AMENDED AGENDA

Harrison County Commission Meeting

Wednesday, February 19, 2025

10:00 A.M.

The Harrison County Commission Meeting is held on the 3rd floor of the Harrison County General Services Building (229 South 3rd St.), if you are unable to attend in person, you may join and listen via Zoom Conference Call by the following steps. Public participation will only be allowed during public comment period and/or scheduled appointments.

Join Zoom Meeting

****

https://us02web.zoom.us/j/7628160712

Dial: 1-646-568-7788

Meeting ID: 762 816 0712

Passcode: 26301

Appointments:

10:00 A.M. --- Call to Order --- Invocation --- Pledge of Allegiance

10:00 A.M. --- Alley Closure Hearing

10:05 A.M. --- Proclamation for South Harrison FFA – FFA Week

10:10 A.M. --- Special Funding Request from Operation Firm Handshake for their Annual Day of Recognition Event on May 17th

NEW BUSINESS – Action Items for Consideration or Approval:

1. **Public Comment Period**
2. **Consent Agenda**
3. **Payroll Change Notices:**
   - **A.** Theresa Hawkins – 911 – LWOP – Effective February 9, 2025
   - **B.** Lauren Farnsworth – Assessors – New Hire – Effective February 25, 2025
   - **C.** William Webb – Maintenance – Retirement – Effective January 31, 2025
   - **D.** J.A. Swisher – Law Enforcement – Resignation – Effective February 8, 2025
   - **E.** Nathan Ryan – Parks & Rec – Resignation – Effective February 8, 2025
4. **Minutes and/ or Amended Minutes of Previous Meetings**
   - **A.** Board of Equalization & Review Minutes for February 3, 2025
5. **Requisitions --- Purchase Orders --- Invoices**
   - **A.** Vendor List of Payments
6. **Exonerations --- Corrective Tickets --- Joint Property Applications:**
   - **A.** Exonerations --- See Exhibit A
7. **Consideration of Approval of a Project Fund Requisition for the payment of cost associated with the project to be financed from proceeds of the Series 2019 Bonds issued for the Charles Pointe Economic Opportunity Development District, Series 2021 A & B (Development District No. 3 White Oaks Project No. 2) & Series 2008 A (Charles Pointe Project No. 2- North Land Bay Improvements:**
   - **A.** Series 2008A - $1,923.83
   - **B.** Series 2019 A&B - $4,716.50

8. **Review—Discuss—Consider** Hiring 2 interns for IT
9. **Review—Discuss—Consider** Petition to dissolve the Town of West Milford
10. **Review—Discuss—Consider** Awarding bid for 2025 Aerial Photography
11. **Review—Discuss—Consider** Approving to go out to bid for an Architect for the Live Stock Facility
12. **Review—Discuss—Consider** Route 19 parcel due diligence – and closing timeline (potential executive session to consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision)
13. **Review—Discuss—Consider** best and final offer re: acquisition of United International, Inc. parcel(s) – Harrison County Rail Trail Northern Development/Expansion Project (potential executive session to consider matters involving or affecting the purchase, sale or lease of property, advance construction planning, the investment of public funds or other matters involving commercial competition, which if made public, might adversely affect the financial or other interest of the state or any political subdivision)
14. **Review—Discuss—Consider** Ethics Commission Advisory Opinion 2025-01 (potential executive session to consider matters arising from the appointment, employment, retirement, promotion, transfer, demotion, disciplining, resignation, discharge, dismissal or compensation of a public officer or employee, or prospective public officer or employee)
15. **Review—Discuss-- Consider** status of Bridgeport FOIA Response
16. **Review—Discuss—Consider** Approving Rail Trail Projects
    - **A.** Update on Master Plan
    - **B.** Update on Bridge over West Fork River
    - **C.** Update on Bridge over Simpson Creek
    - **D.** Update on Trail from Clarksburg to Salem
    - **E.** Update on Trail from Clarksburg to Spelter
    - **F.** Update on Spelter to Haywood
    - **G.** Update on Trail from Shinnston to Marion County line
    - **H.** Update on Agreements with State DOT
17. **Review—Discuss—Consider** appointing Mike Queen as the Commission representative on the Harrison County Economic Development Corporation
18. **Review—Discuss—Consider** Retainer Agreement with West Virginia University College of Law Land Use & Sustainable Development Clinic for County's Comprehensive Plan
19. **Review—Discuss—Consider** Request to Travel for 911 Employees to Attend CentralSquare Engage Conference in Orlando, Florida on April 27th – May 1st
    - **A.** Gary Keith
    - **B.** Travis Miller
    - **C.** Paul Bump
20. **Review—Discuss—Consider** Request to Travel for Community Correction Employees to Attend NASW 2025 Spring CE Conference for Social Workers in Charleston, West Virginia on April 23rd – April 25th
    - **A.** Carol Moscar

B. Emily Rebelo
C. Wayne Worth

21. **Review—Discuss—Consider** Letter to the Alcohol Beverage Control Administration – Nena's Cafe
    - 199 Club Drive
      Clarksburg, West Virginia 26301
22. **Review—Discuss—Consider** Three (3) West Virginia Department of Environmental Protection's Office of Abandoned Mine Lands and Reclamation (WVDEP) Exploratory Rights-of-Entry requests
    - Two (2) Exploratory Rights-of-Entry for the Miller Mine Drainage Phase II Project. Each Exploratory Right-of-Entry has five (5) parcels listed.
    - One (1) Exploratory Right-of-Entry for the West Fork #9 Project.
23. **Review—Discuss—Consider** Letter of Support of the hospitals, nursing homes, and other that are supporting maintaining current CON (Certificate of Need) regulations and laws
24. **Administrator's Report**
25. **Commissioner Comments – Questions**

CONSENT AGENDA – (NOTE: Items May Require Discussion, Review, and/or Action)

A. Weekly Fiduciary Report from the County Clerk
1. January 22, 2025 through February 11, 2025
B. Monthly Fiduciary Commission Settlements:
C. Monthly Minutes/ Financial Information from Various Boards, Committees, and Public Service
1.

