

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD  
THURSDAY, AUGUST 12, 2004

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

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

The County Commission, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, approved minutes from July 15, 2004, July 29, 2004 and August 2, 2004.

The County Commission, upon a motion duly made, seconded and passed, approved Erroneous Assessment Applications in regard to real property for William M. Gray – Vienna District (2004) and for Hattie Kinhead – Harris District (2004).

At 10:30 A.M., the County Commission met with Deputies Rick Woodyard and Gary Parsons. They discussed how restricted they are on nighttime missions using the helicopter. The lighting is not adequate; other counties make use of this helicopter; the cost is \$21,000.00 for a light that would double the amount of flights they would be able to go on; they are asking for funding from the video lottery money to help with the cost of the light. The Commission asked them to discuss with the Sheriff whether or not he would match the amount the Commission would give them. They will come back after September 1, 2004.

At 10:45 A.M., the County Commission met with Toni Tiano, grant consultant; Diana Williams, Wood County Prosecutor's Office (Victims Advocate) and Erin Lentz, the new Victims Advocate Assistant. The County Commission of Wood County, upon a motion made by

Robert K. Tebay, seconded by K.D. Merritt and passed, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to enter into an AGREEMENT by and between the County Commission of Wood County, Parkersburg, West Virginia and Erin Lentz, 1313 Greenmont Valley Drive, Vienna, WV. The County Commission is the recipient of grant funds from the State of West Virginia, Office of Military Affairs and Public Safety, Division of Criminal Justice Services, for the purpose of hiring a Victims Advocate Assistant, on a contractual basis, through the Wood County Prosecuting Attorney's Office. Such Victims Advocate Assistant will assist the Victims Advocate in delivering services to victims/witnesses in the Wood County Criminal Justice System. For the aforementioned services, the County Commission of Wood County shall compensate the said Victims Advocate Assistant at the rate of eight dollars and ninety-three cents (\$8.93) per hour for approximately twenty-one (21) hours per week for forty-seven (47) weeks for a maximum amount of eight thousand nine hundred twenty-five dollars and 00/100ths cents (\$8,925.00). The term of the aforementioned AGREEMENT shall begin August 5, 2004 and terminate on June 30, 2005. If for any reason the conditions and provisions of said agreement are not carried out by the said Victims Advocate Assistant, the County Commission shall pursue all administrative, contractual and legal remedies available by law, including such sanctions and penalties which may be available through these remedies. The terms contained in the aforementioned AGREEMENT may be modified or amended at any time by mutual consent of the County Commission, Erin Lentz, and the Division of Criminal Justice Services. Documentation pertaining to the Victims of Crime Act Assistance Program Grant Number 03-VA-034 is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

At 11:00 A.M., the County Commission met with Dave Underwood, Attorney for the City of Vienna, for a public hearing in regard to the Annexation by Minor Boundary Adjustment. After discussion about the publication and the affidavit from the zoning; and there being no persons present objecting; the County Commission, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, approved said Annexation by Minor Boundary Adjustment. A copy of the order, showing where this property is, is attached to these minutes and should be made a part thereof.

At 11:30 A.M., the County Commission met with Bob Gandee from the 4-H Camp to discuss funding. Mr. Gandee stated they need 4 doors on each dorm for a cost of \$2,009.00 and \$1,575.00 for a Bush mower. After discussion, the County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Robert K. Tebay, did hereby ORDER that the amount of one thousand five hundred seventy-five dollars and 00/100ths cents (\$1,575.00) be CONTRIBUTED to the Wood County 4-H Camp for the purchase of a Bush mower. The aforementioned CONTRIBUTION is to be taken from funds received from video lottery funds. An Order was prepared regarding this matter.

As for the money for the doors, Mr. Gandee said that they have the money that was allocated for a study of the camp, which will not be done. The County Commission, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, moved that the money be reallocated for the doors.

