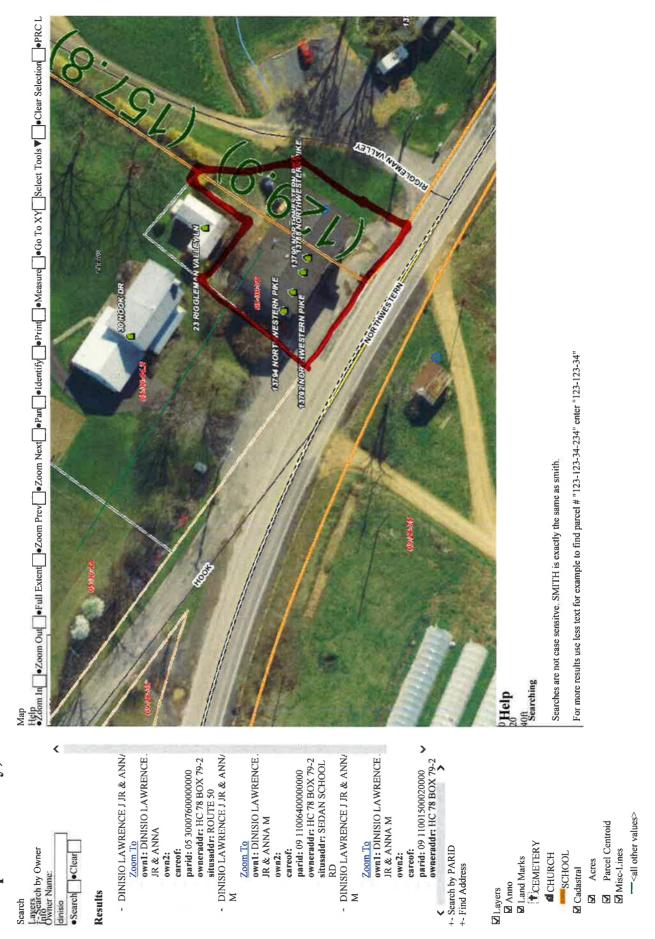
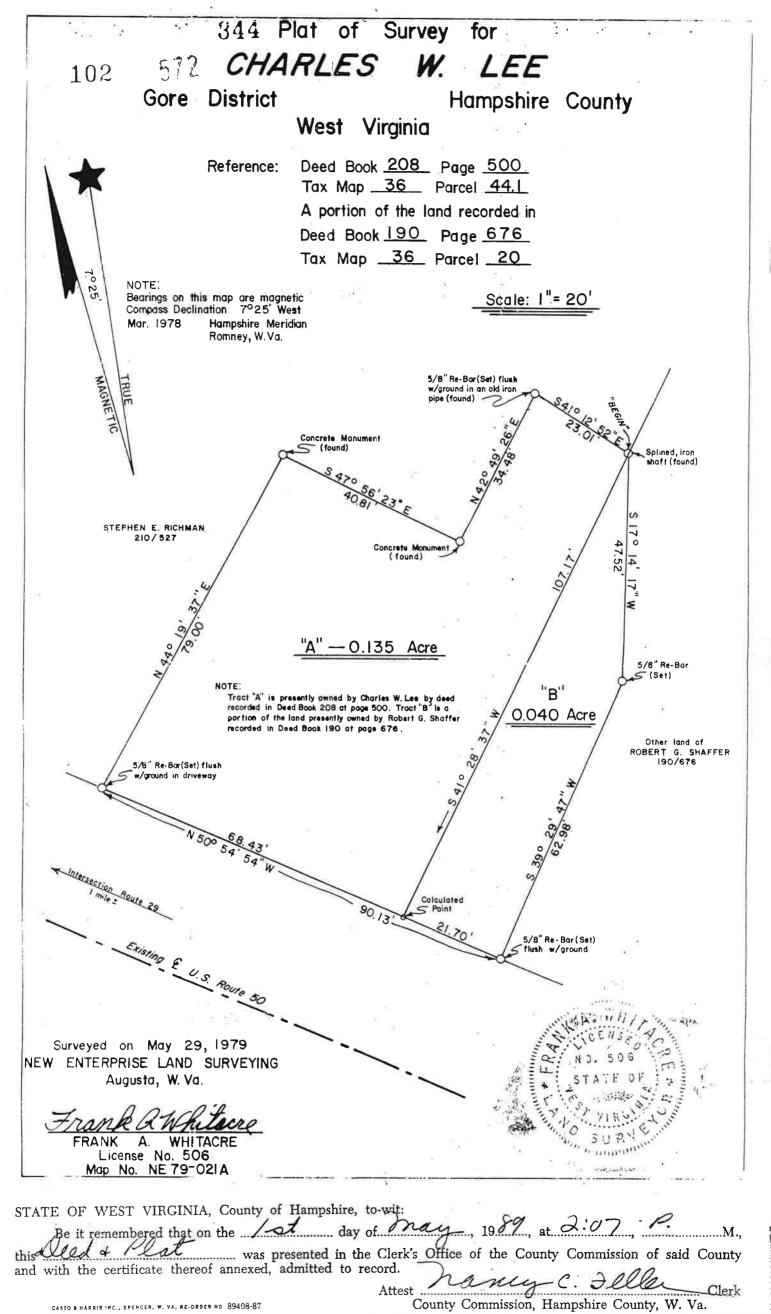
Page 1 of 1 Hampshire County, WV