TABLED ITEMS - - Items May Require Discussion and/ or Approval

1. Funding Request --- Clarksburg History Museum (03-27-2024)
2. Payroll Change Notice: Robert G. Matheny – Tax Office – New Hire, Chief Deputy Administrator (Paygrade/Step I-1 - $79,543.00) – Effective January 1, 2025 (12-18-2024)
3. Review—Discuss—Consider Proposed Application for Relief from Erroneous Assessment related to CED Assessments due and payable for the 2017 Tax Year, 2018 Tax Year, 2019 Tax Year, 2020 Tax Year, 2021 Tax Year, and 2022 Tax Year re: Charles Pointe (Potential Executive Session Pursuant to 6-9A-4(b)(9) to Consider Matters Involving or Affecting the Purchase, Sale or Lease of Property, Advance Construction Planning, the investment of Public Funds or Other Matters involving Commercial Competition, which if Made Public, Might Adversely Affect the Financial or Other Interest(s) of the County) (02-05-2025)

10:00am

BEFORE THE COUNTY COMMISSION OF HARRISON,
HARRISON COUNTY, WEST VIRGINIA

TO: THE COUNTY COMMISSION OF HARRISON COUNTY, WEST VIRGINIA

Come now Petitioners, Richard J. Swiger, II, and Justin Swiger and Calie Swiger, his wife, by W.T. Weber, III, Esquire, Weber & Weber, PLLC, and respectively aver and request that the County Commission of Harrison County close and vacate that certain unopened street identified as Stout Avenue, existing between those certain lots and parcels of real estate known as Lot Nos. 13, 14, 15, 22, 23 and 24 of the R. F. Stout & Bro's Lots, situate in Grant-Outside District, Harrison County, West Virginia, depicted upon that certain *"Map of R. F. Stout & Bro's Lots Near Interstate at Bassel Stop"*, dated April 4, 1921, prepared by C.C. Fittro, Engr., of record in the office of the Clerk of the County Commission of Harrison County, West Virginia, in Deed book 317, page 500, and as indexed in the Land Books of Harrison County, West Virginia, for tax year 2024, as Tax Map 387, Parcel Nos. 56, 57, 58, 59, 60 and 61, said Stout Avenue being approximately 25 feet wide and approximately 240 feet in length, as it exists from the southern boundary of Lot 15 to the northern boundary of Lot 24 of the R. F. Stout & Bro's Lots.

In support of this Petition, Petitioners represents as follows:

1. That Petitioner Richard J. Swiger, II, is the owner of Lot Nos. 13, 14, 15, 22, 23 and 24 of the R. F. Stout & Bro's Lots, situate in Grant-Outside District, Harrison County, West Virginia, being the same tracts or parcels of real estate conveyed unto Richard J. Swiger, II, by deed dated August 12, 2014, of record in the office of the Clerk of the County Commission of Harrison County, West Virginia, in Deed Book No. 1537, at page 328.

2. That Petitioners Justin Swiger and Calie Swiger are in the process of purchasing Lot Nos. 13, 14, 15, 22, 23 and 24 of the R. F. Stout & Bro's Lots, situate in Grant-Outside District, Harrison County, West Virginia, from Richard J. Swiger, II, which transaction will conclude upon the vacation and closing of Stout Avenue as it exists between said Lots.

3. That Petitioner Richard J. Swiger, II, is the father of Petitioner Justin Swiger.

4. That there exists between Grant-Outside District Parcel Nos. 13, 14, 15, 22, 23 and 24, Stout Avenue being 25' in width and approximately 240' in length which is unopened and unused. Petitioners' respective tracts or parcels of real estate abut on both sides of said Stout Avenue.

6. Petitioners further represent that to the best of their knowledge, information and belief, the unnamed alley is wholly situate within Harrison County, West Virginia.

7. That portion of Stout Avenue, subject to this Petition and subject to closure and vacation, are unused by any of the lot owners in said subdivision, nor used by the general public and do not physically serve any individual, corporation or governmental body or agency, with the exception of the Petitioners herein.

8. That the Petitioners presently own all lots abutting said section of Stout Avenue.

9. That Stout Avenue is not maintained by any municipality, the County of Harrison, or any other local, state or federal entity, including but not limited to the West Virginia Department of Highways.

10. That the portion of Stout Avenue in its un-maintained condition is a potential liability to the Harrison County.

11. To the best of Petitioners' information and belief, Stout Avenue has never been accepted for public use by any public entity.

12. That this petition is being brought pursuant to *West Virginia Code* §7-1-3h, as amended, which permits the County Commission to close and vacate unused streets and ways.

WHEREFORE, pursuant to *West Virginia Code* § 7-1-3h, Petitioners request that the County Commission of Harrison County, West Virginia, close and vacate that certain section of Stout Avenue as it exists between those certain lots and parcels of real estate known as Lot Nos. 13, 14, 15, 22, 23 and 24 of the R. F. Stout & Bro's Lots, situate in Grant-Outside District, Harrison County, West Virginia, depicted upon that certain *"Map of R. F. Stout & Bro's Lots Near Interstate at Bassel Stop"*, dated April 4, 1921, prepared by C.C. Fittro, Engr., of record in the office of the Clerk of the County Commission of Harrison County, West Virginia, in Deed book 317, page 500, and as indexed in the Land Books of Harrison County, West Virginia, for tax year 2024, as Tax Map 387, Parcel Nos. 56, 57, 58, 59, 60 and 61, said Stout Avenue being approximately 25 feet wide and approximately 240 feet in length, as it exists from the southern boundary of Lot 15 to the northern boundary of Lot 24 of the R. F. Stout & Bro's Lots. (See Exhibit A and B attached hereto).

Petitioners further request that the Harrison County Commission enact a General Order so abandoning said section of Stout Avenue, and be certified for entry and recorded in the office of the Clerk of the County Commission of Harrison County, West Virginia, and that title to the section of Stout Avenue be transferred to the Petitioners herein, and that the Harrison County Commission authorize the County Clerk to execute proper quitclaim deed(s) to the Petitioners

for same, and that the Petitioners be granted any further relief deemed necessary in this matter.

Dated this 6th day of December, 2024.

