

RONALD CHARLES TAVENNER
and
JOANNE P. TAVENNER, his wife

TO: DEED

JESSE A. CLINE
and
CASEY M. CLINE, his wife

THIS DEED, Made this 17th day of December, 2013, by and between Ronald Charles Tavenner and Joanne P. Tavenner, his wife, grantors, parties of the first part, and Jesse A. Cline and Casey M. Cline, his wife, grantees, parties of the second part,

WITNESSETH: That for and in consideration of the sum of Ten Dollars (\$ 10.00), cash in hand paid, receipt whereof being hereby acknowledged, and other good and valuable consideration deemed valid at law, the said parties of the first part do, by these presents, grant and convey unto the said parties of the second part as joint tenants with full rights of survivorship as hereinafter enumerated, with covenants of General Warranty of Title and to be free and clear of all liens and encumbrances, all that certain tract or parcel of land originally containing 30.10 acres, but by recent survey found to contain 47.02 acres, more or less, located about 600' northeast of North River Highlands Road, about 2 miles west of Delray and about 4 miles northeast of Rio, against the southeast base of Short Mountain, lying in Sherman District, Hampshire County, West Virginia, and more particularly described by that certain Description of Survey and Plat of Survey prepared by Dick A. Heavner, Professional Surveyor, dated February 4, 2013. Said Description of Survey is attached hereto and made a part hereof for all pertinent and proper reasons, and said Plat of Survey shall be recorded prior to or contemporaneously with the recordation of this instrument in the Office of the Clerk of the County Commission of Hampshire County, West Virginia, and is by reference made a part hereof for all pertinent and proper reasons. Said real estate is depicted on the 2013 Hampshire County Land Books as District 09 Tax Map 15 Parcel 4.

And being the same real estate which was conveyed unto Ronald Charles Tavenner and Joanne P. Tavenner, his wife, by deed of Carl E. Lupton and Eloise M. Lupton, his wife, and Loudoun L. Thompson and Jean L. Thompson, his wife, by deed dated October 17, 1973, and of record in the aforesaid Clerk's Office in Deed Book 204 at Page 233.

The following paragraphs appear in the deed of conveyance from Carl E. Lupton and Eloise M. Lupton, his wife, and Loudoun L. Thompson and Jean L. Thompson, his wife, unto Ronald Charles Tavenner and Joanne P. Tavenner, his wife, by deed dated October 17, 1973, and of record in the aforesaid Clerk's Office in Deed Book 204 at Page 233, and for the aforesaid consideration, the grantors do grant and convey unto the grantees herein, the following:

"For the consideration hereinbefore set forth the Grantors also grant and convey unto the Grantees all of their right, title and interest in and to that certain right of way granted unto the said Carl E. Lupton by Right of Way Agreement dated October 2, 1961, executed by Lemuel C. Combs, et als, and duly recorded in the aforementioned Clerk's Office in Deed Book No. 156, at Page 19, wherein said right of way is more particularly described as follows:

KEATON,
FRAZER,
& MILLESON,
PLLC
ATTORNEYS AT LAW

"...a right of way approximately three-fourths of a mile in length over and across the said grantor's farm, situate in Sherman District, Hampshire County, West Virginia, to be used as a means of ingress and egress, from the public road which leads from the County Road to James Meadows' farm to the tract or parcel of land containing 30 acres, more or less, and now owned by the said Grantee, party of the second part. The right of way is to begin at the gate located at the dwelling in which the Grantors now live, thence to follow the existing road, as far as practical, approximately three-fourths of a mile, thence said right of way is to leave said road bearing to the right and continuing approximately 300 yards to the said 30 acre tract now belonging to Carl E. Lupton.

"The parties hereto, covenant and agree that said right of way is to be 15 feet in width.

"It is further covenanted and agreed between the parties hereto that the said Grantors may continue to maintain the present gates across said right of way and the Grantee agrees to keep said gates closed when requested to do so by the Grantors.

"It is further agreed and covenanted between the parties hereto that the Grantee will assist and help the Grantors maintain and repair the road over which said right of way is granted only during those times and periods when the Grantee is hauling and transporting pulpwood and timber over said right of way.

"It is further covenanted and agreed between the parties hereto that the Grantee, party of the second part, shall not be required to build or construct any fences upon one or both sides of said right of way, however, if the Grantors desire that a fence be erected along said right of way on either one or both sides thereof, this shall be done at their own cost and expense and they will repair and maintain same."

This conveyance is made unto the said parties of the second part as joint tenants with full rights of survivorship, which is to say, should Jesse A. Cline predecease his wife, Casey M. Cline, then the entire full fee simple title in and to said real estate shall vest solely in Casey M. Cline; and should Casey M. Cline predecease her husband, Jesse A. Cline, then the entire full fee simple title in and to said real estate shall vest solely in Jesse A. Cline.


Although the real estate taxes may be prorated between the parties as of the day of closing for the current tax year, the grantees agree to assume and be solely responsible for the real estate taxes beginning with the calendar year 2014, although same may still be assessed in the names of the grantors.

TO HAVE AND TO HOLD the aforesaid real estate unto the said grantees, together with all rights, ways, buildings, houses, improvements, easements, timbers, waters, minerals and mineral rights, and all other appurtenances thereunto belonging, in fee simple forever.

We hereby certify, under penalties as prescribed by law, that the actual consideration paid for the real estate is \$118,000.00. The grantors affirm that they are non-residents of the State of West Virginia and are subject to the "withholding tax on West Virginia source income of nonresidents" pursuant to West Virginia Code § 11-21-71b.