Hampshire County, WV





CASTO & HARRIS INC., SPENCER, W. VA. RE-ORDER NO. 89408-87

Surveyor, License No. 506, by metes and bounds as follows:

IIII

Beginning at a splined, iron shaft (found) corner to the land of Stephen Richman, Charles W. Lee and in a line of the land of Robert W. Shaffer, thence with the following new lines of division through the land of Robert W. Shaffer, S. 17 14 17 W. 47.52' to a 5/8" Rebar (set), S. 39 29 47 W. 62.98 feet to a 5/8" Re-Bar (set), flush with the ground in the right of way of U.S. Route 50, thence with said right of way, N. 50 54 54 W. 21.70' to a calculated point in the aforesaid right of way calculated point in the aforesaid right of way, corner to the land of Charles W. Lee, thence with the land of Charles W. Lee, N. 41 28 37 E. 107.17 feet to the beginning, containing 0.040 acres, more or less.

The real estate herein conveyed is the same real estate that was conveyed unto the Grantor herein by deed of Stephen W. Moreland, trustee, dated the 7th day of March, 1994, and of record in the Office of the Clerk of the County Commission of Hampshire County, West Virginia in Deed Book No. 350 at Page 417. This deed and the deeds and other documents therein referred to are incorporated herein by reference for all proper and pertinent reasons.

There is contained in prior deeds in the chain of title certain rights and reservations in regard to "Well Rights" and "Asphalt Cap Surface Area". The language concerning said rights and reservations first appears in that certain deed from Wilbert M. Frye, Grantor, to Jonathan R. Tutwiler, et ux, Grantees, dated the 27th day of March, 1963 and of record in the aforesaid Clerk's Office in Deed Book No. 157 at For the consideration aforesaid, the Grantor herein does hereby grant unto the Grantees, their heirs and assigns, all of their right, title and interest in regard to the "Well Rights" and "Asphalt Cap Surface Area", subject to the lawful rights of other parties as set forth in prior deeds. These rights and reservations have been described in prior deeds as follows:

"WELL RIGHTS: The Grantee, and his assigns, are also to have the right to use that certain well which is presently furnishing water for the premises herein conveyed, the well being located about 100 feet West of the property herein conveyed near the highway, together with the right to lay, repair, maintain and reinstall, if necessary, water lines to the same at the location of the existing This right to use the well shall not be lines. exclusive, however, as the grantors also reserve, for themselves, their heirs and assigns, the right to obtain water from the same well for the benefit and use of their remaining lands known as the Wilbert Frye property, together with the residence thereon. However, it is understood that the grantors and grantee shall jointly be equally

ORELAND & MORELAND ATTORNEYS AT LAW 92 E. MAIN STREET ROMNEY, WV 26757

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responsible for maintaining the well."

