

95000956

BOOK 144 PAGE 268

THIS DEED, made this the 1st day of December, 1995, by and between JERRY L. MERCER and ANNE W. MERCER, husband and wife, parties of the first part (hereinafter called Grantors), and CORNELIS LABAN and BARBARA S. LABAN, 508 South Boulevard, Petersburg, VA 23805, as joint tenants with rights of survivorship, parties of the second part (hereinafter called Grantees);

NOW, THEREFORE, WITNESSETH:

THAT FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, Grantors do hereby bargain, sell, grant and convey unto Grantees, as joint tenants with rights of survivorship, WITH COVENANTS OF GENERAL WARRANTY OF TITLE, all that certain tract or parcel of land lying on the waters of Hunting Camp Creek near Suiter, Seddon Magisterial District of Bland County, Virginia, as shown a plat or map entitled "Plat showing survey of property of Jerry L. Mercer and Anne W. Mercer located on the waters of Hunting Camp Creek in the Community of Suiter, Seddon Magisterial District, Bland County, Virginia, Scale 1" = 150' December 1, 1994" prepared by N. Keith Miday, Land Surveyor, No. 1539, which map is intended to be recorded simultaneously herewith, and which property is more particularly bounded and described as follows:

BEGINNING at a point in the center of State Route 615, which point is a corner to the land being hereby conveyed and the eastern corner of adjacent property owned by Ronald and Beulah Bradberry; thence continuing along the center line of said State Route 615 the following courses and distances: S. 42 degrees 39' E. 32.90 feet to a point; thence S. 50 degrees 02' E. 139.68 feet to a point; thence S. 77 degrees, 10' E. 85.02 feet to a point; thence N. 62 degrees 39' E. 70.23 feet to a point; thence N. 51 degrees 06' E. 215.34 feet to a point; thence N. 69 degrees 05' E. 64.13 feet to a point, still in the center line of said State Route 615; thence N. 63 degrees 34' E. 65.41

ETONGE,  
PEACHTER, BARNHART  
& BARNHART  
ATTORNEYS AT LAW  
541 NEW HORE ROAD  
P O BOX 8726  
PRINCETON, NY 84740  
FILE # 7451

feet to a corner post lying just north of said State Route 615; thence continuing generally along said State Route 615 for a little more than half of the hereinafter described distance to an iron rod and then continuing past two more iron rods in two places along a meandering old road to Corner No. 498 as shown on said map, the following: S. 17 degrees 40' 05" E. 1,980.55 feet; thence S. 23 degrees 09' 20" W. 199.68 feet to Corner Number 497; thence continuing along the line adjacent to property owned by the USA as Jefferson National Forest, N. 76 degrees 05' W. 942.88 feet to a corner that lies 2.47 feet southeast of the iron rod described immediately hereinafter; thence N. 35 degrees 04' 40" W. 2.47 feet to said iron rod; thence N. 35 degrees 04' 40" W. 133.53 feet to an iron rod set; thence N. 50 degrees 26' 40" W. 88.03 feet to an iron rod set; thence N. 39 degrees 08' 10" W. 457.15 feet to an iron rod set; thence N. 14 degrees 27' 10" W. 526.46 feet to an iron rod set; thence N. 03 degrees 02' 10" E. 38.52 feet to a point, which lies 0.67 feet, more or less, East of the existing fence line, as do each of the following eight calls: N. 18 degrees 46' E. 136.03 feet to a point; thence N. 02 degrees 50' 10" E. 21.50 feet to a point; thence N. 06 degrees 35' 30" W. 39.22 feet to a point; thence N. 18 degrees 39' 40" W. 64.82 feet to an iron rod set; thence N. 83 degrees 33' 40" W. 16.89 feet to a point; thence N. 89 degrees 42' 30" W. 100.47 feet to a point; thence N. 65 degrees 42' 40" W. 41.67 feet to a point; thence N. 48 degrees 42' W. 80.57 feet to an iron rod; thence N. 28 degrees 08' W. 159.4 feet to an iron rod and then passing through said iron rod for a total of 178.30 feet to a point in Hunting Camp Creek; thence N. 52 degrees 08' E. 41.25 feet to a point in said Creek; thence S. 64 degrees 23' E. 67.19 feet to a point in said Creek; thence S. 59 degrees 22' E. 71.29 feet to a point in said Creek; thence N. 89 degrees 38' E. 61.0 feet to a point in said Creek; thence N. 69 degrees 29' E. 126.11 feet to a point in said Creek; thence N. 50 degrees 30' E. 102.29 feet to a point in said Creek; thence N. 62 degrees 34' E. 297.03 feet to the point of BEGINNING, having passed an iron rod 40 feet along said line and then passing another iron rod 237.03 feet thereafter, and then proceeding 20 additional feet to said beginning point, containing 47.83 acres, more or less.

