

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
THURSDAY, APRIL 12, 2001

PRESENT: ROBERT K. TEBAY, PRESIDENT
RICK MODESITT, COMMISSIONER
K.D. MERRITT, COMMISSIONER

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

At this time, the County Commission met with Kit Thornton, Technology Counsel from the West Virginia Supreme Court to discuss video conferencing for the Magistrate Courtrooms. Mark Rhodes, Chief Tax Deputy was in attendance at this meeting. Toni Tiano, Wood County Crime Commission was in attendance for this meeting. After discussion, the County Commission and Mr. Thornton agreed to meet on April 26, 2001 to view a courtroom that has video conferencing.

At 10:30 A.M., the County Commission held a public hearing in regard to the proposed tax increase. Lowell Jackson from Mineral Wells was present and voiced his objection to the increase. The County Commission, upon a motion made by K.D. Merritt, seconded by Rick Modesitt and made unanimous by Robert K. Tebay, did hereby ADOPT the tax rate per one hundred dollars and 00/100ths cents (\$100.00) of assessed value on each class of property as follows:

	Proposed Rate	Effective Tax	Percentage of
	Rate	Rate Increase	Increase
Class I	13.14	1.06	8.8
Class II	26.28	2.12	8.8
Class III	52.56	4.24	8.8
Class IV	52.56	4.24	8.8

The aforementioned Notice of Proposed Tax Increase appeared as a Legal Notice on April 5, 2001 and on April 11, 2001 in both local newspapers, The Parkersburg News and The Parkersburg

Sentinel; and further appeared as a block ad, outside the Legal Ads, on April 5, 2001 in both local newspapers, The Parkersburg News and The Parkersburg Sentinel. An Order was prepared regarding this matter.

At 11:00 A.M., the County Commission met with Wendy Redd to discuss her problems with Steve Tice, developer of Coram Park.

Joseph T. Santer, Attorney for the City of Parkersburg 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. The County Commission set a hearing date for May 7, 2001 at 10:00 A.M. and that said Notice of said hearing, including a description of the territory sought to be annexed, be published in the Parkersburg News and the Parkersburg Sentinel once a week for two consecutive weeks and posted at not less than five public places within the areas proposed to be annexed. An Order was prepared regarding this matter and a copy is attached to these minutes.

The County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by K.D. Merritt and passed, did hereby AUTHORIZE Robert K. Tebay, in his official capacity as President and on behalf of the County Commission, to EXECUTE the Equipment Maintenance Agreement Plan by and between Danka NE Data Center, Marietta, Ohio, and the County Commission of Wood County, Wood County, West Virginia. The aforementioned Maintenance Agreement is on a Minolta 5320 Copy Machine, Serial Number 3135628, located in the Office of

the Clerk of the County Commission and covers the period of February 1, 2001 to January 31, 2002. The annual rate is in the amount of four hundred fifty dollars and 00/100ths cents (\$450.00) for twelve thousand (12,000) copies per year, with any overage at \$.0205 per copy. The aforementioned Maintenance Agreement includes labor, parts, toner, drum, developer, filter, fuser oil, webs and preventative maintenance. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by K.D. Merritt and passed, did hereby AUTHORIZE Robert K. Tebay, in his official capacity as President and on behalf of the County Commission, to EXECUTE the Extended Service Plan by and between Copier Word Processing Supply, Inc., Parkersburg, West Virginia, and the County Commission of Wood County, Wood County, West Virginia. The aforementioned Service Plan is on a Model DC-4090, Serial Number 37024927, Copy Machine located in the Office of the Clerk of the County Commission and covers the period of October 21, 2000 to October 20, 2001. The monthly rate is in the amount of two hundred dollars and 00/100ths cents (\$200.00) for twelve thousand (12,000) copies per year, with any overage at \$.015 per copy. The aforementioned Service Plan includes labor, travel, parts, toner, developer and drum. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by K.D. Merritt and passed, did hereby AUTHORIZE Robert K. Tebay, in his official capacity as President and on behalf of the County Commission, to EXECUTE the Extended Service Plan by and between Copier Word Processing Supply, Inc., Parkersburg, West Virginia, and the County Commission of Wood County, Wood County, West Virginia. The aforementioned Service Plan is on a Model DC-2355, Serial Number 37005839, Copy Machine located in the Office of the Clerk of

