 44 of the said Fletcher Heights; Thence, in a northerly direction, with the westerly line of the said Lot No. 44, to the southerly line of Willoughby Drive, said point being the northwesterly corner of the said Lot 44 of Fletcher Heights; Thence, in a northerly direction, with the southerly line of Willoughby Drive, to the southerly prolongation of the northerly line of Lot 24 of the said Fletcher Heights; Thence, in an easterly direction, with the southerly prolongation of the northerly line and with the northerly line of the said Lot No. 24, to the northeasterly corner of Lot 24 of the said Fletcher Heights; Thence, in a southerly direction, with the easterly line of the said Lot No. 24, to the southeasterly corner of Lot 24 of the said Fletcher Heights; Thence, in a southwesterly direction, with the southerly line of the said Lot No. 24, to the

northerly line of Willoughby Drive; Thence, in an easterly direction, with the northerly line of Willoughby Drive, to the southwesterly corner of Lot 26 of the said Fletcher Heights; Thence, in a northerly direction, with the westerly line of the said Lot No. 26, to the northwesterly corner of Lot 26 of the said Fletcher Heights; Thence, in an easterly and southerly direction, with the northerly line of the said Lot No. 26 and the easterly line of Lots 26 and 29, to the southeasterly corner of Lot 29 of the said Fletcher Heights; Thence, in a northwesterly direction, with the southerly line of the said Lot No. 29, to the southerly line of Willoughby Drive, said point being the southwesterly corner of the said Lot 29 of Fletcher Heights; Thence, in a southwesterly direction, with the southerly line of Willoughby Drive, to the northeasterly corner of Lot 63 of the said Fletcher Heights; Thence, in a southerly direction, with the easterly line of the said Lot No. 63, to the southeasterly corner of Lot 63 of the said Fletcher Heights, said point being in the southerly line of the said Fletcher Heights; Thence, in a westerly direction, with the southerly line of the said Lot No. 63, to the southwesterly corner of the said Lot 63 of Fletcher Heights; Thence, in a northerly direction, with the westerly line of the said Lot No. 63, to the southerly line of Willoughby Drive; Thence, in a westerly direction, with the southerly line of Willoughby Drive, to the northeasterly corner of Lot 61 of the said Fletcher Heights; Thence, in a southerly direction, with the easterly line of the said Lot No. 61, to the southeasterly corner of Lot 61 of the said Fletcher Heights, said point being in the southerly line of the said Fletcher Heights; Thence, in an easterly direction, with the southerly line of Lots No. 61, 60, 59, 58, 57, and 56 to the southwesterly corner of the said Lot 56 of Fletcher Heights; Thence, in a northerly direction, with the westerly line of Lots No. 56, 45, and 37 to the southerly line of 20th Avenue, said point being the northwesterly corner of Lot 37 of Fletcher Heights; Thence, in an easterly direction, with the southerly line of 20th Avenue to the northeasterly corner of the said Lot 37 of the said Fletcher Heights; Thence, crossing 20th Avenue, in a northerly direction, to the intersection of the northerly line of 20th Avenue and the westerly line of Earl Street; Thence, in a northerly direction, with the westerly line of the Earl Street, to the southerly line of 19th Avenue, said point being in the existing Corporation line of the City of Parkersburg; Thence, in an easterly direction, with the said Corporation line, to the beginning, as shown on the attached plat, which is made a part of this description.

This description was written by Tom M. Henderson, LLS No. 718, and is based on the plat of record.