WITNESS the following signatures and seals:


Ronald Charles Tavenner (SEAL)


Joanne P. Tavenner (SEAL)

KEATON,
FRAZER,
& MILLESON,
PLLC
ATTORNEYS AT LAW
100 E. MAIN STREET

STATE OF WEST VIRGINIA,
COUNTY OF HAMPSHIRE, TO WIT:

I, MARY FRANCES HEISHMAN, a Notary Public, in and for the county and state aforesaid, do hereby certify that Ronald Charles Tavenner and Joanne P. Tavenner, his wife, whose names are signed and affixed to the foregoing deed dated the 17th day of December, 2013, have each this day acknowledged the same before me in my said county and state.

Given under my hand and Notarial Seal this 17th day of December, 2013



Mary Frances Heishman
Notary Public

This instrument was prepared by
W. Joseph Milleson, Jr., Attorney at Law,
Keaton, Frazer & Milleson, PLLC,
56 E. Main St., Romney, WV 26757

**DESCRIPTION OF SURVEY
FOR
RONALD CHARLES TAVENNER AND JOANNE P. TAVENNER**

47.02 ACRES

A tract or parcel of land located about 600' northeast of North River Highlands Road, about 2 miles west of Delray and about 4 miles northeast of Rio, against the southeast base of Short Mountain, lying in Sherman District of Hampshire County, West Virginia and more particularly described as follows:

Beginning at a 3" X 4" planted stone found on a flat, being in or near a line of Tract 4 of Shack's Forest Subdivision, (Map Book 8, Page 135), and a corner between this land and Lot 5 of Paul's Woods Subdivision, (Map Book 5, Page 120), thence leaving Paul's Woods Subdivision and running with the line between this land and Shack's Forest Subdivision

S 25° 23' 43" W 512.21' to a 5" X 12" stone found on the northwest side of a 6" X 7" double gum tree marked as a pointer, (stone found fallen over and reset by me), on the northwest side of a drain, being in or near said line of Shack's Forest Subdivision, and a corner between this land and Lot 36 of North River Highlands Subdivision, thence leaving Shack's Forest Subdivision and running with the line between this land and Lots 36 through 21 of North River Highlands Subdivision

N 72° 55' 08" W, at 126.46' passing 0.43' left of a 5/8" rebar found, at 267.41' passing 0.46' left of a 5/8" rebar found, at 411.58' passing 0.39' left of a 5/8" rebar found, at 556.63' passing 0.27' left of a 5/8" rebar found, at 711.86' passing 0.21' left of a 5/8" rebar found, at 884.93' passing 0.97' right of a 5/8" rebar found, at 1075.26' passing 0.35' left of a 5/8" rebar found, at 1269.27' passing 0.28' left of a 5/8" rebar found, at 1458.23' passing 0.18' left of a 5/8" rebar found, at 1643.71' passing 0.28' left of a 5/8" rebar found, at 1827.53' passing 0.24' left of a 5/8" rebar found, at 2008.73' passing 0.16' left of a 5/8" rebar found, at 2199.63' passing 2.16' left of a 5/8" rebar found, at 2361.74' passing 0.08' left of a 5/8" rebar found, at 2524.40' passing 20.13' left of a 5/8" rebar found, in all 2930.31' to a stone in a stone pile found on a north slope, being in or near a line of the State of West Virginia, (Short Mountain WMA, Deed Book 110, Page 503), and a corner between this land and Lot 21 of North River Highlands Subdivision, thence leaving North River Highlands Subdivision and running with the line between this land and the State of West Virginia

N 26° 30' 44" E 906.30' to a stone in a stone pile found on the east side of a ridge, being in or near said line of the State of West Virginia, and a corner between this land and Lot 25 of said Paul's Woods Subdivision, thence leaving the State of west Virginia and running with the line between this land and Lots 25, 23, 21, 19, 17, 15, 13, 11, 9, 7, 6, and 5 of Paul's Woods Subdivision

S 65° 11' 51" E, at 300.80' passing 0.43' right of a 5/8" rebar found, at 498.89' passing 0.68' right of a 5/8" rebar found, at 699.89' passing 0.13' left of a 5/8" rebar found, at 894.46' passing 0.14' right of a 5/8" rebar found, at 1099.71' passing 0.05' left of a 5/8" rebar found, at 1341.71' passing 0.08' right of a 5/8" rebar found, at 1591.60' passing 0.11' left of a 5/8" rebar found, at 1842.01' passing a 5/8" rebar found, at 2096.95' passing 0.08' right of a 5/8" rebar found, at 2347.86' passing 0.51' right of a 3" X 3" concrete monument found, at 2596.41' passing 0.16' right of a 3" X 3" concrete monument found, in all 2882.01' to the beginning containing 47.02 acres, more or less, as surveyed in December, 2012, by Dick A. Heavner and as shown on a plat to be furnished with this description and made a part thereof and being the same land conveyed from Carl E. Lupton and Eloise M. Lupton, and Loudoun L. Thompson and Jean L. Thompson to Ronald Charles Tavenner and Joanne P. Tavenner by deed dated October 17, 1973 and recorded in the office of the Clerk of Hampshire County, West Virginia in Deed Book 204 at Page 233.



Dick A. Heavner
Feb. 4, 2013

ERIC G. STRAIN
HAMPSHIRE COUNTY 09-16-12
Instrument No. EC3984
Date Recorded 12/17/2013
Document Type DEED
Pages Recorded 3
Book-Page 501-530
Recording Fee \$11.00
Transfer Tax \$519.20
HM451 Tax \$259.60
TOTAL FEE \$810.80