the County Commission and covers the period of November 5, 2000 to November 4, 2001. The annual rate is in the amount of four hundred sixteen dollars and sixty-seven cents (\$416.67) for twenty-five thousand (25,000) copies per year, with any overage at \$.0163 per copy. The aforementioned Service Plan includes labor, travel, parts, toner, developer and drum. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and passed, did hereby AUTHORIZE Robert K. Tebay, in his official capacity as President and on behalf of the County Commission, to EXECUTE the STANDARD FORM OF AGREEMENT BETWEEN OWNER AND CONTRACTOR FOR A SMALL PROJECT by and between the WOOD COUNTY COMMISSION, Wood County, West Virginia, and J.C. Bosley Construction, Inc., Mineral Wells, WV, in regard to the parking area located at 300 Market Street, Parkersburg, WV. The said parking project entails the furnishing and installing five inches (5") of crusher run stone (450 tons) over geotextile fabric (Tytar), grading and rolling of subbase to be provided along with Laser leveling of the stone. An Order was prepared regarding this matter.

D.R. Smith, Director of Wood County Emergency Services/911, presented to the County Commission of Wood County, a letter stating that the request from Patrick G. McMullen to name the road on which he resides does not interfere with the scheduled readdressing and mapping for the 9-1-1 Master Street Addressing Guide. Patrick G. McMullen has requested the road be named MCMULLEN LANE. The road to be known as MCMULLEN LANE provides access to his residence as stated in Mr. McMullen's letter. The road to be known as MCMULLEN LANE is located in Walker Taxing District on U.S. Route 50, Borland Springs Road, just past Mountwood Park. The request by the said Patrick G. McMullen is in accordance with Chapter 7, Article 1,

Section 3 of the Code of West Virginia, 1931, as amended, which deals, in part, with the County Commission naming or renaming thereof of roads, ways, streets, avenues, drives and the like to assure uniform, nonduplicative conversion of all rural routes to city-type addressing on a permanent basis. The aforementioned road to be known as MCMULLEN LANE is approximately 1/3 mile in length and dead ends on the said Patrick G. McMullen property. The County Commission does hereby find that the said request, made in writing, by Patrick G. McMullen, and the letter of approval from the Wood County Emergency Services/911 is in the proper form and is hereby ORDERED to be filed. NOW, THEREFORE, the County Commission of Wood County, upon a motion duly made, seconded and passed, does hereby ORDER that the aforementioned road be named MCMULLEN LANE. The County Commission does further ORDER that a copy of this ORDER, with tax map attached, be certified by the Clerk of the County Commission for entry in the Office of the Clerk of the County Commission of Wood County. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by K.D. Merritt and passed, did hereby AUTHORIZE Robert K. Tebay, in his official capacity as President and on behalf of the County Commission, to EXECUTE the Political Subdivision Affidavit to allow the Wood County Senior Citizens Association, Inc. to obtain County licenses for their vehicles. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of Grant Adjustment Notice Number Five (5) from the Division of Criminal Justice Services, Charleston, WV, in regard to STOP Violence Against Women Grant Number 99-VAW-014. Receipt of the aforementioned Grant Adjustment Notice is pursuant to an ORDER appearing in Order Book 64, at Page 463 and

bearing the date of March 22, 2001, at which time the County Commission requested that the amount of three hundred eighty-eight dollars and 00/100ths cents (\$388.00) in the "Other" Category and earmarked for the purchase of brochures be transferred to the Newspaper Ad Category due to the increase in newspaper costs. Documentation pertaining to the STOP Violence Against Women Grant 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 letter from the Governor of West Virginia, Bob Wise, giving APPROVAL to a STOP Violence Against Women Grant to Wood County in the amount of thirty-six thousand four hundred dollars and 00/100ths cents (\$36,400.00). Receipt of the aforementioned letter of approval is pursuant to an ORDER appearing in Order Book 64, at Page 423 and bearing the date of February 5, 2001, at which time the County Commission of Wood County AUTHORIZED Robert K. Tebay, in his official capacity as President and on behalf of the County Commission, to EXECUTE a Grant Application in the amount of eighty-two thousand two hundred ninety-one dollars and 00/100ths cents (\$82,291.00) for the continuance of the comprehensive domestic violence program involving the Wood County Prosecuting Attorney's Office, the Family Crisis Intervention Center, local law enforcement agencies and the S.A.F.E. (Silence Affects Families Everywhere) Team. Documentation pertaining to the aforementioned STOP Violence Against Women Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

The County Commission was in receipt of the statements from Bank One, West Virginia, Charleston, West Virginia for the Mortgage Reserve Fund, the Expense Fund and the Bond Fund in regard to the Brooke, Harrison, Marshall, Wetzel and Wood Counties, West Virginia Single Family

Mortgage Revenue Refunding Bonds, Series 1992. The statements are for the period of January 1, 2001 through March 31, 2001. Documentation pertaining to the said Single Family Mortgage Revenue Refunding Bonds is on file in the Office of the County Administrator. An Order was approved regarding this matter.