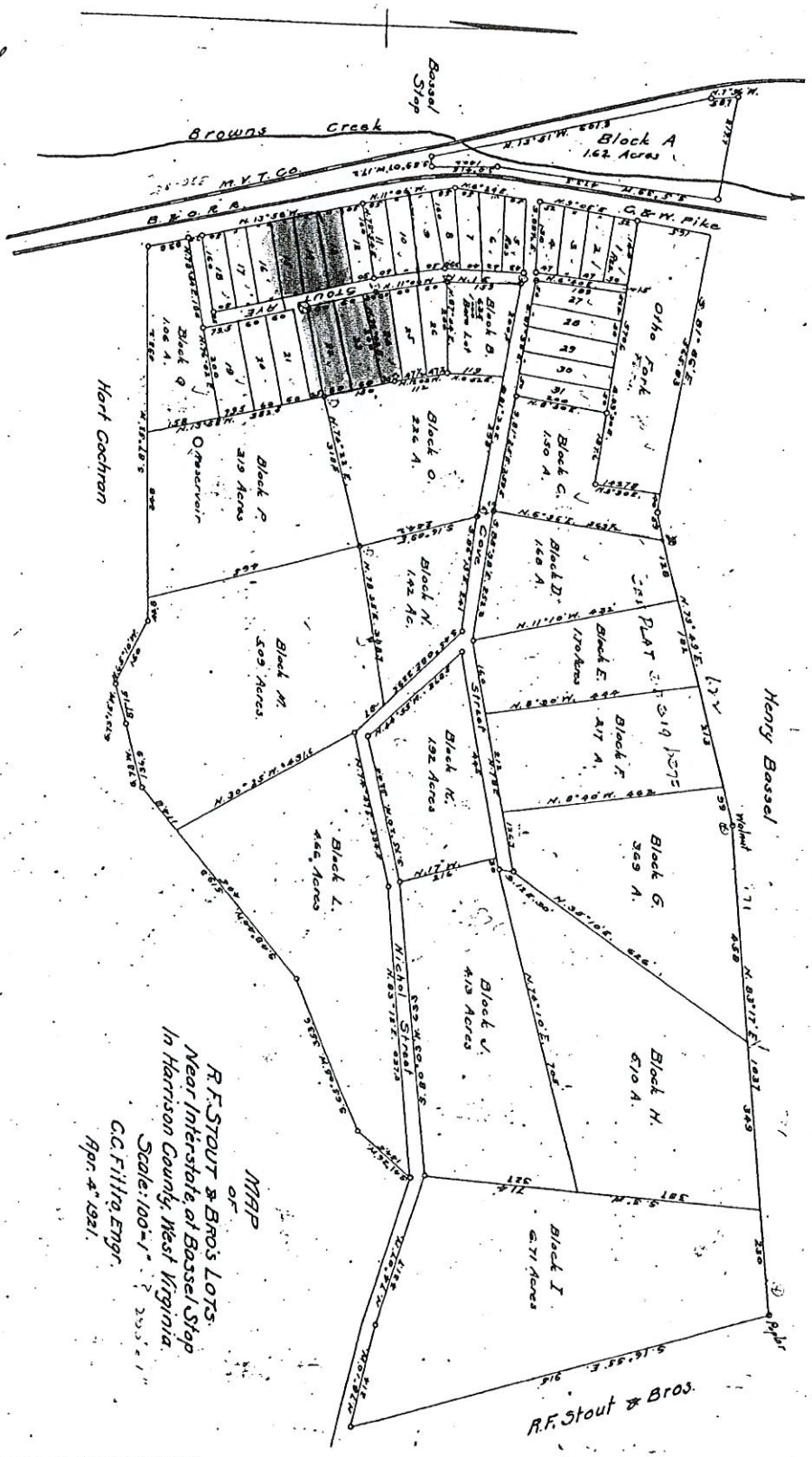
RICHARD J. SWIGER, II,
JUSTIN SWIGER AND CALIE SWIGER,
Petitioners, by Counsel

W.T. Weber, III, Esquire (Bar Id 6108)
WEBER & WEBER, PLLC
239 Main Avenue
P. O. Box 270
Weston, West Virginia 26452
304-269-2228
Counsel for Petitioners

EXHIBIT A AND B

500

Delivered to H.W. Walter 6/2/21



STATE OF WEST VIRGINIA.
Office of the Clerk of Harrison County Court April 19" 1921.

Be it remembered that this Plat was this day duly admitted to record in this office.

Teste: _____ Clerk.


Parcel
Address
Flood Zone
387-62
387-62.1
387-64
387-55
387-56
387-57
387-58
387-61
387-60
387-59
Mount Clare Rd
387-17
Imagery
0 30 60ft
Scale - 1: 1,128
39.196417, -80.332843
(39.195404, -80.337038
Click on a parcel to view its information
407-10

BEFORE THE COUNTY COMMISSION OF HARRISON COUNTY, WEST VIRGINIA

NOTICE OF PUBLIC HEARING

Notice is hereby given to any person interested that on the 19th day of February, 2025, the County Commission of Harrison County, West Virginia, will hold a public hearing at 10:00 o'clock, a.m., or as soon thereafter as the matter may be herd, in the Harrison County Commission Chambers, 229 South Third Street, Clarksburg, Harrison County, WV, 26301, to determine whether or not to close, abandon, discontinue and vacate that portion of that certain unopened street identified as Stout Avenue, existing between those certain lots and parcels of real estate known as Lot Nos. 13, 14, 15, 22, 23 and 24 of the R. F. Stout & Bro's Lots, situate in Grant-Outside District, Harrison County, West Virginia, depicted upon that certain "Map of R. F. Stout & Bro's Lots Near Interstate at Bassel Stop", dated April 4, 1921, prepared by C.C. Fittro, Engr., of record in the office of the Clerk of the County Commission of Harrison County, West Virginia, in Deed Book 317, page 500, and as indexed in the Land Books of Harrison County, West Virginia, for tax year 2024, as Tax Map 387, Parcel Nos. 56, 57, 58, 59, 60 and 61, said Stout Avenue being approximately 25 feet wide and approximately 240 feet in length, as it exists from the southern boundary of Lot 15 to the northern boundary of Lot 24 of the R. F. Stout & Bro's Lots.

A copy of the Petition for Abandonment of that Unopened Portion of Stout Avenue, can be obtained from the office of the Clerk of the County Commission of Harrison County, West Virginia, Harrison County Courthouse Annex, 229 South third Street, Clarksburg, Harrison County, West Virginia, during regular business hours.

Dated this 10th day of January, 2025.
THE HARRISON COUNTY COMMISSION
A Political Subdivision,
By: Laura Pysz
Its County Administrator

Ad#1458415

PUBLISHER'S CERTIFICATE

I, Tamra Lawson,
Classified Manager of THE EXPONENT TELEGRAM, a newspaper of general circulation published in the city of Clarksburg, County and state aforesaid, do hereby certify that the annexed:

Public Hearing

Ad# 1458415

was published in THE EXPONENT-TELEGRAM 1 time(s) commencing on 01/15/2025 and ending on 01/15/2025 at the request of

WEBER & WEBER.

Given under my hand this 01/15/2025.

The publisher's fee for said publication is: $11.53.

Tam Lawson
Classified Manager of The Exponent-Telegram

Subscribed to and sworn to before me this
01/15/2025

Tina Kocher
Notary Public in and for Harrison County, WV

My commission expires on
The 7th day of January 20 30

OFFICIAL SEAL
NOTARY PUBLIC
STATE OF WEST VIRGINIA
Tina Kocher
510 Main Street
Pt Pleasant WV 25550
My Commission Expires January 7, 2030

GENERAL ORDER AUTHORIZING THE CLOSURE AND VACATION OF THAT UNOPENED PORTION OF STOUT AVENUE BETWEEN LOTS 13, 14, 15, 22, 23 AND 24 OF THE R. F. STOUT & BRO'S LOTS, IN GRANT-OUTSIDE DISTRICT, HARRISON COUNTY, WEST VIRGINIA

WHEREAS, on the 19th day of February, 2025, came Petitioner, Richard J. Swifer, II, Justin Swiger and Calie Swiger, by W. T. Weber, III, Esquire, their counsel, and petitioned the County Commission of Harrison County, West Virginia, to vacate, abandon, discontinue and close that portion of that certain unopened street identified as Stout Avenue, existing between those certain lots and parcels of real estate known as Lot Nos. 13, 14, 15, 22, 23 and 24 of the R. F. Stout & Bro's Lots, situate in Grant-Outside District, Harrison County, West Virginia, depicted upon that certain *"Map of R. F. Stout & Bro's Lots Near Interstate at Bassel Stop"*, dated April 4, 1921, prepared by C.C. Fittro, Engr., of record in the office of the Clerk of the County Commission of Harrison County, West Virginia, in Deed book 317, page 500, and as indexed in the Land Books of Harrison County, West Virginia, for tax year 2024, as Tax Map 387, Parcel Nos. 56, 57, 58, 59, 60 and 61, said Stout Avenue being approximately 25 feet wide and approximately 240 feet in length, as it exists from the southern boundary of Lot 15 to the northern boundary of Lot 24 of the R. F. Stout & Bro's Lots, all as is more fully set forth in Petitioners' Petition herein.