The 11:30 A.M. appointment was moved to 12:00. At this time, the public hearing in regard to the Annexation of Property by Minor Boundary Adjustment for property in Williams District was held. Attorney Blaine Myers was present, representing the City of Williamstown. Mr. Myers stated that due to his rush and forgetting about this hearing, he forgot to bring the

proof of publication and the affidavit of notice; there is no one present opposing the annexation. The County Commission, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, approved the annexation contingent upon the publication and affidavit of notice being brought in. A copy of the Order, with property description, is attached to these minutes and should be made a part thereof.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, placed Keith Roberts and Jim Reynolds in nomination for appointment to the Wood County Local Emergency Planning Committee. Said nominations are pursuant to an Order appearing in Order Book 51, at Page 433 and bearing the date of April 1, 1991, dealing with the procedure policy for appointments to Board and Authorities. The terms will expire December 31, 2005. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and passed, did hereby APPROVE the Addendum Number 2 to the Bid Specifications for Renovations for the Judge Donald F. Black Courthouse. Adam Krason of ZMM, Inc. Architects and Engineers, Charleston, West Virginia, submitted the Addendum. The bid opening will be held Thursday, August 19, 2004 at 10:30 A.M. An Order was prepared regarding this matter.

The County Commission, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and passed, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to EXECUTE the Request for Reimbursement in regard to the Enforcing the Underage Drinking Laws Program Grant Number 04-UD-131. No expenditures were made during the month of July, 2004. In addition to the Request for

Reimbursement, the Monthly Report, the Project Financial Report, the Monthly Supervisor's Report and the Monthly Director's Report are being submitted to the Division of Criminal Justice Services, Charleston, West Virginia. Documentation pertaining to the Enforcing the Underage Drinking Laws Program Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by Robert K. Tebay and made unanimous by K.D. Merritt, did hereby ORDER that the amount of one thousand dollars and 00/100ths cents (\$1,000.00) be CONTRIBUTED to the Parkersburg Homecoming Festival to assist with the cost of the Laser Show to be held during Homecoming weekend. The aforementioned CONTRIBUTION is to be taken from funds received from video lottery funds. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, entered into an Additional Agreement by and between the Humane Society of Parkersburg, Inc. and the County Commission of Wood County. Under the terms set forth in the Additional Agreement, the County Commission agrees to contribute additional compensation in the amount of Fifty Thousand Three Hundred Seventy Dollars and 00/100ths cents (\$50,370.00) to the Society for its services during the fiscal year 2004/2005. This additional compensation is to be paid on a monthly basis in the amount of Four Thousand One Hundred Ninety-Seven Dollars and Fifty Cents (\$4,197.50). An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, entered into an Agreement by and between the Humane Society of Parkersburg, Inc. and the County Commission of Wood

County. The said Agreement states that the Humane Society of Parkersburg, Inc. is to provide housing, feeding, medication and disposition of stray and unwanted dogs and cats in Wood County, outside the municipalities of Parkersburg, Vienna and Williamstown. For this service, the County Commission agrees to pay the Society the sum of Two Thousand Nine Hundred Sixteen Dollars and Sixty-Seven Cents (\$2,916.67) per month; PROVIDED monies are available in the Dog Fund created in accordance with Chapter 19, Article 10, Section 10 of the West Virginia Code 1931, as amended. If additional expenses are incurred by the Humane Society in the disposition of dead animal bodies or additional expenses incurred as a result of any court proceedings, the County Commission will take under consideration said expenses on an individual basis upon notification to them of such expenses by the Humane Society. This Agreement will be in effect beginning this date and continue through June 30, 2005. Either party may terminate this Agreement upon thirty (30) days written notification. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and passed, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to EXECUTE the Federal Annual Certification Report being submitted by the Wood County Prosecuting Attorney's Office. The aforementioned report is being submitted to the U.S. Department of Justice/ACA Program in Washington, D.C. and to the U.S. Department of the Treasury, Executive Office for Asset Forfeiture. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Rick Modesitt and passed, did hereby AUTHORIZE Rick Modesitt in his official capacity as President and on behalf of the County Commission, to EXECUTE the Request for

