

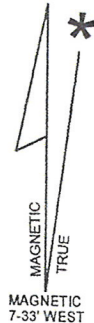
# PLAT OF SURVEY OF NEW TRACT A OF ORCHARD POINT SUBDIVISION

50.000 TOTAL ACRES

SPRINGFIELD DISTRICT, HAMPSHIRE COUNTY, WV

TAX MAP 9, PARCEL 184

(SEE NOTE E FOR EXEMPTION)



MAGNETIC DECLINATION DETERMINED AT  
LATITUDE 39-17'-47" N AND LONGITUDE  
78-28'-04" W AT CAPON BRIDGE, WV ON  
DECEMBER 28, 1977. ALL BEARINGS  
SHOWN FROM THE MAGNETIC MERIDIAN.  
ALL DISTANCES ARE HORIZONTAL. THIS  
SURVEY IS BASED ON SURVEY BY RICKIE  
C. DAVY, LLS DATED MARCH 24, 1994 AND  
RECORDED IN MAP BOOK 7 AT PAGE 112.

Line	Bearing	Distance
1-2	N57°34'50"E	201.13'
A-3	S65°19'41"E	25.00'
4-5	S15°29'15"W	82.06'
5-6	S21°26'07"W	163.75'
6-B	N64°18'37"W	25.00'
8-9	S43°36'29"W	324.23'
3-D	S63°00'00"E	22.00'

JOSEPH COLEMAN  
L. VIRGINIA COLEMAN  
800.477 ACRES (ASSESSED)  
D.B. 425, PG. 501  
SEE D.B. 94, PG. 117  
TAX MAP 9, PARCEL 38

MARK A. FRAZIER  
JANELL K. FRAZIER  
TRACT B (31.262 ACRES)  
ORCHARD POINT SUBD.  
D.B. 462, PG. 669  
MAP BOOK 7, PAGE 134  
TAX MAP 9, PARCEL 185

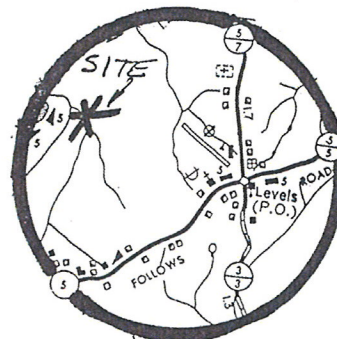
HOMER L. FELLER  
NANCY C. FELLER  
127.577 ACRES (ASSESSED)  
D.B. 181, PG. 173  
TAX MAP 10, PARCEL 12  
(NOW 146.914 ACRES)

HOMER L. FELLER  
NANCY C. FELLER  
19.337 ACRES (PARCEL 2)  
D.B. 483, PG. 11 FOR MERGER  
TAX MAP 10, PARCEL 12  
(MERGED WITH THE ADJOINING  
127.577 ACRE TRACT OF FELLER  
NOW 146.914 ACRES)

HOMER L. FELLER  
NANCY C. FELLER  
127.577 ACRES (ASSESSED)  
D.B. 181, PG. 173  
TAX MAP 10, PARCEL 12  
(NOW 146.914 ACRES)

MICHAEL R. FELLER  
129.126 ACRES  
D.B. 353, PG. 609  
MAP BOOK 7, PAGE 112  
TAX MAP 10, PARCEL 13

Approved Minor Subdivision:  
Section 5.1 H DATE 4-14-09  
*Chamberlain*  
Hampshire County Planning

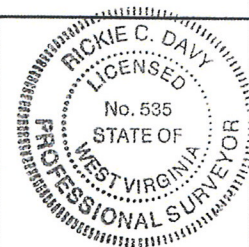


VICINITY MAP  
SCALE: 1" = 1 MILE

THIS PLAT IS COMPOSED OF TWO (2) SHEETS OR PAGES AND IS  
ONLY VALID WHEN BOTH SHEETS ARE USED TOGETHER AS A UNIT.