WHEREAS, appearing from the Publisher's Affidavit of the Clarksburg Exponent Telegram, the proper Notice of the Petitioners' Petition was published as a Class I legal advertisement on January 10, 2025, as required by law; and,

WHEREAS, a public hearing on Petitioners' Petition was held on Fenruary 19, 2025, at 10:00, a.m., o'clock, at the Harrison County Courthouse Annex, 229 South Third Street, Clarksburg, West Virginia, 26301, with no person or entity appearing in opposition thereto; and;

WHEREAS, after hearing the representations of the Petitioners' counsel, and upon due and mature consideration of all matters presented on the Petitioners' Petition, the County Commission

of Harrison County, West Virginia found that the use and rights of no person or persons in the unopened portion of said roadway, as described and set out in the Petitioners' Petition, will be impaired or lost by the closing and vacation thereof, that said unopened portion of said roadway is in an unmaintained condition, and that the unopened portion of the roadway will be a liability to the County of Harrison for so long as it remains a public way; and,

WEREAS, there being no written or oral objection to the Petitioners' Petition herein, the County Commission of Harrison County, West Virginia, accepts said Petitioners' Petition as filed herein and further grants and authorizes the closure and vacation of said unopened portion of the roadway, as set forth in Petitioners' Petition and herein.

NOW, THEREFORE, BE IT ORDERED AND ENACTED BY THE COUNTY COMMISSION OF HARRISON COUNTY, WEST VIRGINIA, that the that portion of that certain unopened street identified as Stout Avenue, existing between those certain lots and parcels of real estate known as Lot Nos. 13, 14, 15, 22, 23 and 24 of the R. F. Stout & Bro's Lots, situate in Grant-Outside District, Harrison County, West Virginia, depicted upon that certain *"Map of R. F. Stout & Bro's Lots Near Interstate at Bassel Stop"*, dated April 4, 1921, prepared by C.C. Fittro, Engr., of record in the office of the Clerk of the County Commission of Harrison County, West Virginia, in Deed book 317, page 500, and as indexed in the Land Books of Harrison County, West Virginia, for tax year 2024, as Tax Map 387, Parcel Nos. 56, 57, 58, 59, 60 and 61, said Stout Avenue being approximately 25 feet wide and approximately 240 feet in length, as it exists from the southern boundary of Lot 15 to the northern boundary of Lot 24 of the R. F. Stout & Bro's Lots, all as is more fully set forth in Petitioners' Petition herein, be closed and vacated.

It is further ORDERED that that portion of that certain unopened street identified as Stout Avenue, existing between those certain lots and parcels of real estate known as Lot Nos. 13, 14, 15, 22, 23 and 24 of the R. F. Stout & Bro's Lots, situate in Grant-Outside District, Harrison County, West Virginia, depicted upon that certain *"Map of R. F. Stout & Bro's Lots Near Interstate at Bassel Stop"*, dated April 4, 1921, prepared by C.C. Fittro, Engr., of record in the office of the Clerk of the County Commission of Harrison County, West Virginia, in Deed book 317, page 500, and as indexed in the Land Books of Harrison County, West Virginia, for tax year 2024, as Tax Map 387, Parcel Nos. 56, 57, 58, 59, 60 and 61, said Stout Avenue being approximately 25 feet wide and approximately 240 feet in length, as it exists from the southern boundary of Lot 15 to the northern boundary of Lot 24 of the R. F. Stout & Bro's Lots, shall be split, equally, and shall become a part and parcel of said owners' respective lots; and, that the portion of the unopened roadway adjacent to Petitioner's Lots (Tax Map 387, Parcels 56, 57, 58, 59, 60,and 61) shall become a part and parcel of said Lots, all pursuant to law. Effectively, that part of the unopened roadway existing adjacent to Petitioners' Lots shall become Petitioners' property.

It is further ORDERED that the Clerk of the County Commission of Harrison County, West Virginia, execute a quitclaim deed transferring all right title and interest in and to said unopened portion of said roadway, unto the Petitioners as set forth herein.

Petition Submitted: December 6, 2024.

Adopted on Reading and Public Hearing: February 19, 2025.

Order Effective Date: February 19, 2025.

Commissioner Susan J. Thomas

Commissioner David L. Hinkle

Commissioner Patsy Trecost

THIS QUITCLAIM DEED, Made this 19th day of February, 2025, by and between John R. Spires, as Clerk of the County Commission of Harrison County, West Virginia, party of the first part, and Richard J. Swiger, II, Justin Swiger, and Calie Swiger, parties of the second part.

WHEEAS, by General Order adopted by the County Commission of Harrison County, West Virginia, on the 19th day of February, 2025, John R. Spires, as Clerk of the County Commission of Harrison County, West Virginia, was authorized and directed to grant, convey, assign, transfer, and quit claim a strip of land, being identified as that certain unopened street identified as Stout Avenue, existing between those certain lots and parcels of real estate known as Lot Nos. 13, 14, 15, 22, 23 and 24 of the R. F. Stout & Bro's Lots, situate in Grant-Outside District, Harrison County, West Virginia, depicted upon that certain *"Map of R. F. Stout & Bro's Lots Near Interstate at Bassel Stop"*, dated April 4, 1921, prepared by C.C. Fittro, Engr., of record in the office of the Clerk of the County Commission of Harrison County, West Virginia, in Deed book 317, page 500, and as indexed in the Land Books of Harrison County, West Virginia, for tax year 2024, as Tax Map 387, Parcel Nos. 56, 57, 58, 59, 60 and 61, said Stout Avenue being approximately 25 feet wide and approximately 240 feet in length, as it exists from the southern boundary of Lot 15 to the northern boundary of Lot 24 of the R. F. Stout & Bro's Lots.