Reimbursement in regard to the Enforcing the Underage Drinking Laws Program Grant Number 02-UD-110. Expenditures in the amount of two thousand five hundred seventy-four dollars and 00/100ths cents (\$2,574.00) were incurred during the month of July, 2004. In addition to the Request for Reimbursement; the Monthly Report; the Project Director's Monthly Report; the Financial Recap; the Daily Time Records of the Program Director, Kelly Shook; the Project Director's Monthly Report; the Monthly Supervisor's Report; the Monthly Demographic Report; and the Project Financial Report are being submitted to the Division of Criminal Justice Services, Charleston, West Virginia. Documentation pertaining to the Enforcing the Underage Drinking Laws Program Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by Robert K. Tebay, seconded by K.D. Merritt and made unanimous by Rick Modesitt, did hereby COMMIT the amount of twenty thousand dollars and 00/100ths cents (\$20,000.00) to the Wood County Port Authority for the purpose of securing funding from the United States Army Corps of Engineers to further the advancement of the proposed Erickson Port Site. As stated in the letter of request from Merrill O'Shea, member of the West Virginia Port Authority, funding is not immediately required. The aforementioned amount will not be drawn down until needed. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Rick Modesitt and passed, did hereby give APPROVAL to the request from S.F. Greiner, Sheriff of Wood County, to place the Wood County Sheriff's Department canine dog "Copper" on retirement and the ownership be given to Captain Mike Shook of the Wood County Sheriff's Department. An Order was prepared regarding this matter.

Mary R. Rader, Director of the Wood County Planning Commission, presented to the County Commission of Wood County a plat of Phase III, Section IV of Westwood Subdivision. The said Phase III, Section IV of Westwood Subdivision is being developed by Westwood Land Company, is located in Lubeck Taxing District, and consists of five (5) lots. Water facilities to serve the said Subdivision are being provided by the Lubeck Public Service District; sewage facilities are being provided by the City of Parkersburg; and all other utilities are being provided by the respective utility company. A sedimentation and erosion control plan has been approved by the Division of Environmental Protection for the issuance of an NPDES (National Pollutant Discharge Elimination System) Permit; and a homeowners' association has been prepared for the maintenance and upkeep of the improvements. Westwood Drive and Harper Drive have been completed that provide access to the aforementioned Phase III, Section IV of Westwood Subdivision; therefore, a bond is not required. Following review, the County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Rick Modesitt and passed, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to EXECUTE the aforementioned plat for recordation in the Office of the Clerk of the County Commission of Wood County. Commissioner Robert K. Tebay abstained from voting. An Order was prepared regarding this matter.

Duane E. Jones, Assistant Director of Wood County Emergency Services/E-9-1-1, presented to the County Commission of Wood County, a New Road Name Request Form from Steve Husk, to name the road that provides access to residences. The said Request does not interfere with the scheduled readdressing and mapping for the E-9-1-1 Master Street Addressing Guide. Mr. Husk, along with resident Jay D. Richards, requested the road be named RICHARDS ROAD. The road to be known as RICHARDS ROAD is located three (3) miles out



Laurel Creek Road, turn left on Dodril Drive in Union Taxing District, Tax Map 480, Parcel Number 000B. The request by Mr. Husk 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 County Commission does hereby find that the said request, made in writing, by Mr. Husk, and the approval from the Wood County Emergency Services/E-9-1-1, is in proper form and is hereby ORDERED to be filed. NOW, THEREFORE, the County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, does hereby ORDER that the aforementioned road be named RICHARDS ROAD. The County Commission does further ORDER that a copy of the ORDER, along with the New Road Name Request Form, be certified by the Clerk of the County Commission for entry in the Office, of the Clerk of the County Commission. An Order was prepared regarding this matter.

The County Commission of Wood County was presented a New Road Name Request Form from Terry A. Darling, to name the road that provides access to his residence. The said Request does not interfere with the scheduled readdressing and mapping for the E-9-1-1 Master Street Addressing Guide. Terry A. Darling requested that the road be named SHADOWOOD LANE. The road to be known as SHADOWOOD LANE is located on Stillwell Road, Route 26, 3/10 mile off Route 47 on the left in Clay Taxing District, Tax Map 330, Parcel Numbers 000D. The request by Terry A. Darling 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 County Commission does hereby find that the said request, made in writing, by Terry A. Darling, and the approval from the Wood County Emergency Services/E-9-1-1, is in proper form and is hereby ORDERED to be filed. NOW, THEREFORE, the County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, does hereby ORDER that the aforementioned road be named SHADOWOOD LANE. The County Commission does further ORDER that a copy of the ORDER, along with the New Road Name Request Form, be certified by the Clerk of the County Commission for entry in the Office of the Clerk of the County Commission. An Order was prepared regarding this matter.

