

KEATON, FRAZER & MILLESON PLLC

RIGHT OF WAY AGREEMENT

This Right of Way Agreement, made this 23rd day of March, 2017, by and between Ronald L. Davis and Cheryl D. Davis, his wife, and D. Gregory Bott and Susan A. Bott, brother and sister, grantors, parties of the first part, and Jerry G. Carey and Patricia H. Carey, his wife, grantees, parties of the second part.

WHEREAS, the grantors herein are the owners of the following parcels of real estate, all situate in Sherman District of Hampshire County, West Virginia:

Davis: 14.326 acres, Tax Map 2, Parcel 103, Deed Book No. 257, page 7.

Bott: 205.6 acres, Tax Map 3, Parcel 13, Deed Book No. 455, page 189.

WHEREAS, that certain roadway known locally as "Tatonka Trail" crosses the real estate of each of each the grantors herein, and the parties hereto do now desire to enter into this agreement regarding same.

NOW, THEREFORE, THIS RIGHT OF WAY AGREEMENT, TO WIT:

WITNESSETH: That for and in consideration of the sum of One Dollar (\$ 1.00) cash in hand paid, receipt whereof being hereby acknowledged, and other good and valuable consideration deemed valid at law, each of the said parties hereto do, by these presents, grant, convey and confirm unto the parties of the second part, their heirs and assigns, a non-exclusive right of way for ingress and egress over their respective parcels of real estate, insofar as the said Tatonka Trail crosses their respective parcel.

It is the purpose and intention of each of the parties hereto for said right of way to be used in a similar manner as same has historically

been used, both in character and in size, and for ingress and egress to and from the public highway and their respective tracts. This roadway shall remain open and unobstructed at all times. The grantees herein, their heirs and assigns, shall have a pro-rated duty to maintain said roadway.

TO HAVE AND TO HOLD the aforesaid right of way unto the parties of the second part, his heirs, successors, and assigns, for the consideration aforesaid.

WITNESS the following signatures and seals:

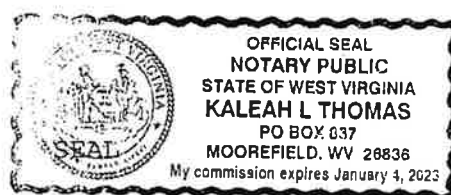
Ronald L. Davis (SEAL)
Ronald L. Davis

Cheryl D. Davis (SEAL)
Cheryl D. Davis

STATE OF West Virginia,
COUNTY OF Hardy, TO WIT:

I, Kaleah L. Thomas, a Notary Public within and for the county and state aforesaid, do hereby certify that **Ronald L. Davis and Cheryl D. Davis**, his wife, whose names are signed to the foregoing instrument dated the 23rd day of March, 2017, have this day acknowledged the same before me in my said county and state.

Given under my hand and Notarial Seal this 28th day of March, 2017.



Kaleah L. Thomas
Notary Public

KEATON,
FRAZER,
& MILLESON,
PLLC
ATTORNEYS AT LAW
56 E. MAIN STREET
ROMNEY, WV 20757

(SIGNATURES AND NOTARY PROVISIONS ON FOLLOWING PAGES)

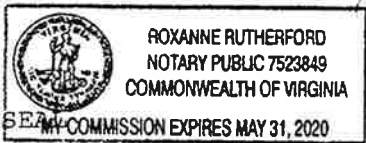
D. Gregory Bott (SEAL)
D. Gregory Bott

Susan A. Bott (SEAL)
Susan A. Bott

STATE OF Virginia,
COUNTY OF Frederick, TO WIT:

I, Roxanne Rutherford, a Notary Public within and for
the county and state aforesaid, do hereby certify that and **D. Gregory
Bott and Susan A. Bott**, brother and sister, whose names are signed to the
foregoing instrument dated the 23rd day of March, 2017, have this day
acknowledged the same before me in my said county and state.

Given under my hand and Notarial Seal this 4th day of April, 2017.



Roxanne Rutherford
Notary Public

This instrument was prepared by William C. Keaton, Attorney at Law,
Romney, West Virginia, without tile examination or report.
NjhRightsofway/3-23-17
Tatonka Trail

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

Eric W Strite
HARRISBURG County 11:34:34 AM
Instrument No 178328
Date Recorded 04/07/2017
Document Type ROW
Pages Recorded 3
Book-Page 542-847
Recording Fee \$5.00
Additional \$6.00