SEE NOTE A FOR TITLE INFORMATION

GIVEN UNDER MY HAND THIS 6TH DAY  
OF APRIL, 2009  
*Rickie C. Davy*  
SURVEYOR



PLAT NO. D07-052  
DATE: 04/06/2009  
SCALE: 1" = 500'  
SHEET 1 OF 2

**R & S SERVICES, INC.**  
RICKIE C. DAVY, PS NO. 535  
P.O. BOX 97 CAPON BRIDGE, WV 26711  
(304) 856-3165

## LEGEND:

CORNER NOS. 1, 12, 13, C, E & G ARE 5/8 INCH CAPPED (FRANK WHITACRE) REBARS, FOUND.  
CORNER NOS. 2, A & B ARE 5/8 INCH CAPPED (DAVY) REBARS WITH T-POSTS BESIDE THEM, FOUND.  
CORNER NOS. 3, 4 & 6 ARE CALCULATED POINTS IN THE CENTERLINE OF A 40-FOOT WIDE NONEXCLUSIVE RIGHT-OF-WAY.  
CORNER NO. 5 IS A CALCULATED POINT IN THE CENTERLINE INTERSECTION OF TWO (2) 40-FOOT WIDE NONEXCLUSIVE RIGHTS-OF-WAY.  
CORNER NO. 7 IS A 5/8 INCH CAPPED (FRANK WHITACRE) REBAR WITH A T-POST BESIDE IT, FOUND.  
CORNER NO. 8 IS A FLUSH 5/8 INCH CAPPED (FRANK WHITACRE) REBAR, FOUND.  
CORNER NO. 9 IS A 5/8 INCH CAPPED (DAVY) REBAR, FOUND.  
CORNER NO. 10 IS A PLANTED STONE AT THE BASE OF A 15-INCH PINE TREE, MARKED POINTER, FOUND.  
CORNER NO. D IS A FLUSH 5/8 INCH CAPPED (DAVY) REBAR WITH A T-POST BESIDE IT, FOUND.  
CORNER NO. 11 IS A PLANTED STONE IN STONE PILE, FOUND.  
CORNER NO. F IS A 5/8 INCH CAPPED (FRANK WHITACRE) REBAR, FOUND AT THE BASE OF A MARKED FENCE POST.

## NOTES:

NOTE A: THE FOLLOWING IS THE TITLE INFORMATION FOR NEW TRACT A OF ORCHARD POINT SUBDIVISION:

- (1) BEING THE REMAINDER OF TRACT A (29.420 ACRES) OF ORCHARD POINT SUBDIVISION NOW OWNED BY HOMER L. AND NANCY C. FELLER. SEE DEED BOOK 395, PAGE 197 AND MAP BOOK 7, PAGE 134;
- (2) BEING ALL OF PARCEL 1 OF 20.580 TOTAL ACRES NOW OWNED BY HOMER L. AND NANCY C. FELLER. SEE DEED BOOK 483, PAGE 3 (NOTE: THIS TRACT WAS MERGED WITH THE REMAINDER OF TRACT A OF ORCHARD POINT SUBDIVISION).

NOTE B: THE FOLLOWING NONEXCLUSIVE RIGHTS-OF-WAY ARE FOR THE PURPOSE OF INGRESS AND EGRESS TO WEST VIRGINIA SECONDARY ROUTE 5 AND ARE FOR THE BENEFIT OF HOMER L. AND NANCY C. FELLER, HUSBAND AND WIFE, THEIR HEIRS AND ASSIGNS; MICHAEL R. FELLER, HIS HEIRS AND ASSIGNS; THE OWNERS OF THIS 50.000 TOTAL ACRE TRACT, THEIR HEIRS AND ASSIGNS AND ANY PERSON HAVING A LEGAL RIGHT TO USE SAME:

- (1) AN EXISTING 40-FOOT WIDE NONEXCLUSIVE RIGHT-OF-WAY OF WHICH 1/2 OF SAID R/W LIES ON THIS SURVEY OF 50.000 TOTAL ACRES AS DEFINED BY THE LINES BETWEEN CORNER NOS. 3-4-5-6 AND THE OTHER 1/2 OF SAID R/W LIES ON AN 129.126 ACRE TRACT OF LAND NOW OWNED BY MICHAEL R. FELLER (SEE DEED BOOK 353, PAGE 609 AND MAP BOOK 7, PAGE 112);
- (2) AN EXISTING 40-FOOT WIDE NONEXCLUSIVE RIGHT-OF-WAY OF WHICH LIES ENTIRELY ON THE 129.126 ACRE TRACT OF MICHAEL R. FELLER AS DEFINED ON PLAT NO. D94-016 AS RECORDED IN MAP BOOK 7 AT PAGE 112 BY THE LINES BETWEEN POINT NOS. G-AA-BB-CC-DD-EE-FF-GG-HH-II-12 (NOTE: POINT NO. 12 ON PLAT NO. D94-016 IS THE SAME AS CORNER NO. 5 AS SHOWN ON THIS PLAT).

NOTE C: THIS SURVEY MAKES NO ATTEMPT TO LOCATE ANY RIGHTS-OF-WAY, EASEMENTS OR STRUCTURES EXCEPT THOSE SHOWN ON THIS PLAT.

NOTE D: THIS SURVEY IS NOT LOCATED WITHIN THE 100-YEAR FLOOD PLAIN INDICATED BY FEMA FLOOD INSURANCE RATE MAP, EFFECTIVE DATE NOVEMBER 7, 2002 ON MAP NO. 54027C0127.

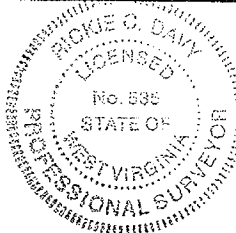
NOTE E: THIS SURVEY IS EXEMPT FROM THE HAMPSHIRE COUNTY SUBDIVISION ORDINANCE UNDER SECTION 5.1, PARAGRAPH H: SURVEYS OF EXISTING LOTS THAT DO NOT ALTER BOUNDARY LINES (ALTHOUGH THE METES AND BOUNDS DESCRIPTIONS OF SUCH LINES MAY VARY INSIGNIFICANTLY FROM PRIOR DESCRIPTIONS OF SUCH LINES) OR REFLECT A SUBDIVISION IN ANY MANNER.