The County Commission of Wood County was in receipt of an Abstract From The Records of the Commissioner's Orders from the West Virginia Department of Transportation, Division of Highways, Charleston, West Virginia, which amends the Commissioner's Order dated June 18, 2000. Extension to County Route 47/6: Beginning at the present end of County Route 47/6, said point being 0.50 miles southeast of the junction of County Routes 47/6 and 47/27; thence, continuing in an easterly direction 0.234 mile and ending at two brick entrances. Right of way width, 40 feet. Total length of extension to be added, 0.234 mile. County Route 47/6 will now be 3.924 miles in length. This action is necessary to correct beginning point from 0.71 mile southeast of the junction of County Routes 47/6 and 47/27... to 0.50 mile southeast of the junction of County Routes 47/6 and 47/27. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by K.D. Merritt and made unanimous by Robert K. Tebay, announced to all concerned that four vacancies will exist on the 911 Advisory Board on April 30, 2001. Said vacancies are due to the expiration of terms of the following members: James "Joe" Ruf, City of Williamstown; James Midkiff, Emergency Services; Arnold C. Green, Jr., E.I. Dupont (Industry) and Anthony Vitti, General Public. Said announcement is pursuant to an Order appearing in Order Book 51, at Page 433 and bearing the date of April 1, 1991, which deals with the procedure policy for appointments

to boards and authorities. The new terms will expire April 30, 2004. An Order was prepared regarding this matter.

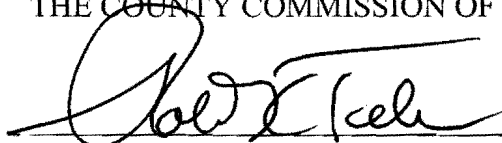
The County Commission of Wood County, upon a motion duly made, seconded and passed, ORDERED that Erroneous Assessment Application No. 29 pertaining to real property, found in Order Book 64, at Page 473 and bearing the date of April 5, 2001, be voided due to the fact the tax ticket number 1983 was already exonerated on July 13, 2001 with Erroneous Assessment Application Number 09182. Said Erroneous Assessment Application is in the name of Larry M. Morris and is for property located in Clay District. An Order was prepared regarding this matter.

The County Commission of Wood County was in receipt of the Cash Statements and Asset Lists for the Escrow Account - Expense Fund, the Expense Fund, the Rebate Fund, the Bond Fund, the Principal Account Fund and the Principal Prepayment Fund from The Bank of New York, Church Street Station, New York, New York, in regard to the Wood County, West Virginia Single Family Mortgage Revenue Bond Issue, 1997 Series. The said Cash Statements and Asset Lists are for the period ending March 31, 2001. Documentation pertaining to the said Single Family Mortgage Revenue Bonds is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

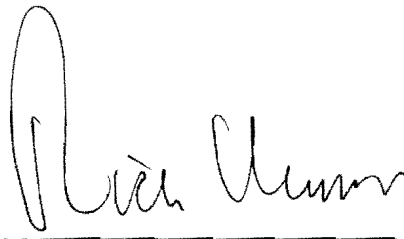
Having no scheduled appointments or business to attend to, the County Commission adjourned at 12:00 Noon.

Approved:

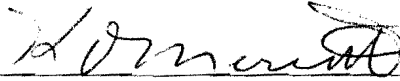
THE COUNTY COMMISSION OF WOOD COUNTY



Robert K. Tebay, President



Rick Modesitt, Commissioner



K. D. Merritt, Commissioner

PURCHASE ORDERS APPROVED ON APRIL 12, 2001

26665	Parkersburg Office Supply	7.45
26679	BI Incorporated	330.00
26681	Bob Barker	184.30
26693	Office Depot	129.99
26695	Garrison Brewer	31.50
26703	Lowe's	2.49
26733	Midwest Micro	282.48
26735	Casto & Harris	4029.40
26739	CWS	2816.67
26741	Danka NE Data Center	450.00
27552	Lockney & Associates	862.50
27678	Garrison Brewer	164.29
27704	Broadwaters Motorcar	625.15
27716	Novak's Designs	257.30
27724	Wagner Metro Tire	490.00
27726	Sam's Club	86.57
27734	Broadwaters Motorcar	1403.92
27736	Parkersburg Office Supply	264.29
27740	Parkersburg Office Supply	13.20
27750	Goodyear Service Stores	114.80
27752	Mahone Tire	136.36
27754	Stuart Oil	3027.30
27756	Poynter's Best Products	82.18
27758	Broadwaters Motorcar	58.53
27760	Kramer's Photo Supply	70.58
27762	Parkersburg Office Supply	47.49
27764	VISA Credit	45.48
27766	Broadwaters Motorcar	122.81
27768	Mahone Tire	24.00

27770	Tri-State Roofing & Sheet Metal	282.63
27780	Broadwaters Motorcar	35.60
27784	Atlas Steel & Supply	6.15
27788	Sam's Club	39.89
27792	CR Malcom & Assoc.	213.09
27798	State Electric Supply	50.03
27800	Northwestern Landfill	128.00
27802	Northwestern Landfill	80.37
27882	Runyon Lock Service	97.12
27894	Parkersburg Office Supply	3.21

April 12, 2001

Kit Thornton, WV Supreme Ct. of Appeals
Technology Counsel

Toni Tang, Wood Cty. Crime Commission

~~Lower John Mineral Wells.~~

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 7th day of MAY, 2001, at 10:00 o'clock, a.m., and that Notice of said hearing, including a description of the territory 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 12th day of APRIL, 2001.

ENTER: WOOD COUNTY COMMISSION

By: [Signature]
Its President

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 7th day of MAY, 2001, at 10:00 o'clock, 2 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 the West Virginia Department of Transportation, Division of Highways, 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:

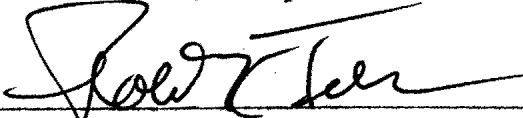
BEGINNING at a point in the existing Corporation Line of the City of Parkersburg, said point being in the northerly right-of-way line of West Virginia Secondary Route No. 32 (Gihon Road), Thence, with the said Corporation Line, in a southerly direction, to the southerly right-of-way line of the said Secondary Route 32; Thence, in a northwesterly direction, with the said southerly right-of-way line of Secondary Route 32 to a point in the southerly prolongation of the westerly line of a tract of land described in a deed to the West Virginia Department of Transportation, Division of Highways, dated November 10, 1998, and recorded in Deed Book 993, Page 171, in the Office of the Clerk of the County Commission of Wood County, West Virginia; Thence, with the said

southerly prolongation of the said westerly line, to the southwesterly corner of the aforementioned West Virginia Department of Transportation tract; Thence, with the outside property line of the said tract, the following courses: N 30 degrees 32'58" E a distance of 175.00 feet; Thence N 55 degrees 05'20" W a distance of 224.50 feet; Thence N 11 degrees 54'22" E a distance of 1417.17 feet; Thence S 66 degrees 58'40" E a distance of 1516.50 feet; Thence S 10 degrees 16'45" W a distance of 261.95 feet; Thence S 81 degrees 29'47" E a distance of 89.48 feet to a point in the northerly line of the County Road, also known as Cooper Street; Thence, with the said northerly line of Cooper Street, in an easterly direction, to a point in the existing Corporation Line of the City of Parkersburg, Thence, with the said Corporation Line in a southerly direction, to the southerly right-of-way line of the said Cooper Street; Thence, with the meanderings of the southerly right-of-way line of the said Cooper Street, in a southerly and westerly direction, the northerly right-of-way line of West Virginia Secondary Route No. 32 (Gihon Road), Thence, in an easterly direction, with the said northerly right-of-way line of Secondary Route 32, to the beginning, containing 45.72 acres, 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 instruments of record, and on a plat of survey by Patrick W. Fogarty, LLS No. 970, entitled "Godbey Field", and dated January 5, 2000, which plat is incorporated herein by reference.

The property above sought to be annexed is vacant land.

COUNTY COMMISSION OF WOOD COUNTY,
WEST VIRGINIA, a corporation

By 
Its President

Publish as Class II-0

Angi

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

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

P E T I T I O N

Your Petitioners respectfully represent as follows:

I.