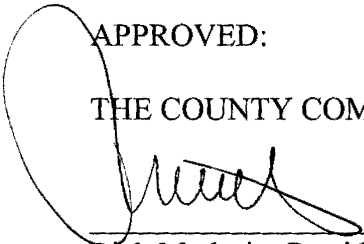
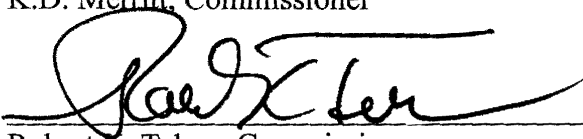
Duane E. Jones, Assistant Director of Wood County Emergency Services/E-9-1-1, presented to the County Commission of Wood County, a New Road Name Request Form from Michael E. Taylor and Kelley D. Taylor, to name the road that provides access to residences. The said Request does not interfere with the scheduled readdressing and mapping for the E-9-1-1 Master Street Addressing Guide. Michael E. Taylor and Kelley D. Taylor, along with residents Ercie Seebaugh and Perry Simon, requested the road be named SIMON LANE. The road to be known as SIMON LANE is located on Route 68 South three (3) miles on left just past Lubeck Tire and Simons Garage in Lubeck Taxing District, Tax Map 340, Parcel Number 000D. The request by Michael E. Taylor and Kelley D. Taylor 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 County Commission does hereby find that the said request, made in

writing, by Michael E. Taylor and Kelley D. Taylor, and the approval from the Wood County Emergency Services/E-9-1-1, is in proper form and is hereby ORDERED to be filed. NOW, THEREFORE, the County Commission of Wood County, upon a motion made by K.D. Merritt, seconded by Robert K. Tebay and made unanimous by Rick Modesitt, does hereby ORDER that the aforementioned road be named SIMON LANE. The County Commission does further ORDER that a copy of the ORDER, along with the New Road Name Request Form, be certified by the Clerk of the County Commission for entry in the Office of the Clerk of the County Commission. An Order was prepared regarding this matter.

Having no further scheduled appointments or business to attend to, the County Commission adjourned at 12:20 P.M.

APPROVED:

THE COUNTY COMMISSION OF WOOD COUNTY

  
Rick Modesitt, President  
K.D. Merritt, Commissioner  
Robert K. Tebay, Commissioner

PURCHASE ORDERS APPROVED ON AUGUST 12, 2004

29895	Miller Communications	25.00
29905	Broadwaters Motorcar	125.81
29907	State Electric	26.25
29909	Valley Supply	53.72
29915	Johnstone Supply	22.20

29917	Workingman's Store	404.94
29927	State Electric Supply	507.40
29919	Newberry Hardware	3.98
29929	Gall's Inc.	347.97
29931	Goodyear Service Stores	433.74
29933	Casto & Harris	412.00
31890	Assurance Business Forms	231.13
31950	Glottelty Enterprises	36.95
31954	Speedwell-Rockwood Corp.	132.90
31968	State Electric Supply	44.83
31970	Batteries Direct	122.79
31972	Decatur Electronics	47.00
31974	Sam's Club	46.24
31980	Parks Hardware & Supply	10.74
31982	Runyon Lock Service	7.50
31984	Parkersburg Office Supply	65.39
31988	Parkersburg Office Supply	35.33
31990	Broadwaters Motorcar	73.47

To listen to this meeting, please refer to Tape #404 and Tape #405.

ab

August 12, 2004

1. R WOODWARD WCD
2. GF PARSONS WCD
3. Dorian Williams Wood County Pros. Off.
4. Toni Triand TKA
5. Erin Lentz Wood County Pros. Office
6. Tim Moore PARADISE GRILLE
7. DAVE UNDERWOOD City of Vienna
8. Robert Candee
9. BLAINE MYERS CITY OF WILLIAMSTOWN
- 10.

A.  
**COPY**

AUGUST 12, 2004

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: Annexation of property by minor boundary adjustment  
Williams District, Wood County, West Virginia

ORDER

On the 12th day of August, 2004, this proceeding came on for hearing before the County Commission of Wood County, West Virginia, and this day came the Petitioner, the City of Williamstown, a municipal corporation, by C. Blaine Myers, City Attorney.

