

RALPH M. FETTER      BOOK 501 PAGE 61  
and  
AMY S. FETTER,  
formerly known as  
Amy S. Jackson,  
his wife  
TO: DEED  
JOHN R. GRIMSLEY and  
DIANA B. GRIMSLEY, his wife;  
and  
WILLIAM ZACHARY GRIMSLEY  
THIS DEED, Made this 20<sup>th</sup> day of  
June, 2011, by and between Ralph M.  
Fetter and Amy S. Fetter, formerly  
known as Amy S. Jackson, his wife,  
grantors, parties of the first part,  
and, John R. Grimsley and Diana B.  
Grimsley, his wife; and, William  
Zachary Grimsley, 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, the said parties of the first part do, by these presents, grant and convey unto the said John R. Grimsley and Diana B. Grimsley, his wife, a full undivided one-half interest as joint tenants with full rights of survivorship; and a one-half undivided interest unto William Zachary Grimsley; with John R. Grimsley and Diana B. Grimsley taking their respective one-half interest as tenants in common in relation to the one-half interest of William Zachary Grimsley, and with Covenants of General Warranty of Title, all that certain tract or parcel of real estate situate in Springfield District of Hampshire County, West Virginia, lying on the northwestern side of Orchard Point Road, a private road, approximately 1.4 miles northwest of the intersection of said Orchard Point Road and West Virginia County Numbered Route 5, known and designated as a part of Tract "C" of Orchard Point, containing 2.785 acres, more or less, upon that certain Description of Survey and Plat of Survey entitled "Plat of Survey for John R. and Diana B. Grimsley", as prepared by Richard L. Moreland, Professional Surveyor, dated May 16, 2011. Said Description of Survey and Plat of Survey are attached hereto and made a part hereof for all pertinent and proper reasons, including a more particular description of the real estate herein conveyed. Said real estate is depicted on the 2011 Hampshire County Land Books as being a part of Tax Map 9 Parcel 186.

And being a portion of the same real estate conveyed unto Ralph M. Fetter and Amy S. Jackson, who is now known as Amy S. Fetter, his wife, by deed of Gregory T. Griffin and Anna J. Griffin, dated April 8, 2002,

and which said deed is of record in the Office of the Clerk of the County Commission of Hampshire County, West Virginia, in Deed Book No. 413, at page 318.

The property hereon described shall be merged into one property with the adjoining 24.00 acre parcel, known and designated as Tract "D" of Orchard Point, which is recorded in Deed Book 491 at Page 774, for the exclusive purpose of increasing the area of said parcel. The merged properties shall not be used or sold individually unless the prevailing county laws are complied with.

For the consideration aforesaid, the Grantors and parties of the first part grant and convey unto the Grantees, their heirs and assigns, a non-exclusive private right of way, across a now existing road leading from West Virginia Route 5 as shown on the plat of Orchard Point, same to be used as a means of ingress and egress.

The real estate is subject to the following restrictive covenants, which are covenants running with the land:

1. This lot shall be used for residential or recreational purposes only, and no commercial business shall be operated on this real estate.
2. No mobile homes shall be placed upon said real estate as a single family dwelling.

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 2011, 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, easements, improvements, timbers, waters, minerals and mineral rights, and any 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, conveyed by the foregoing and attached deed is \$11,140.00. And the grantors affirm that the grantors are exempt from the tax withholding requirements of WV Code § 11-21-71b, for the following reason: Transferors are residents of the State of West Virginia.

only  
applies  
to  
2.785  
acres

BOOK 501 PAGE 64  
DESCRIPTION OF SURVEY NO. 11-021-01  
2.785 Acres May 17, 2011

A part of Tract C, Orchard Point, in Springfield District, Hampshire County, West Virginia, lying on the northwestern side of Orchard Point Road, a private road, about 1.4 miles northwest of the intersection of said Orchard Point Road and West Virginia County Numbered Route 5, being more particularly described as follows:

Beginning at a point in the center of said Orchard Point Road, common corner to Russell M. and Paula D. Lapp (Tract E), Greg W. and Beverly G. Marshall (Tract I), and the remaining land of Ralph M. Fetter and Amy S. Jackson (Tract C), from which a found 5/8 inch Whitacre capped rebar bears N 36°14'39" W 25.07 feet, thence with the center of said road for four lines, being new lines of division through the land of said Fetter and Jackson