That your Petitioner The City of Parkersburg is a municipal corporation situate in the County of Wood, and State of West Virginia, and files this Petition by virtue of the authority conferred by Chapter 8, Article 6, Section 5, of the Code of West Virginia, as amended, and pursuant to the direction of the Council of the City of Parkersburg, the governing body of such municipality, as set forth in the minutes of said Council at its regular meeting held on the 27th day of March, 2001 .

II.

That your Petitioner desires to annex certain lands to the City of Parkersburg, the territories to be so annexed being situate in Tygart District, Wood County, West Virginia, no portion of which territories is within the corporate limits of any other municipality.

III.

That the area sought to be annexed contains approximately 45.72 acres and consists of property owned by the West Virginia Department of Transportation, Division of Highways. There are no families residing in said area. The area sought to be annexed

is owned as stated above and as set forth on the attached sheet marked for identification as Exhibit "A", the attached plat marked for identification as Exhibit "B" and as described by metes and bounds on the attached sheet marked for identification as Exhibit "C".

IV.

That the area sought to be annexed abuts upon the corporation line of the City of Parkersburg.

WHEREFORE, your Petitioners pray that the Commission shall determine the proposed annexation to be a minor boundary adjustment; that the Commission shall fix a time for hearing upon this Petition; that Notice of the proposed annexation be published in accordance with the applicable statutes; and that this Honorable Commission shall enter an Order changing the corporate limits of the City of Parkersburg and annexing the territories herein described to the City of Parkersburg.

CITY OF PARKERSBURG,
a municipal corporation

By  _____
Jimmy Colombo, Mayor

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

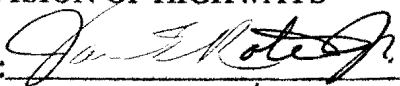
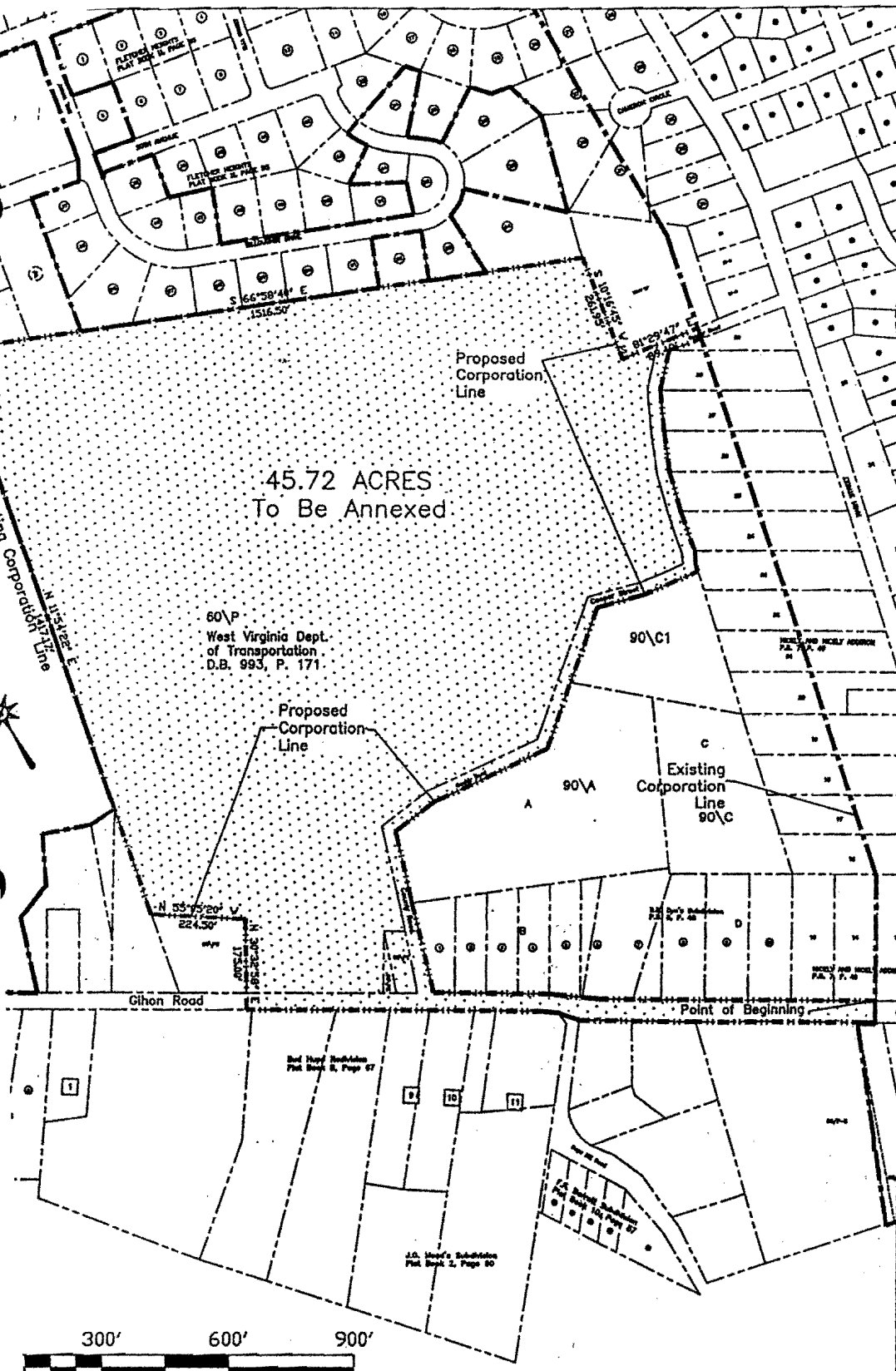
BY:  _____
ITS: DISTRICT ADMINISTRATOR