In view of the Findings of Fact made herein on August 12, 2004, this Commission accordingly concludes that the Petition herein is in proper form, that the area proposed to be annexed is a proper subject for annexation by minor boundary adjustment, and all the statutory requirements prerequisite to the granting of said Petition have been met. It is therefore,

**ORDERED** that the following described property, formerly situate in Williams District, Wood County, West Virginia, be and the same is hereby annexed, by minor boundary adjustment, to the City of Williamstown, and accordingly the corporate limits of the City of Williamstown be and the same are hereby changed by virtue of said annexation to include said property described as follows:

Being a parcel of land situate in Williams District, Wood County, West Virginia, designated as Map 70, Parcel 8, upon the tax maps of said Williams District, more particularly described as follows:

FIRST TRACT

BEGINNING at a pipe set in concrete corner to Woodland Avenue, Beeson Street and Crystal Heights Subdivision, with line of said subdivision; thence N. 52° 43' 35" W. 128.155 feet to a #5 rebar set, the point of true beginning; thence N. 53° 03' 47" W. 156.475 feet to a #5 rebar set, leaving line of said subdivision, thence N. 32° 52' 05" E. 469.212 feet to a #5 rebar set corner to line of David Armstrong, DB 748/738 and DB 763/749 with the line of Armstrong, thence S. 52° 46' 33" E. 228.823 feet to a #5 rebar set, leaving line of Armstrong; thence S. 33° 00' 29" W. 468.104 feet to point of true beginning, containing 2.448 acres.

SECOND TRACT

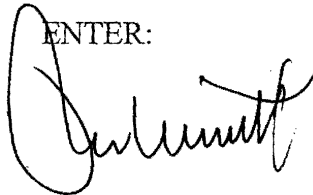
A thirty foot right of way to a 2.44 acre parcel of land from Beeson Street, more particularly described as follows:

BEGINNING at a pipe found set in concrete corner to Woodland Avenue, Beeson Street and Crystal Heights Subdivision, with line of said subdivision; thence N. 52° 43' 35" W. 128.155 feet to a #5 rebar set, leaving said subdivision; thence N. 33° 00' 29" E. 30.00 feet to a point, thence S. 52° 43' 35" E. 133.692 feet to a point corner to Beeson Street, with said street, thence S. 42° 54' 36" W. 32.11 feet to point of beginning.

A plat of said property for the purposes of this Order of Annexation is attached hereto and incorporated herein by reference.

Dated this 12th day of August, 2004.

ENTER:

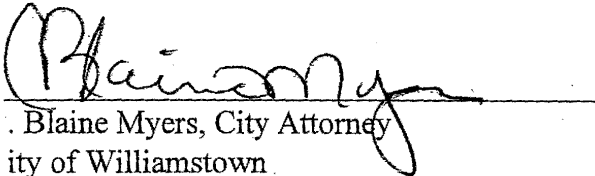


\_\_\_\_\_  
County Commission of Wood County

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

President

PREPARED BY:



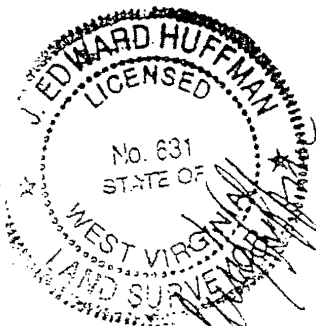
Blaine Myers, City Attorney  
City of Williamstown

SURVEY FOR ROBERT E. MAYO & LINDA MEYERS DB 852 / P 483 STATE OF WEST VIRGINIA, COUNTY  
 WOOD DISTRICT OF WILLIAMS  
 SURVEY B J. EDWARD HUFFMAN. WVPS #631 PH 304-485-4707

LINE	DIRECTION	DISTANCE
L1	S 42°54'36" W	32.110
L2	N 52°17'37" W	71.000
L3	S 52°17'37" E	71.000
L4	N 52°47'29" W	70.923
L5	S 33°00'29" W	30.000
L6	S 52°33'04" E	13.538
L7	S 37°18'30" W	30.321

Scale 1" = 80 160 240 320

DAVID ARMSTRONG 748/729 : 763/749



REAR (F)

REAR (F)

REAR (F)