S 56°20'58" W 58.93 feet to a point, thence

S 44°56'40" W 52.48 feet to a point, thence

S 39°03'50" W 261.88 feet to a point, thence

S 38°34'30" W 103.86 feet to a point, from which a set 5/8 inch Moreland capped rebar bears N 40°30'03" W 25.00 feet, thence with another new line of division through the land of said Fetter and Jackson

N 40°30'03" W 295.70 feet to a 5/8 inch Moreland capped rebar set in a line of John R. and Diana B. Grimsley, and William Zachary Grimsley (Tract D), from which a found 5/8 inch Whitacre capped rebar bears S 49°29'57" W 350.63 feet, thence with said Grimsley

N 49°29'57" E 487.58 feet to a found 5/8 inch Whitacre capped rebar, corner to said Lapp, thence with said Lapp

S 36°14'39" E 232.09 feet to the beginning, containing 2.785 Acres, more or less, as surveyed by Moreland's Surveying & Consulting, Inc. and shown on a plat dated May 16, 2011, attached hereto and made a part of this description.

Being part of the same tract of land conveyed from Gregory T. Griffin and Anna J. Griffin to Ralph M. Fetter and Amy S. Jackson by deed dated April 8, 2002 and recorded in the office of the Clerk of Hampshire County, Romney, West Virginia, in Deed Book 413 at page 318.

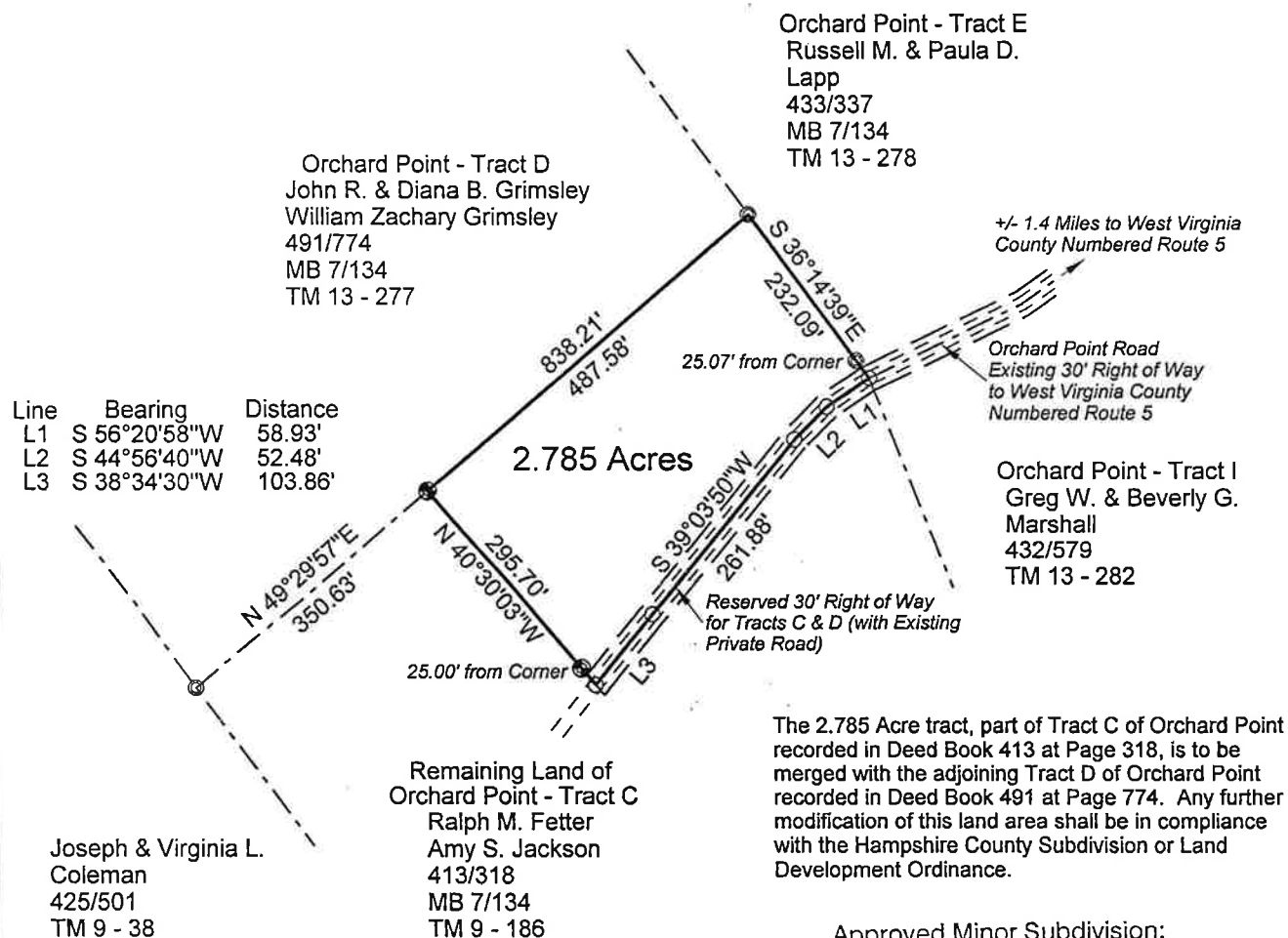
Respectfully Submitted  
Moreland's Surveying & Consulting Inc.  
No. 2021  
*Richard L. Moreland*  
RICHARD L. MORELAND PS NO. 2021  
PROFESSIONAL SURVEYOR  
WEST VIRGINIA