NOW, THEREFORE THIS DEED, WITNESSETH: That for and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt of all of which is hereby acknowledged, the party of the first part does hereby grant, assign, transfer, set over convey, remise, and quitclaim unto, Richard J. Swiger, II, Justin Swiger, and Calie Swiger , party of the second part, all right, title and interest of the County Commission of Harrison County, West Virginia, in and to those portions that certain unopened street identified as Stout Avenue, existing between those certain lots and parcels of real estate known as Lot Nos. 13, 14, 15, 22, 23 and 24 of the R. F. Stout & Bro's Lots, situate in Grant-Outside District, Harrison County, West Virginia, depicted upon that certain *"Map of R. F. Stout & Bro's Lots Near Interstate at Bassel Stop"*, dated April 4, 1921, prepared by C.C. Fittro, Engr., of record in the office of the Clerk of the County Commission of Harrison County, West Virginia, in Deed book 317, page 500, and as indexed in the Land Books of Harrison County, West Virginia, for tax year 2024, as Tax Map 387,

Parcel Nos. 56, 57, 58, 59, 60 and 61, said Stout Avenue being approximately 25 feet wide and approximately 240 feet in length, as it exists from the southern boundary of Lot 15 to the northern boundary of Lot 24 of the R. F. Stout & Bro's Lots, situate in Grant-Outside District, Harrison County, West Virginia, being more particularly described as follows:

> That certain twenty-five (25) foot wide strip of land, being identified as a portion of Stout Avenue, existing adjacent to and adjoining Lots 13, 14, 15, 22, 23 and 24, of the R. F. Stout & Bro's Lots, (assessed in the Land Books of Harrison County, West Virginia in Grant-Outside District, Harrison County, West Virginia, as Map 387, Parcels 56, 57, 58, 59, 60 and 61), from the northern corner of Lot 24 to the southern corner of Lot 15, being approximately 240' in length; and,
>
> Said lots being laid out and depicted upon that certain *"Map of R. F. Stout & Bro's Lots, near Interstate at Cassel Stop"*, of record in the office of the Clerk of the County Commission of Harrison County, West Virginia, in Deed Book 317, page 500.

It is further understood and agreed by and between the parties hereto that the grant herein contained is made subject to all reservations, exceptions, limitations, conditions, rights of way or easements, and other servitudes, if any, made, retained or otherwise created by the deeds or other instruments constituting the record chain of title to the real estate herein and hereby conveyed.

The undersigned Grantor and Transferor upon his oath and under penalty of perjury, by signing this instrument hereby states, acknowledges and affirms that he is exempt from withholding under *West Virginia Code 11-21-71b*, including *11-21-71b(d)*, in that said Grantor is a resident of the State of West Virginia.

The undersigned hereby declares that the total consideration paid for the property conveyed by the document to which this declaration is appended is a transfer from a political subdivision of the State of West Virginia without consideration and is therefore exempt from the excise tax on the privilege of transferring real estate in West Virginia.

Witness the following signature.

_____

John R. Spires as Clerk of the County
Commission of Harrison County, West Virginia

STATE OF WEST VIRGINIA,

COUNTY OF HARRISON, TO-WIT:

The foregoing instrument was acknowledged before me this _____ day of _____, 2025, by John R. Spires, as Clerk of the County Commission of Harrison County, West Virginia.

_____
Notary Public. Harrison County,
West Virginia. My commission
expires: _____

The foregoing deed was prepared by W. T. Weber, III, Attorney-at-Law, Weber & Weber, PLLC, Weston, West Virginia, 26452.

10:10am

HARRISON COUNTY COMMISSION
SPECIAL FUNDING REQUEST

Thank you for the opportunity to suport your project. Please complete this application and return it to the Harison County Commission, 301 West Main Street, Clarksburg, WV 26301 by fax or email: Facsimile: 304-624-8673; Email: countyadministrator@harrisoncountywv.gov ; Question: 304-624-8500
Funding is derived from the State of West Virginia/Video Lottery Funding.

Date of Request: 1/08/2025

Organization Name: OPERATION FIRM HANDSHAKE INC.

Name and Title of Requester: MARTIN BRODERICK: PRESIDENT

Mailing Address of Organization and Responsible Person:
931 LOST CREEK ROMINE'S MILLS RD., LOST CREEK WV 26385
If approved, this is where the check will be sent

Telephone: 954-303-3727 CELL Fax: _____ E-mail: OPERATIONFIRMHANDSHAKE@OUTLOOK.COM

FEIN# 93-3098546 Is your organization an IRS 501(c) 3 not-for-profit? (Y) N
If yes, attach IRS Status Letter
If no, please explain: _____

TOTAL Cost of Project/Activity: $ 11,000.00 APPROXIMATE

Dollar Amount REQUESTED - Grant: $ 2,000.00 Loan: $ _____

Was project funded previously by HCC? (Y) N If so, when 1/2024 ; how much: $ 2,000.00

Have you previously received funds from the Harrison County Commisson: Y N
If Yes, how much? If funded multi years - list by fiscal year?
When: 1/2022 ; how much: $ 2,000.00
When: 1/2023 ; how much: $ 2,000.00
When: 1/2024 ; how much: $ 2,000.00

Purpose of request (one sentence): OUR ANNUAL EVENT - "DAY OF RECOGNITION"

If for a fair/festival/event, give dates and location: Date: MAY 17TH, 2025 Location: DOWNTOWN LOST CREEK

Describe the proposed activities with dollar amounts to be funded by this request: THIS EVENTS PURPOSE IS TO FEED, RE-UNITE, AND HONOR OUR VETERANS. THIS EVENT WILL FEED OVER 1000 PEOPLE. THE COST IS ATTACHED. THIS EVENT IS A 2 DAY EVENT WITH MAY 16TH FOR OUR NATIONAL CHAPTER (ILLINOIS) CEREMONY KICK OFF.

Are your financial statements audited by an outside accounting firm? (Y) N
If Yes, by whom:

Do you plan to recognize the Harrison County Commission 's contribution? (Y) N
If Yes, how?

(Name of Applicant) MARTIN BRODERICK agrees that in the event of any embezzlement, theft or misappropriation of funds or property of any kind or nature or in the event of any alleged embezzlement theft or misappropriation of funds or property of any kind or nature from (Name of Applicant) MARTIN BRODERICK, the recipient of funding from the Harrison County Commission hereunder, that (Name of Applicant) MARTIN BRODERICK shall immediately report said incident(s) to the proper police agency having jurisdiction over such matters and, further, shall immediately report said incident(s) along with a writing describing said incident(s) have been reported to the police agency having jurisdiction, to the Harrison County Commission. Further, that (Name of Applicant) MARTIN BRODERICK agrees to fully cooperate with the police and the Prosecuting Attorney's Office toward the successful prosecution of such activity.