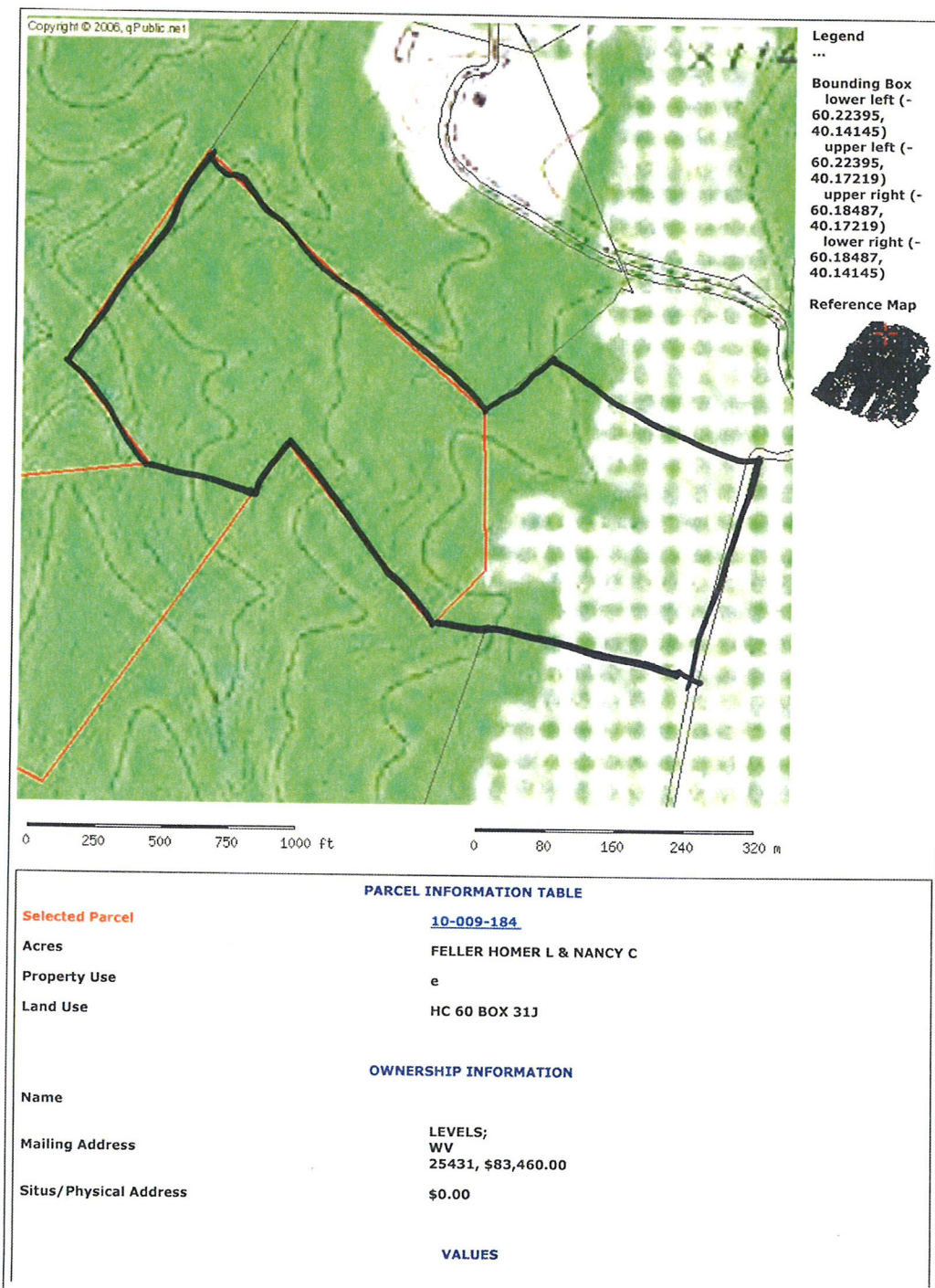
Approved Minor Subdivision:

Section 5.1 H DATE 4-14-09

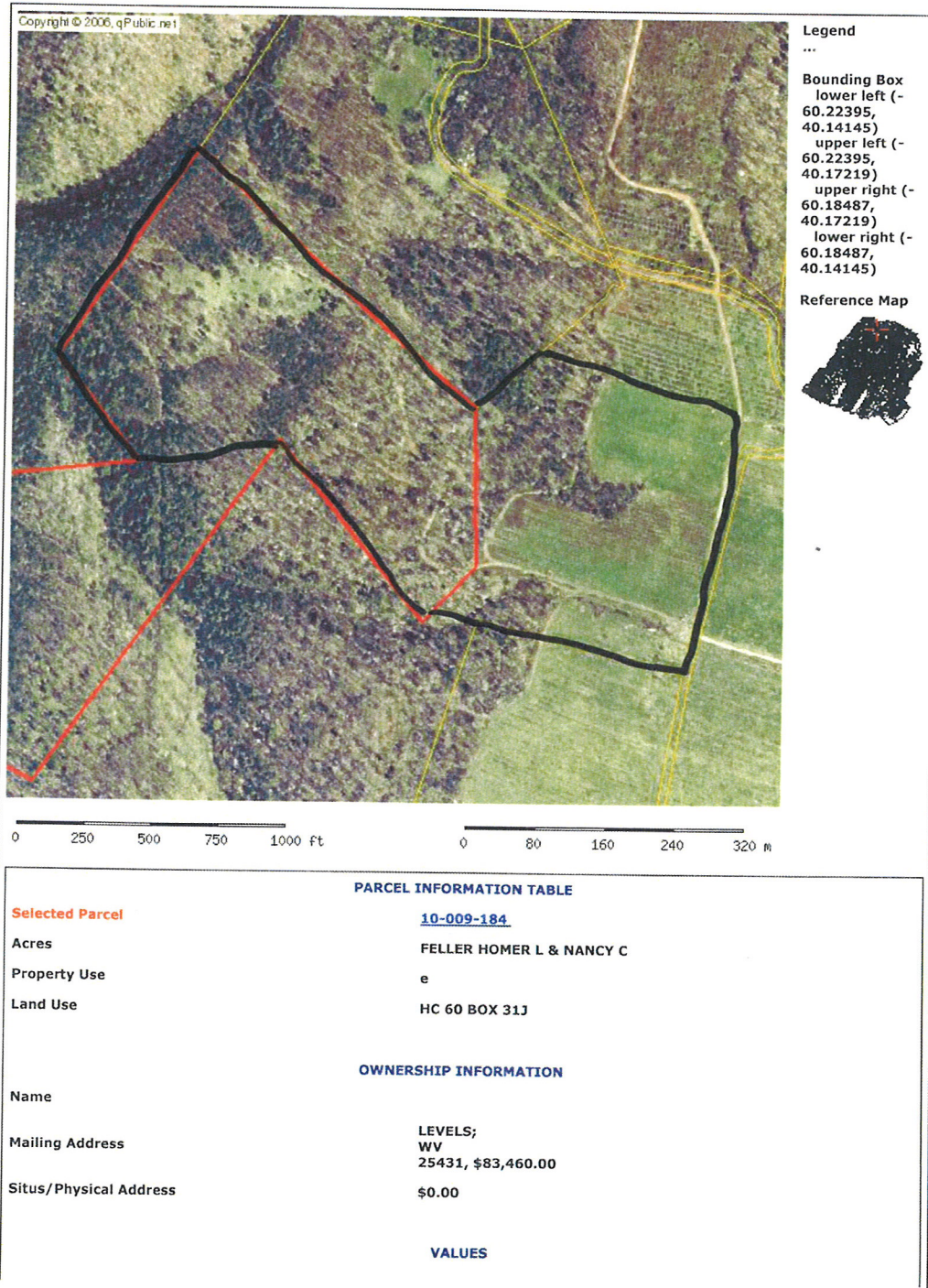
*Chad B. L.*  
Hampshire County Planning

THIS PLAT IS COMPOSED OF TWO (2) SHEETS OR PAGES AND IS ONLY VALID WHEN BOTH SHEETS ARE USED TOGETHER AS A UNIT.

SEE NOTE A FOR TITLE INFORMATION		GIVEN UNDER MY HAND THIS 4TH DAY OF APRIL 6, 2009 <i>Rickie C. Davy</i> SURVEYOR	
PLAT NO. D07-052	<b>R &amp; S SERVICES, INC.</b> RICKIE C. DAVY, PS NO. 535 P.O. BOX 97 CAPON BRIDGE, WV 26711 (304) 856-3165		
DATE: 04/06/2009			
SCALE: 1" = 500'			
SHEET 2 OF 2			







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

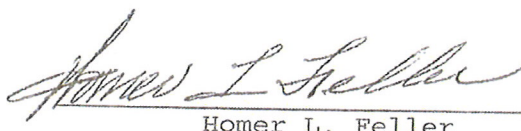
The real estate conveyed herein shall be taken subject to the following restrictive covenant, which shall be deemed a covenant running with the land: No commercial swine or poultry operation may be conducted on said property.

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 Steven M. Hagee predecease his wife, Kimberly A. Hagee, then the entire full, fee simple title in and to said real estate shall vest solely in Kimberly A. Hagee; and should Kimberly A. Hagee predecease her husband, Steven M. Hagee, then the entire full, fee simple title in and to said real estate shall vest solely in Steven M. Hagee.

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 above described real estate conveyed by the foregoing and attached deed is \$ 160,000.00. The grantors further affirm that they are residents of the State of West Virginia, and are therefore exempt from the "withholding tax on West Virginia source income of nonresidents" pursuant to West Virginia Code § 11-21-71b.

WITNESS the following signatures and seals:



Homer L. Feller

(SEAL)