Plat of Survey for  
**John R. & Diana B. Grimsley**  
 Springfield District Hampshire County  
 West Virginia

Reference: Deed Book 491 Page 774  
 Deed Book 413 Page 318  
 Map Book 7 Page 134  
 Tax Map 13 Parcel 277  
 Tax Map 9 Parcel 186

Bearings on this map are based on a plat  
 recorded in Map Book 7 at Page 134

Scale 1" = 200'



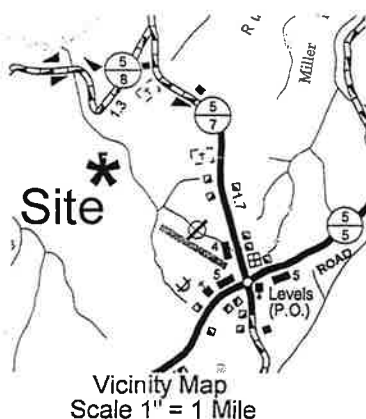
Approved Minor Subdivision:

Section 5.1

Hampshire County Planning Board

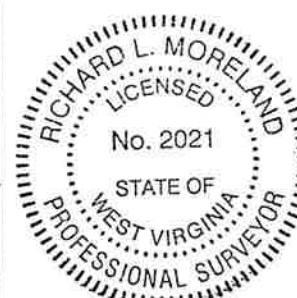
**Legend**

- 5/8" Rebar with Yellow Plastic Cap  
Labeled "Moreland PS 2021", Set
- 5/8" Whitacre Capped Rebar Found
- Calculated Point in Centerline of Right  
of Way or as Labeled



**Moreland's Surveying  
 & Consulting, Inc.**  
 Sunrise Professional Building  
 HC 63 Box 3580  
 Romney, WV 26757  
 (304) 822-4441

*Richard L. Moreland*



Date: May 16, 2011

Map No.: 11-021-01

STATE OF WEST VIRGINIA, Hampshire County Commission Clerk's Office 7-6-11

2:08 pm

The foregoing Instrument, together with the certificate of its acknowledgment, was this day presented in said office and  
 admitted to record.

Teste

*Eric W. State*

Clerk.

BOOK

491 PAGE 774

mailed: 9-28-10

ROBERT BYRNE  
10619 JONES STREET THIRD FLOOR  
FAIRFAX, VA 22030-

71363

SCOTT D. TAYLOR  
and  
JACQUELINE KELLY TAYLOR,  
his wife

TO: DEED

JOHN R. GRIMSLEY and  
DIANA B. GRIMSLEY, his wife;  
and,  
WILLIAM ZACHARY GRIMSLEY