Please attach to this Request the following:

1. IRS Letter of Tax Exemption, if you have one
2. Current List of Board of Directors with addresses
3. List other contributors with dollar amounts to your project/event
4. Balance sheet and income statement for immediate prior year, or reason why no available
5. Any additional information about your organization

FINAL REPORT REQUIRED: If approved, you agree to submit within 15 days of the event or end of project the "Final Report for Special Funding Request", on page 3 of this application OR a detailed statement of revenues and expenditures.

On behalf of the Applicant, I certify that all required information in this request is attached and correct, that we agree to the above terms, and that a Final Report (on attached Final Report or by Internal Financial Report detailing substantially same information) will be submitted within 15 days of the end of the project/event.

Signature and Title of Applicant Martin Broderick: PRESIDENT **Date** 1/08/2025

For Official Use:

This funding request is: APPROVED NOT APPROVED TABLED

Amount Approved: $_____ Paid Date: _____

With the following notations:

_____

_____

_____

Action taken at Harrison County Commission meeting on: _____

County Commission of Harrison County, West Virginia

REVISED ORDER

Harrison County Community Improvement Fund -- Number 026

Harrison County General Fund -- Number 001

Policy and Procedure Regarding Contributions to Other Entities

Whereas, the Harrison County Commission has previously authorize a special fund, namely the Harrison County Community Improvement Fund (Number 026); and

Whereas, the Harrison County Commission maintains a General Fund (Number 001) as authorized and required by statute and/or regulations; and

Whereas, the Community Improvement Fund will be utilized for contributions for fairs, festivals and/or other special funding requests approved by the Harrison County Commission as originally set forth in the establishment of the Fund; and

Whereas, the General County Fund may be utilized *for* any lawful expenditure which may Include contributions to fairs and festivals and/or special funding requests, and

Whereas, the Harrison County Commission, by this Order, set forth the same for any contribution to any entity, as set forth herein.

Now, therefore, it is the Order of the Harrison County Commission that any contribution to any entity shall comply with the following policy and procedure unless otherwise expressly indicated. A contribution may be considered **for** funding only upon proper documentation being presented to the Office of the Harrison County Commission, which shall include, but not be limited to:

a) "Harrison County Commission Special Funding Request Form", the most recent copy attached and Included for reference;

b) All requested documentation as out lined In the "Special Funding Request Form,

c) If previously funded, the "Final Report of the Special Funding Request Form", the most recent copy attached and included for reference.

Now, therefore be it further resolved, funding requests from fairs and festivals, Including but not limited to the following, will be considered throughout the year. Such allocation will be $1,500 for a one day event and $3,000 for any event of more than one day.

1. Apple Butter Festival - City of Salem
2. Fort New Salem Holiday - Christmas Activity
3. Frontier Days - City of Shinnston ,
4. Glen Elk Village Wine Musical & Art? Festival

5. Jesus Fest
6. Johnstown CEOS Community Fair
7. Lost Creek Community Festival
8. North Central WV Scottish Festival
9. Pine Bluff Fall Festival
10. St. Spyridon Greek Food Festival
11. Town of West Milford Old Mill Festival
12. Wallace VFD Fair & Festival
13. *WV* Black Heritage Festival
14. *WV* Italian Heritage Festival

Now, therefore be it further resolved, funding requests from any other entity or agency must be submitted to the Office of the Harrison County Commission on or before March 1st to be considered for funding in the budget for the next fiscal year, which would begin July 1st and end June 30th. For the fiscal year beginning July 1 and ending June 30, the submission deadline for a special funding request will be May 1 of each year.

Now, therefore be it further resolved, the Harrison County Commission does hereby direct the administrative staff with the Office of the County Commission to take the necessary steps to communicate and provide this Order to the entities and agencies that have received funding during the past four fiscal years.

Order is hereby approved and entered this 20th day of July, 2022.

Susan J Thomas, President

Attest:

John Spires, Clerk of Harrison County

Name of Organization/Applicant _____

FINAL REPORT OF THE SPECIAL FUNDING REQUEST

AMOUNT RECEIVED FROM THE HARRISON COUNTY COMMISSION: $ _____

ITEMIZED EXPENSES FOR THE AMOUNT RECEIVED FROM THE HCC (ATTACH EXTRA SHEETS IF NECESSARY OR DETAILED STATEMENT OF REVENUED AND EXPENSES RELATED THERETO):

_____	$ _____
_____	$ _____
_____	$ _____
_____	$ _____
_____	$ _____
TOTAL	$ _____

NAME OF PROJECT/EVENT: _____

TOTAL PROJECT/EVENT INCOME AND EXPENSES: (ATTACH EXTRA SHEETS IF NECESSARY OR A DETAILED STATEMENT OF REVENUES AND EXPENSES RELATED THERETO):

INCOME SOURCE:	_____	$ _____
	_____	$ _____
	_____	$ _____
	TOTAL	$ _____
EXPENSE ITEM:	_____	$ _____
	_____	$ _____
	_____	$ _____
	TOTAL	$ _____

LIST ALL CONTRIBUTORS TO THIS PROJECT/EVENT: (ATTACH EXTRA SHEETS IS NECESSARY)

_____	$ _____
_____	$ _____
_____	$ _____
_____	$ _____
TOTAL	$ _____

I CERTIFY THAT THE ABOVE INFORAMTION IS CORRECT

_____ _____

Applicant Date

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: DEC 20 2019

OPERATION FIRM HANDSHAKE INC
C/O MARTIN DEAN BRODERICK
831 LOST CREEK ROMINES MILL RD
LOST CREEK, WV 26385

Employer Identification Number:
83-3098546
DLN:
29053270301039
Contact Person:
TIMOTHY MOSLEY ID# 31889
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
September 17, 2019
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 947

831 Lost Creek Romines Mill Rd., Lost Creek WV 26385
Email: operationfirmhandshake@outlook.com
Phone: 304-745-4012
Tax Id # 83-3098546

I would like to take a minute to introduce ourselves. We are volunteers at a Veterans, non-profit charity organization called "Operation Firm Handshake". Our number one goal is to raise funds through voluntary contributions/donations to aid and assist distressed Veterans and/or their families in West Virginia. 100% of our funds raised go towards helping Veterans. We would like to help those who so unselfishly gave of themselves to ensure our freedoms in this country. We are located in Lost Creek, West Virginia. Every year we have an annual "Day of Recognition", where we honor every Veteran and their families with a picnic and festivities to let them know that they are not forgotten. So the next time you want to help an organization, please consider "Operation Firm Handshake". Thank you for your consideration....

"Sincerely"

Martin Broderick

Martin Broderick
President; "Operation Firm Handshake, Inc."