"ASPHALT CAP SURFACE AREA: The grantee, his heirs and assigns, also shall have the right and privilege to use that certain asphalt capped capped surface area as it is now presently located, lying in front of the former Wilbert M. Frye's residence, as a means of ingress and egress from the highway U. S. Route 50, to the property herein conveyed; also, for the purpose of locating underground storage tanks at the sites where they are presently located, and also for parking for customers of the grantee's store and service station in the usual and normal course of business. The right to use this asphalt capped surface area shall not be exclusive, but the grantors herein, their heirs and assigns, also reserve the right to use the same in the usual and normal manner as a means of ingress and egress to their property and for reasonable parking uses for their remaining property. The grantee in this deed, and also the grantors, shall have the right to repair and maintain said area, but neither party shall be required to do the same except within their own discretion."

The real estate herein conveyed is further subject to the reservation contained in that certain deed from Robert G. Shaffer, et ux to Charles W. Lee, of record in the aforesaid Clerk's Office in Deed Book No. 237 at page 341, of a 10 foot easement and right of way over the .040 acre tract therein conveyed to be used as a means of ingress and egress to the remaining lands of Robert G. Shaffer, et ux.

The real estate herein conveyed is subject to any other rights, ways, easements, restrictions or reservations which may affect the same and which are of record in the aforesaid Clerk's Office.

It is the purpose and the intention of this deed and the same is hereby accepted by the Grantees that the real estate is conveyed unto them AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP, which is to say that should one of the Grantees herein predecease the other, then the entire fee simple title in and to said real estate shall vest solely in the survivor.

Although the real estate taxes may be prorated between the parties hereto as of the date of closing, the Grantor agrees to assume and be solely responsible for the real estate taxes on the subject real estate for the calendar year 1994 and the Grantees agree to assume and be solely responsible for the real estate taxes on the subject real estate beginning with the calendar year 1995.

TO HAVE AND TO HOLD the real estate herein conveyed together with any and all rights, ways, easements and appurtenances thereunto belonging unto the said LAWRENCE J. DiNISIO, JR. and ANNA DINISIO,

10RELAND & MORELAND ATTORNEYS AT LAW 92 E. MAIN STREET ROMNEY, WV 26757 husband and wife, AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP AND NOT AS TENANTS IN COMMON, their heirs and assigns, in fee simple forever.

WITNESS the following signatures and seals:

THE BANK OF ROMNEY, a Banking corporation

By: Jawlence Its President

(SEAL)

ATTEST:

Its Secretary

(CORPORATE SEAL)





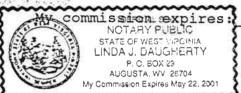


STATE OF West Virginia

COUNTY OF Hampshire , TO WIT:

The foregoing deed was acknowledged before me this <u>6th</u> day of <u>February</u>, 1995, by <u>Lawrence E. Foley</u>, <u>President</u>

(title), of THE BANK OF ROMNEY, for and on behalf of said Bank.



May 22, 2001

NOTARY PUBLIC

DECLARATION OF CONSIDERATION

Under the penalties as provided by law, the undersigned, on behalf of the Grantor, does hereby declare that the total consideration paid for the property transferred by the document to which this declaration is appended is $\frac{50,000.00}{}$.



Given under my hand this 6th day of February, 1995.

THE BANK OF ROMNEY,

a Banking Corporation

Thomas L. Williams, Jr. Vice President and Cashier

This deed was prepared by STEPHEN W. MORELAND, of MORELAND & MORELAND, Attorneys at Law, Old Bank of Romney Building, Romney, West Virginia, 26757, WITHOUT EXAMINATION OF TITLE OR REPORT.













MORELAND & MORELAND ATTORNEYS AT LAW 92E, MAIN STREET

STATE	OF WEST	VIRGINIA,	County of	Hampshir	e, to-wity	1	2	1	0	
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								Commission		County
and wit	h the certifi	cate thereof	annexed,	admitted to						
					Attest	11ar	rcy C.	Felle	r)	Clerk/
						Jounty Cor	nmission Ha	mnshire Coun	tv W	Va