THIS DEED, Made this 13<sup>th</sup> day of  
September, 2010, by and between Scott  
D. Taylor and Jacqueline Kelly Taylor,  
his wife, grantors, parties of the  
first part, and, John R. Grimsley and  
Diana B. Grimsley, his wife, and  
William Zachary Grimsley, 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, the said parties of the first part do, by these presents, grant and convey unto the said John R. Grimsley and Diana B. Grimsley, his wife, a full undivided one-half as joint tenants with full rights of survivorship; and a one-half undivided interest unto William Zachary Grimsley; with John R. Grimsley and Diana B. Grimsley taking their respective one-half interest as tenants in common in relation to the one-half interest of William Zachary Grimsley, and with Covenants of General Warranty of Title, all that certain tract or parcel of real estate situate in Springfield District of Hampshire County, West Virginia, lying about 3/4 mile Northwest of West Virginia Route 5, approximately 1/2 mile Southwest of Levels, known and designated as Tract "D" of Orchard Point, containing 24.00 acres, more or less, upon that certain Plat of Survey of "Orchard Point" dated January 31, 1994, as prepared by Frank A. Whitacre, Licensed Land Surveyor, dated January 31, 1991, and is of record in the Office of the Clerk of the County Commission of Hampshire County, West Virginia, in Map Book No. 7, at Page 134. The Plat of Survey is by reference incorporated herein for all pertinent and proper reasons, including a more particular description of the real estate herein conveyed. Said real estate is depicted on the 2007 Hampshire County Land Books as being Tax Map 13 Parcel 277.

And being the same real estate conveyed unto Scott D. Taylor and Jacqueline Kelly Taylor, his wife, by deed of Bertha Eyler, dated February 26, 2008, and which said deed is of record in the Office of the Clerk of the County Commission of Hampshire County, West Virginia, in Deed Book No. 472, at page 286.

This conveyance includes all rights, rights-of-ways, minerals, oil and gas leases, fixtures and all appurtenances belonging to the 24 acres known as Tract D, and specifically includes a 30' right-of-way shown on the plat of survey from West Virginia Route 5, over other lands owned by Homer L. Feller and leading to Tract D. Said private right-of-way also crosses Tract C. It is understood that this right-of-way is to be non-

CARL KRATON  
& FRAZER, PLLC  
ATTORNEYS AT LAW  
56 E. MAIN STREET  
ROHNEY, WV 26037

obstructed, and that the grantees and parties of the second part, their heirs, successors and assigns, shall pay for their fair share for the maintenance of said private road from West Virginia Route 5 to Tract D. Said right-of-way is nonexclusive and is also for the benefit of Homer L. Feller, his heirs, successors, and assigns, and also for the benefit of Tract A, Tract B, and Tract C.

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 2011, 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, easements, improvements, timbers, waters, minerals and mineral rights, and any 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, conveyed by the foregoing and attached deed is \$100,000.00. The grantors further affirm that they are nonresidents of the State of West Virginia, and are therefore 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:

Scott D. Taylor (SEAL)

Jacqueline Kelly Taylor (SEAL)

STATE OF Maryland

COUNTY OF Anne Arundel, TO WIT:

I, Patricia K. Woodruff, a Notary Public, in and for the county and state aforesaid, do hereby certify that Scott D. Taylor and Jacqueline Kelly Taylor, his wife, whose names are signed and affixed to the foregoing and attached deed, dated the 13<sup>th</sup> day of September, 2010, has each this day, acknowledged the same before me in my said county and state.

Given under my hand and Notarial Seal this 15<sup>th</sup> day of September, 2010.

PATRICIA K. WOODRUFF  
Notary Public-Maryland  
Anne Arundel County  
My Commission Expires  
April 09, 2011

Patricia K. Woodruff  
Notary Public

Notary Seal

This instrument was prepared by William C. Keaton, Attorney at Law, Romney, West Virginia.

Z:\Janie\DEEDS\N - O\OrchardPoint.D.Grimsley from Taylor.2010.732.wpd  
mak/9-13-10

CARL KEATON  
& FRAZER, PLLC  
ATTORNEYS AT LAW  
50 E. MAIN STREET  
ROMNEY, WV 26757

STATE OF WEST VIRGINIA, Hampshire County Commission Clerk's Office

9/23/10

3:21 PM

The foregoing Instrument, together with the certificate of its acknowledgment, was this day presented in said office and admitted to record.

Teste

Sharon H. Link

Clerk.