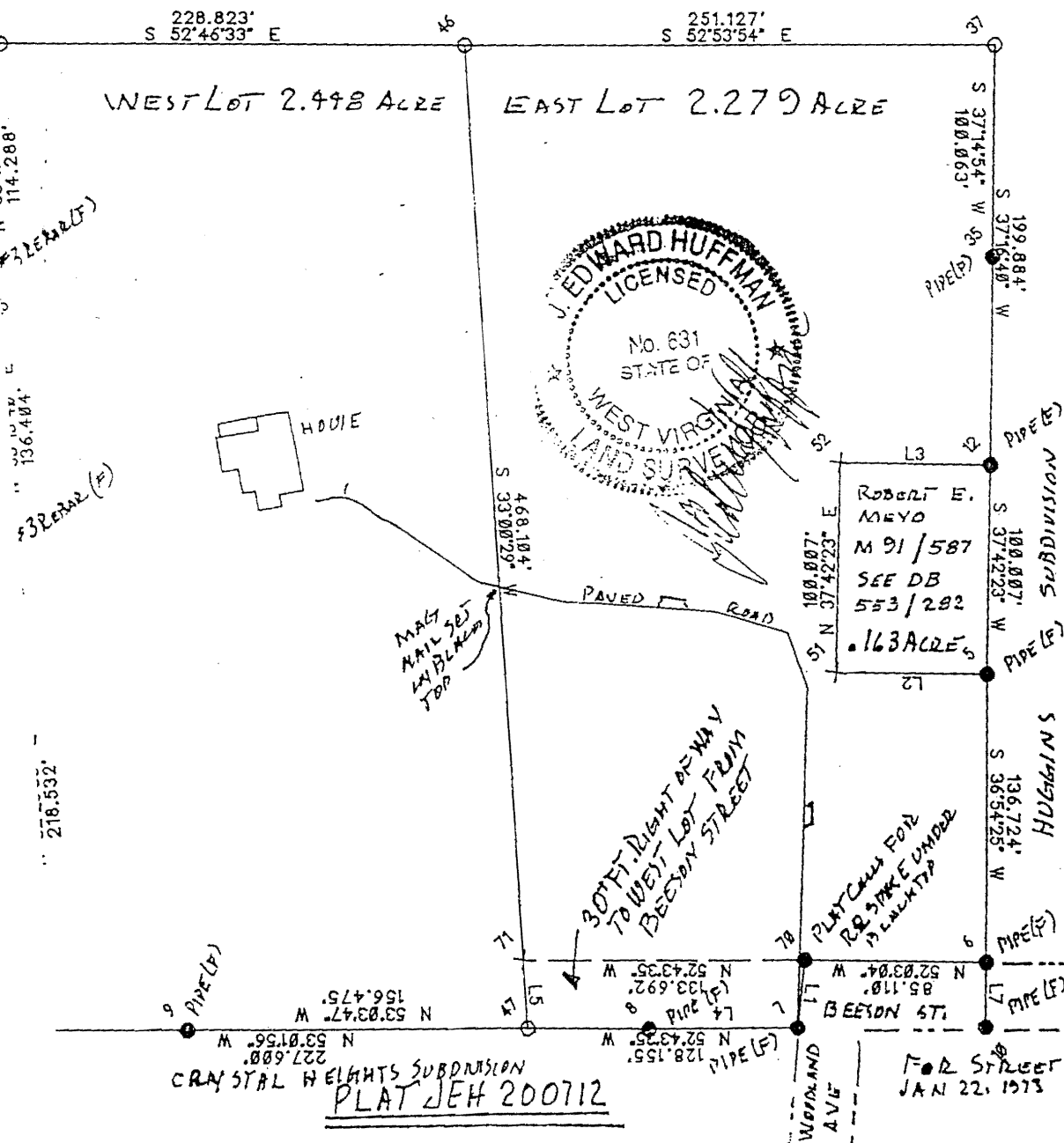
216.532'

PIPE (F)

CRYSTAL HEIGHTS SUBDIVISION  
PLAT JEH 200712

PLAYERS FOR  
RE-SURVEY UNDER  
PLAT 177

FOR STREET SEE PLAT  
JAN 22, 1973 PAUL H. MARSHALL





IN THE COUNTY COMMISSION  
OF WOOD COUNTY, WEST VIRGINIA

COPY

In Re: Petition for Annexation  
By Minor Boundary Adjustment  
City of Vienna, a municipal corporation

ORDER

This 12<sup>th</sup> day of August, 2004, came the City of Vienna, a municipal corporation, the Petitioner herein, by David G. Underwood, its attorney, for hearing upon the Petition for Annexation by minor boundary adjustment heretofore filed and scheduled for hearing this day.