Board of Directors: Operation Firm Handshake

1. Martin Broderick: Chairman of the Board / President; Disabled USMC Veteran
   831 Lost Creek Romines Mill Rd.
   Lost Creek, WV 26385

2. Albert "Bud" Taylor: Vice Chairman / Vice President / Secretary; Army Veteran
   320 Rices Run Rd.
   Lost Creek, WV 26385

3. James Rogers: Finance Officer / Treasurer; Disabled Navy Veteran
   106 Haven Lane
   Lost Creek, WV 26385

4. James Kelley: Event Committee Director; Retired Air Force Colonel
   406Woodstock Drive
   Lost Creek, WV 26385

5. Richard McClain: Event Committee Director; Disabled Retired Army Master Sergeant
   1625 Jake Run Rd.
   Lost Creek, WV 26385

6. Steve "Hayseed" Hall: Sgt at Arms
   509 Lost Creek Romines Mill Rd.
   Lost Creek, WV 26385

OPERATION FIRM HANDSHAKES

2025 OPERATING BUDGET

1. Staff Salaries: $0 (Volunteers)
2. Rent/Utilities: $0 (all Donated by Director)
3. Equipment /Supplies: $11,400.00 annually for "Day of Recognition" event
4. Marketing/Advertising: $800.00 annually for advertising
5. Insurance: $1,004.00 annually
6. Meetings: Once a month to organize upcoming events
7. Accounting: $1,200.00 annually
8. Community Service Funding: $12,000.00 annually

TOTAL ANNUAL OPERATING BUDGET: $26,404.00

LIST OF CURRENT CONTRIBUTERS FOR May 17th, 2025 OFHS EVENT

1. **LIONS CLUB: $300**
2. **FOOD LION: $500 GIFT CARD**
3. **HARRISON COUNTY BANK: $350**

We have not received any grants yet for 2025

Operation Firm Handshakes Project and Purpose

Operation Firm Handshake has an annual project/program called the Veteran's "Day of Recognition" Coming May 18th which allows us to network with Veteran's and/or their families and to ensure them that they are not forgotten or alone in their struggles to feed or house their families. On that day we feed upwards of 1000 plus Veteran's. Our purpose and goal is to make sure that no Veteran suffers with the basic necessities such as food and housing, and that they may live a well deserved life for their unselfish service to our country.
All of this is possible because of our 33 (plus) unselfish volunteers that have a desire to relieve Veteran's of the struggles that they may be going through.
This program is implemented with the giving generosity of the city of Lost creek. They donate the community building for us to serve our food. The Harrison County Commission donates the lot next to the Lost Creek community building so that we can set up tables and chairs for the Veteran's and their families. We also have volunteers that are certified food handlers to assist us with the handling of all food. It's a unique, but exhausting, well orchestrated event where many hands make a heavy load possible. We also give away door prizes at our program. All door prizes are donated as well.

3-A

Harrison County Commission
Payroll Change Notice

DATE OF CHANGE	EMPLOYEE #	SOCIAL SECURITY NO
02-09-2025		- -

NAME	ADDRESS
Theresa Hawkins	

PHONE	CITY/STATE/ZIP	DEPARTMENT	SHIFT
		911	

THE CHANGE(S):

✓ All Applicable Boxes	FROM	TO
☐ DEPARTMENT		
☐ JOB		
☐ SHIFT		
☐ RATE		
☐ ADDRESS/PHONE		
☐ BENEFIT PLAN		
☐ OTHER _____		
☐ OTHER _____		

THE REASON FOR THE CHANGE(S):

- ☐ HIRED
- ☐ RE-HIRED
- ☐ PROMOTION
- ☐ DEMOTION
- ☐ TRANSFER
- ☐ MERIT INCREASE
- ☐ WAGE SCALE CHANGE
- ☐ LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)
- ☐ PROBATIONARY PERIOD COMPLETED
- ☐ LENGTH OF SERVICE INCREASE
- ☐ RE-EVALUATION OF EXISTING JOB
- ☐ RESIGNATION
- ☐ RETIREMENT
- ☐ LAYOFF
- ☐ DISCHARGE

TYPE OF LEAVE _____

☐ OTHER (Explain) 13 Hrs LWOP - Medical (Doctors excuse provided)

AUTHORIZATION:

EMPLOYEE SIGNATURE	DATE
SUPERVISOR SIGNATURE Andrew D. Bailey	DATE 02-09-2025
HUMAN RESOURCES MANAGER	DATE

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3-B

PAYROLL CHANGE NOTICE

DATE OF CHANGE	EMPLOYEE #	SOCIAL SECURITY NO
2/25/2025		

NAME	ADDRESS
Allen Farnsworth	

PHONE	CITY/STATE/ZIP	DEPARTMENT	SHIFT
		407	

THE CHANGE(S):

✓ All Applicable Boxes	FROM	TO
☐ DEPARTMENT		
☐ JOB		
☐ SHIFT		
X RATE		8-1 43.0897
☐ ADDRESS/PHONE		
☐ BENEFIT PLAN		
☐ OTHER _____		
☐ OTHER _____		

THE REASON FOR THE CHANGE(S):

- ☑ HIRED
- ☐ RE-HIRED
- ☐ PROMOTION
- ☐ DEMOTION
- ☐ TRANSFER
- ☐ MERIT INCREASE
- ☐ WAGE SCALE CHANGE
- ☐ LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)
- ☐ PROBATIONARY PERIOD COMPLETED
- ☐ LENGTH OF SERVICE INCREASE
- ☐ RE-EVALUATION OF EXISTING JOB
- ☐ RESIGNATION
- ☐ RETIREMENT
- ☐ LAYOFF
- ☐ DISCHARGE

TYPE OF LEAVE _____

☐ OTHER (Explain)_____

AUTHORIZATION:

EMPLOYEE SIGNATURE	DATE
SUPERVISOR SIGNATURE	DATE 2/12/25
HUMAN RESOURCES MANAGER	DATE 2/12/2025

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3-C

PAYROLL CHANGE NOTICE

DATE OF CHANGE	EMPLOYEE #	SOCIAL SECURITY NO
1/31/2025		| | |-| | |-| | | | |

NAME	ADDRESS
William Webb	

PHONE	CITY/STATE/ZIP	DEPARTMENT	SHIFT
		494	

THE CHANGE(S):

✓ All Applicable Boxes	FROM	TO
☐ DEPARTMENT		
☐ JOB		
☐ SHIFT		
☐ RATE		
☐ ADDRESS/PHONE		
☐ BENEFIT PLAN		
☐ OTHER _____		
☐ OTHER _____		

THE REASON FOR THE CHANGE(S):

- ☐ HIRED
- ☐ RE-HIRED
- ☐ PROMOTION
- ☐ DEMOTION
- ☐ TRANSFER
- ☐ MERIT INCREASE
- ☐ WAGE SCALE CHANGE
- ☐ LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)
- ☐ PROBATIONARY PERIOD COMPLETED
- ☐ LENGTH OF SERVICE INCREASE
- ☐ RE-EVALUATION OF EXISTING JOB
- ☐ RESIGNATION
- ☒ RETIREMENT
- ☐ LAYOFF
- ☐ DISCHARGE

TYPE OF LEAVE _____

☐ OTHER (Explain) Please payout any remaining Vacation time

AUTHORIZATION:

EMPLOYEE SIGNATURE	DATE
SUPERVISOR SIGNATURE	DATE
HUMAN RESOURCES MANAGER	DATE
Laura Ryan	2/14/2025

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3-D

PAYROLL CHANGE NOTICE

DATE OF CHANGE	EMPLOYEE #	SOCIAL SECURITY NO
2/8/2025		

NAME	ADDRESS
J. A. Swisher Jeffrey	

PHONE	CITY/STATE/ZIP	DEPARTMENT	SHIFT
		L.E.	