And being a portion of the same real estate conveyed to the Grantors herein by a deed dated June 28, 1985, from Evelyn U. Wright, which deed is of record in the Office of the Clerk of the Circuit Court of Bland County, Virginia, in Deed Book 87, at page 395.

STONE  
FELCHTENBERGER  
& BARNHART  
ATTORNEYS AT LAW  
347 NEW HOPKINS ROAD  
P. O. BOX 8788  
HARRISON, WV 24840  
FILE #

There is reserved from this conveyance a cemetery consisting of 0.23 acres more or less located in the northeast portion of this property, together with all necessary rights of ingress and egress to and from such cemetery, which said rights of ingress and egress are to be used from the east side thereof. This cemetery and rights of ingress and egress were previously reserved by a certain deed dated May 10, 1946, from J. Trubie Suiter and Estelle M. Suiter, his wife, to George R. (Park) Brown and Vivian Suiter Brown, his wife, which said instrument is of record in the Office of the Circuit Court Clerk of Bland County, Virginia, in Deed Book 28, at page 364.

This conveyance is made subject to reservations, limitations, restrictions, easements and covenants appearing of record and affecting the property hereinabove described.

It is distinctly understood that it is the purpose and intent of this instrument to create and vest in the said Cornelis Laban and Barbara S. Laban, husband and wife, estates in the aforesaid realty with right of survivorship, to be held, used and enjoyed by them jointly throughout their joint lives or until terminated by their joint action, and if not so terminated, in the survivor of them, in fee simple absolute, free and absolved from any claim or right therein, by, through or in behalf of the heirs administrator, executor, devisees or assigns of the deceased joint tenant.

Grantors hereby also convey unto the Grantees the second option right to purchase (the first right belonging to Evelyn Wright Long, prior owner) their remaining real estate consisting of 44.30 acres, more or less, and improvements, at fair market value or such higher value as they may be offered by a third party, in the event they ever decide to sell, with the exception of sales to Grantors' immediate family. This right is personal to the Grantees only and such right must be accepted

within fifteen (15) days after notice of intention to sell from Grantors and purchase price delivered within thirty (30) days after said notice, which shall be sent by certified mail, return receipt requested, or delivered in person and signed for by the Grantees.

Under penalties as prescribed by law, Grantors declare that the consideration paid for the property herein conveyed is \$65,000.00

TO HAVE AND TO HOLD the above-described real estate, together with all the rights, privileges and appurtenances thereunto belonging or in anywise appertaining, unto the said Grantees, their assigns, and to the survivor of the said Grantee and her heirs and assigns forever.

WITNESS the following signatures and seals as of the day and year first above written:

Jerry L. Mercer  
Jerry L. Mercer  
Anne W. Mercer  
Anne W. Mercer

STATE OF West Virginia  
COUNTY OF Mercer, TO-WIT:

I, Nancy B. Moses, a Notary Public within and for the County and State aforesaid, do hereby certify that JERRY L. MERCER and ANNE W. MERCER, husband and wife, whose names are signed to the foregoing writing, bearing date the 1st day of December, 1995, have this day acknowledged the same before me in my said County and State.

Given under my hand and seal this 11th day of December, 1995.

Nancy B. Moses  
Notary Public

My commission expires:

June 5, 2005



VIRGINIA: In the Clerk's Office of the Circuit Court of Bland County, Dec. 15 1995 This deed was this day received in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record, at 4:00 o'clock P.M., after payment of \$ 65.00, tax imposed by Sec 58.1-302.

STONE,  
PEUCHTERBERGER  
& SANDERSON  
ATTORNEYS AT LAW  
517 NEW HOPKINS ROAD  
P. O. BOX 8794  
FREDERICK, WV 24740  
FILE 9