

64860

DANIEL P. MOORE
and
JULIE L. MOORE,
his wife

THIS DEED, Made this 3rd day of
December, 2004, by and between Daniel P.
Moore and Julie L. Moore, his wife,

TO: DEED

grantors, parties of the first part, and

MICHAEL J. KIRKPATRICK
and
KATHLEEN S. KIRKPATRICK,
his wife

Michael J. Kirkpatrick and Kathleen S.
Kirkpatrick, 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, 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, designated as Lot No. Forty-Six (46), containing 5.808 acres, more or less, of Crystal Valley Estates, as shown on the plat of said subdivision which is of record in the Office of the Clerk of the County Commission of Hampshire County, West Virginia, in Map Book No. 5, at pages 79, 80 and 81, and said plat is, by reference, incorporated herein for all proper and pertinent reasons and, particularly, for the description of the real estate herein conveyed.

And being the same real estate which was conveyed unto Daniel P. Moore and Julie L. Moore, his wife, by deed of William L. Hockensmith, dated March 25, 2002, and is of record in said Clerk's Office in Deed Book No. 412, at page 719.

The real estate herein conveyed shall be subject to that certain document entitled "Crystal Valley Estates Dedication of Amended Declaration of Protective Covenants, Conditions and Restrictions" which is of record in the aforesaid Clerk's Office in Deed Book No. 313, at pages 546-550, both inclusive, and said document is hereby expressly incorporated herein, by reference, as if the same were set forth verbatim herein. The covenants and restrictions therein shall be deemed to be covenants running with the land.

The real estate herein conveyed is subject to any other rights or

easements which may affect the same and which are of record in the aforesaid Clerk's Office.

The real estate herein conveyed is also subject to that certain oil and gas lease from Sally P. Bean, et als, (predecessors in title to a larger tract of real estate, of which the real estate herein conveyed is a portion) to Weaver Oil and Gas Corporation dated March 30, 1978, and of record in Deed Book No. 233, at page 532 and all of the Assignments thereof and for the consideration above stated, the grantor does hereby sell, assign and set over unto the grantees all of the grantors right, title and interest in and to said oil and gas lease insofar and insofar only as it pertains to the real estate herein conveyed.

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 Michael J. Kirkpatrick predecease his wife, Kathleen S. Kirkpatrick, then the entire full, fee simple title in and to said real estate shall vest solely in Kathleen S. Kirkpatrick; and should Kathleen S. Kirkpatrick predecease her husband, Michael J. Kirkpatrick, then the entire full fee simple title in and to said real estate shall vest solely in Michael J. Kirkpatrick.

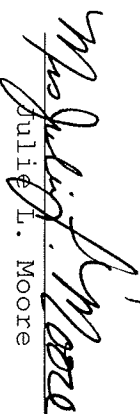
Although the real estate taxes may be prorated between the parties as of the day of closing for the current tax year, the grantees agree to assume and be solely responsible for the real estate taxes beginning with the calendar year 2005, although same may still be assessed in the names of the grantors.

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.

I 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 \$ 29,500.00.

WITNESS the following signatures and seals:

 (SEAL)
Daniel P. Moore

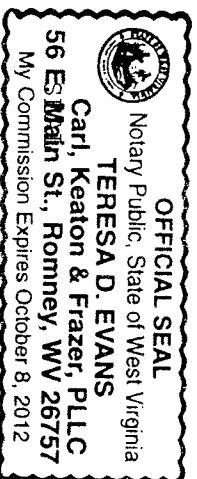
 (SEAL)
Julie L. Moore

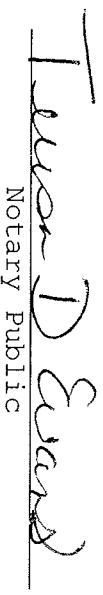
STATE OF WEST VIRGINIA,

COUNTY OF HAMPSHIRE, TO WIT:

I, Teresa D Evans, a Notary Public, in and for the county and state aforesaid, do hereby certify that Daniel P. Moore and Julie L. Moore, his wife, whose names are signed and affixed to the foregoing deed, dated the 3rd day of December, 2004, have each this day acknowledged the same before me in my said county and state.

Given under my hand and Notarial Seal this 16th day of December, 2004.




Notary Public

*This instrument was prepared by William C. Keaton, Attorney at Law, Romney, WV.
Njhdeds/12-3-04
wck/CrystalValley.46.Kirkpatrick*

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

SHARON H. LINK
HAMPSHIRE County 09:33:57 A
Instrument No 67382
Recorded Date 12/17/2004
Document Type DEED
Book-Page 439-212
Rec/Add Fee 10.00 1.00
Transfer Tax 129.80