WHEREUPON, Counsel for the Petitioner tendered unto the Commission and asked leave to file the Affidavit of Publication evidencing the publishing of the Notice of Hearing as required by West Virginia Code 8-6-5(e), as amended, which Affidavit is hereby deemed proper in all respects and is hereby ORDERED FILED; and

WHEREUPON, Counsel for the Petitioner tendered unto the Commission and asked leave to file the Affidavit of Duane Fluty, attesting to the posting of Notice of Hearing within the area proposed to be annexed, which Affidavit, being deemed proper in all respects is hereby ORDERED FILED; and

WHEREUPON, the Commission having reviewed the Petition and the exhibit attached hereto and upon further consideration of the evidence presented and the representations of counsel for the Petitioner, the Commission does hereby make the following Findings of Facts, to-wit:

1. The Notice of Hearing as required by West Virginia Code 8-6-5(e), as amended, has been properly published according to law and has been prominently posted at not less than five (5) public places within the area proposed to be annexed.

2. The area proposed to be annexed is contiguous to the corporate limits of the Petitioner.
3. No persons have appeared this day in opposition to the Petition.
4. The area proposed to be annexed is owned in fee simple by ROBERT PARRISH and JUDITH PARRISH.
5. No persons reside within or otherwise use or occupy the area sought to be annexed, except that the property will be used as a public restaurant in the future.
6. An accurate map showing the metes and bounds of the area sought to be annexed is attached to the Petition and is made a part of the record herein.
7. No streets or highways are located within the area sought to be annexed except as may be shown upon the map attached to the Petition.
8. The area sought to be annexed is wholly within the County of Wood and no other municipality has made application to annex the same.
9. The proposed annexation is in the best interest of the County of Wood as a whole.
10. Each and every statement and allegation contained in the Petition is hereby found to be accurate and truthful.

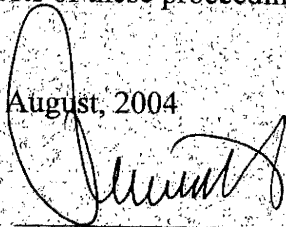
ACCORDINGLY, and based upon the Findings of Fact herein above set forth, it is duly CONCLUDED that --

1. The area proposed to be annexed is hereby deemed a proper subject for annexation by minor boundary adjustment by the Petitioner in accordance with West Virginia Code 8-6-1, et seq., as amended, in all respects.
2. All requirements as to publication and posting have been fully and lawfully satisfied.
3. The best interest of the Petitioner and the County of Wood shall be better served by granting the relief prayed for in the Petition.


ACCORDINGLY, it is hereby ORDERED that the area described in the Petition and further described in the map attached to this Order is, and the same is hereby

annexed by minor boundary adjustment and incorporated into the corporate limits of the  
Petitioner. Petitioner shall pay all costs of these proceedings.

Enter this 12<sup>th</sup> day of August, 2004



Commissioner



Commissioner

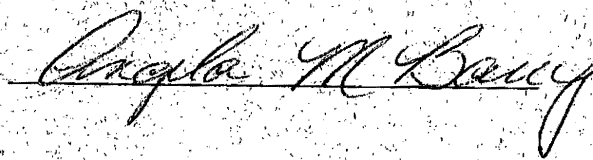
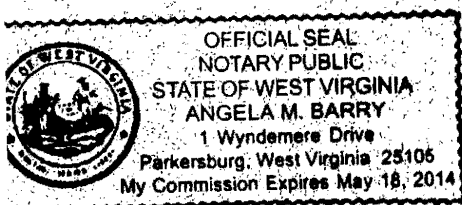


Commissioner

STATE OF WV  
COUNTY OF WOOD

The foregoing instrument was acknowledged before me this 12th day  
of August, 2004 by Rick Modesitt, K.D. Merritt and Robert K. Tebay.

My Commission expires May 18, 2014.



