

Mailed
George L. Evans
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4-23-85

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THIS DEED OF RIGHT OF WAY Made and entered into this 1st day of July, 1983, by and between DAVID L. HARMISON, single, grantor and party of the first part and GEORGE L. EVANS and BETTY LOU EVANS, husband and wife, grantees and parties of the second part.

WHEREAS the grantor is the owner of a large tract or parcel of real estate containing 445 acres, more or less, known as the Harmison Home Place, situate along the west side of the South Branch River at the northern end of the Trough and through which passes the State Secondary Route No. 6 known as the Trough Road in Romney District, Hampshire County, West Virginia, and;

WHEREAS the grantees and parties of the second part are the owners of a tract or parcel of real estate containing 101 acres, more or less, known as the Evans Home Place, which adjoins the said real estate owned by the party of the first part and is situate on the east side thereof, and;

WHEREAS the parties of the second part have, for many years, used a right of way for ingress and egress which crosses a portion of the first party's farm in the vicinity of Devil's Hole Run and which said right of way crosses or fords said Devil's Hole Run, and;

WHEREAS both parties hereto desire to develop an additional way so as to avoid having to cross said Run which would be beneficial to both parties.

NOW, THEREFORE, THIS DEED AND AGREEMENT WITNESSETH: That for and in consideration of the sum of ONE HUNDRED DOLLARS (\$100.00), cash in hand paid by the parties of the second part to the party of the first part, receipt of which is hereby expressly acknowledged, and in further consideration of the second parties' agreement to build, keep and maintain the hereinafter described real estate in a reasonable state of repairs which shall be binding on their heirs and assigns and the right of the parties of the first part, his heirs and assigns, to use said way, the grantor and party of the first part doth hereby grant and convey unto the said grantees,

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their heirs and assigns, the right to construct, maintain and use a certain right of way with a minimum width of 20 feet, with such additional width as may be necessary for cuts and fills, for ingress and egress from the said Trough Public Road to their said 101 acre parcel. Said right of way shall begin at said Trough Road near the top of the hill on the south side of Devil's Hole Run, and south of the Brent Cox Property, and continue on in a convenient easterly direction to the real estate owned by the parties of the second part.

It is further understood and agreed that said new roadway shall be constructed by the parties of the second part and shall be kept in a reasonable state of repair, at their own expense, and that a standard gate shall be constructed and maintained by the second parties at this entrance to said way from the said Trough Public Road, which said agreement shall be binding on their heirs and assigns.

It is further agreed that this right of way shall not be exclusive but may be used by the grantor, his heirs and assigns.

WITNESS the following signature and seal:

David L. Harrison (SEAL)

STATE OF WEST VIRGINIA,

COUNTY OF HARDY, to-wit:

I, Kathryn L. Ansel, a Notary Public of and for the County and State aforesaid, do hereby certify that David L. Harrison, whose name is signed to the above writing bearing date the 1st day of July, 1983, has this day acknowledged the same before me in my said county and state.

Given under my hand this 1st day of July, 1983.

My commission expires June 6, 1993.

Kathryn L. Ansel
Notary Public

AMES E. ANSEL
ATTORNEY AT LAW
P. O. Box A
MOOREFIELD, W. VA.

Prepared by: James E. Ansel
Attorney at Law
Moorefield, W. Va.

STATE OF WEST VIRGINIA, County of Hampshire, to-wit:

Be it remembered that on the 15th day of April, 1985 at 11:45 A M., this Deed of Right of Way was presented in the Clerk's Office of the County Commission of said County and with the certificate thereof annexed, admitted to record.

Attest Nancy C. Feller Clerk
County Commission, Hampshire County, W. Va.