EXHIBIT "A"

OWNERSHIP OF PROPERTIES SOUGHT TO BE ANNEXED

<u>ADDRESS</u>	<u>DESCRIPTION</u>	<u>OWNER</u>
Portion of Gihon Road	45.72 acres	WV Department of Transportation, Division of Highways



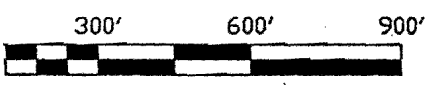
45.72 ACRES
To Be Annexed

60\ P
West Virginia Dept.
of Transportation
D.B. 993, P. 171

Existing
Corporation
Line
90\C

Gihon Road

Point of Beginning



1 INCH = 300 FEET
7/28/01
BY: TMH
60, Tract P, P1, P2
District, Wood County

CITY OF PARKERSBURG, W.VA.
DEPARTMENT OF PUBLIC WORKS
DIVISION OF ENGINEERING
Plat Of Proposed Annexation

EXHIBIT "C"

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 in the northerly right-of-way line of West Virginia Secondary Route No. 32 (Gihon Road), Thence, with the the said Corporation line, in a southerly direction, to the southerly right-of-way line of the said Secondary Route 32; Thence, in a northwesterly direction, with the said southerly right-of-way line of Secondary Route 32, to a point in the southerly prolongation of the westerly line of a tract of land described in a deed to The West Virginia Department of Transportation, Division of Highways, dated November 10, 1998, and recorded in Deed Book 993, Page 171, in the Office of the Clerk of the County Commission of Wood County, West Virginia; Thence, with the said southerly prolongation of the said westerly line, to the southwesterly corner of the afore-mentioned West Virginia Department of Transportation tract; Thence, with the outside property line of the said tract, the following courses: N 30°32'58" E a distance of 175.00 feet; Thence N 55°05'20" W a distance of 224.50 feet; Thence N 11°54'22" E a distance of 1417.17 feet; Thence S 66°58'40" E a distance of 1516.50 feet; Thence S 10°16'45" W a distance of 261.95 feet; Thence S 81°29'47" E a distance of 89.48 feet to a point in the northerly line of the County Road, also know as Cooper Street; Thence, with the said northerly line of Cooper Street, in an easterly direction, to a point in the existing Corporation Line of the City of Parkersburg, Thence, with the the said Corporation line, in a southerly direction, to the southerly right-of-way line of the said Cooper Street; Thence, with the meanderings of the southerly right-of-way line of the said Cooper Street, in a southerly and westerly direction, the the northerly right-of-way line of West Virginia Secondary Route No. 32 (Gihon Road), Thence, in an easterly direction, with the said northerly right-of-way line of Secondary Route 32, to the beginning, containing 45.72 acres, 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 instruments of record, and on a plat of survey by Patrick W. Fogarty, LLS No. 970, entitled "Godbey Field", and dated January 5, 2000, which plat is incorporated herein by reference.