ROBERT PARRISH

NOTE: DISTRICT OF PARKERSBURG, COUNTY  
OF WOOD, STATE OF WEST VIRGINIA

C: A PORTION OF A 2.829 ACRE TRACT  
LOCATED IN PARKERSBURG DISTRICT,  
REFERENCE: DEED BOOK 1061, PAGE 758

PR: ROBERT AND JUDITH PARRISH  
DEED BOOK 1061, PAGE 758

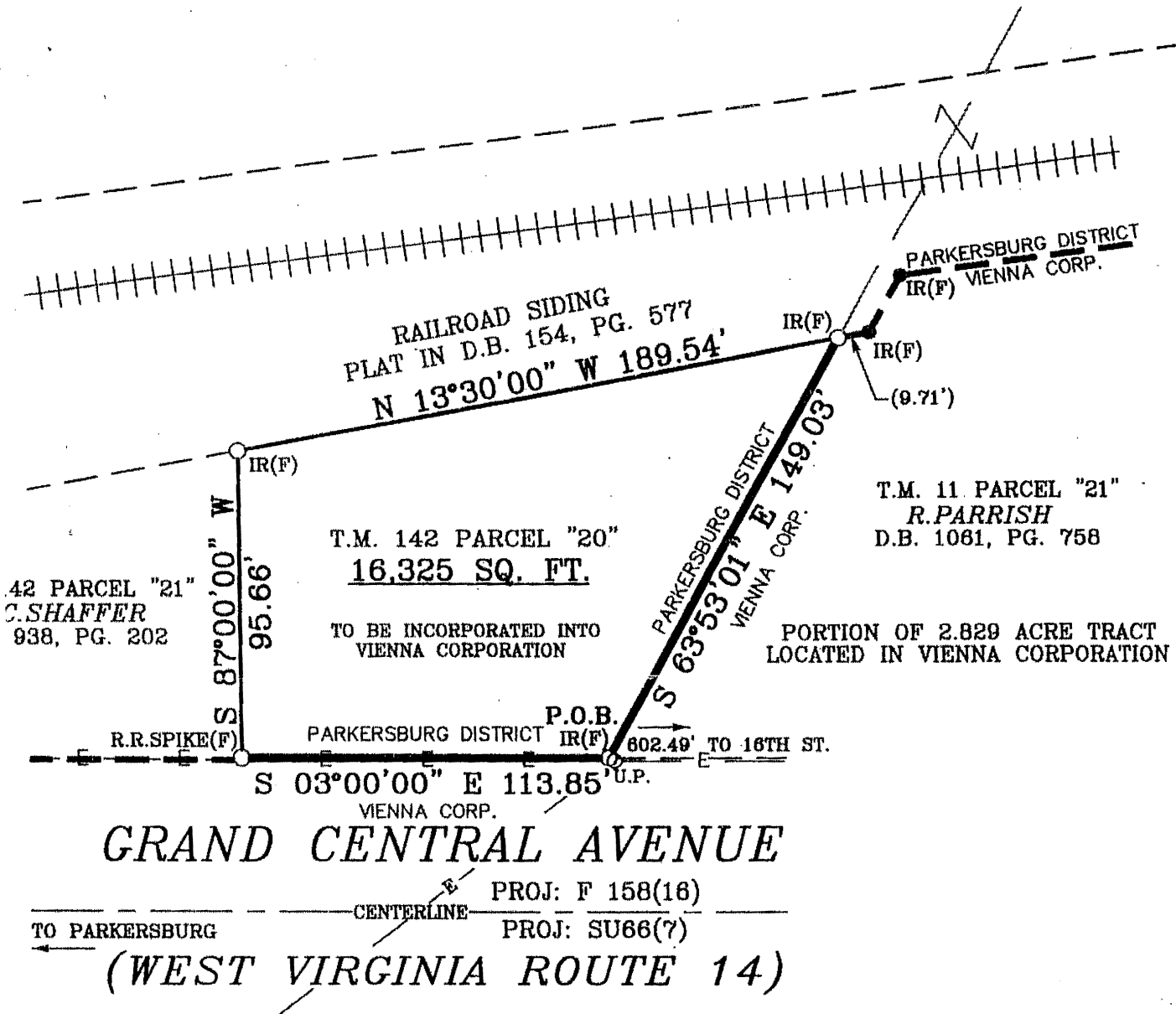
DEED BOOK 951, PAGE 956  
PLAT IN DEED BOOK 1061, PAGE 759

**PROPERTY MAP**

GRAND CENTRAL AVENUE  
VIENNA, WEST VIRGINIA



BEARING REF: PLAT OF PAUL GRIMM PROPERTY  
IN P.B. 16, PG. 32



APPROVED: CITY OF VIENNA

DATE:

DATE:

DATE:



**LEGEND**

R.R. SPIKE(F) — RAILROAD SPIKE (FOUND)