THE CHANGE(S):

✓ All Applicable Boxes	FROM	TO
☐ DEPARTMENT		
☐ JOB		
☐ SHIFT		
☐ RATE		
☐ ADDRESS/PHONE		
☐ BENEFIT PLAN		
☐ OTHER _____		
☐ OTHER _____		

RECEIVED
FEB 13
PAYROLL

THE REASON FOR THE CHANGE(S):

- ☐ HIRED
- ☐ RE-HIRED
- ☐ PROMOTION
- ☐ DEMOTION
- ☐ TRANSFER
- ☐ MERIT INCREASE
- ☐ WAGE SCALE CHANGE
- ☐ LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)
- ☐ PROBATIONARY PERIOD COMPLETED
- ☐ LENGTH OF SERVICE INCREASE
- ☐ RE-EVALUATION OF EXISTING JOB
- ● RESIGNATION
- ☐ RETIREMENT
- ☐ LAYOFF
- ☐ DISCHARGE

TYPE OF LEAVE _____

☐ OTHER (Explain) Resignation effective 2/8/2025

Please pay available vacation hours, if any.

AUTHORIZATION:

EMPLOYEE SIGNATURE	DATE
SUPERVISOR SIGNATURE	DATE
[signature]	2/12/25
HUMAN RESOURCES MANAGER	DATE
[signature]	2/14/2025

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3-E

PAYROLL CHANGE NOTICE

DATE OF CHANGE	EMPLOYEE #	SOCIAL SECURITY NO
2/8/2025	6427	| | | -| | -| | | | |

NAME	ADDRESS
Nathan C Ryan	

PHONE	CITY/STATE/ZIP	DEPARTMENT	SHIFT
	Clarksburg WV	900	

THE CHANGE(S):

✓ All Applicable Boxes	FROM	TO
☐ DEPARTMENT		
☐ JOB		
☐ SHIFT		
☐ RATE		
☐ ADDRESS/PHONE		
☐ BENEFIT PLAN		
☐ OTHER _____		
☐ OTHER _____		

THE REASON FOR THE CHANGE(S):

☐ HIRED	☐ PROBATIONARY PERIOD COMPLETED
☐ RE-HIRED	☐ LENGTH OF SERVICE INCREASE
☐ PROMOTION	☐ RE-EVALUATION OF EXISTING JOB
☐ DEMOTION	☑ RESIGNATION
☐ TRANSFER	☐ RETIREMENT
☐ MERIT INCREASE	☐ LAYOFF
☐ WAGE SCALE CHANGE	☐ DISCHARGE

☐ LEAVE OF ABSENCE FROM _____ (DATE) UNTIL _____ (DATE)

TYPE OF LEAVE _____

☐ OTHER (Explain) Pay out any remaining vacation time.

AUTHORIZATION:

EMPLOYEE SIGNATURE	DATE
SUPERVISOR SIGNATURE Michael Book	DATE 2/14/2025
HUMAN RESOURCES MANAGER Laura Ryan	DATE 2/14/2025

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4-A

Monday February 3, 2025

The Commission sat as a Board of Review and Equalization

Commissioners Susan Thomas and Patsy Trecost II were present. Commissioner Hinkle was absent. Also present were Laura Pysz, County Administrator, Micah Fisher, Deputy County Clerk, Allen Feree, Assessor, Steve Hathaway, Commercial Appraiser, and Dan Dorsey, Residential Supervisor.

Commissioner Thomas moved to enter into regular session for Board of Review and Equalization.

No one was scheduled and no one appeared. Commissioner Trecost moved to recess the Board of Review and Equalization and reconvene on Wednesday February 5, 2025 at 9:00 am. Commission concurred.

DRAFT

_____ _____

Susan Thomas, President Date

Date of Meeting	February 19,2025	Invoice - Quote							
Department	Vendor	Description	General County	E-911	Vital Services Levy	Community	Community	ARPA	Other as
Name	Name	Note	Fund 001	007	Fund 027	Corrections	Improvement Fund	Fund	Needed
911 Center	City of Bridgeport	911 Center Water and Sewer		$283.38					
911 Center	Mon Power	Grafton Tower							$347.91
911 Center	Hope Gas	911 Center Gas		$927.38					
911 Center	Magna 5	5 year renewal for watchgaurd			$923.41				
911 Center	American Fence Company	Installation of new loop detector sensor on gate			$461.34				
911 Center	Waste Management	Trash			$197.51				
911 Center	Frontier	Internet for JSJOC		$220.50					
911 Center	Harrison Rural Electric Association, Inc.	Lost Creek Tower Electric Bill & Genesis Blvd Tower Electric Bill		$3,602.81					
911 Center	Central Square Technologies	Annual Subscription Fee for 911 CAD System		$70,338.31					
911 Center	APCO International	EMD - Emergency Medical Dispatch Recertification - Nina Loar		$35.00					
911 Center	A-1 Exterminating Co., Inc.	General Pest Control Services for JSJOC Charlespointe			$75.00				
911 Center	The Water Shop	Bottled Water Dispenser Delivery for JSJOC Charlespointe			$45.00				
911 Center	State Electric Supply Co.	Replacement Battery for Kantech door control system at JSJOC Charlespointe			$32.56				
911 Center	APCO International	EMD Recertification for Michael Coffey		$35.00					
911 Center	Corey Hagan	3 Full Days Meal, Dinner Per Diem		$217.00					
911 Center	Julia Pierce	3 Full Days Meal, Dinner Per Diem		$217.00					
911 Center	APCO International	EMD Recertification - Chris Cutright		$35.00					
911 Center	Emcor Services (Scallise Industries)	HVAC Service Agreement for JSJOC Charlespointe		$815.42					
911 Center	NotePage Inc.	Annual Software Priority Support Renewal for PageGate		$395.00					
911 Center	APCO International	2 Public Safety Dispatcher Student Manuals for Newest Employees		$215.82					
911 Center	UniFirst Corporation	Carpet Runner Services for JSJOC Charlespointe			$62.25				

Date of Meeting	February 19,2025	Invoice - Quote							
Department Name	Vendor Name	Description Note	General County Fund 001	E-911 007	Vital Services Levy Fund 027	Community Corrections	Community Improvement Fund	ARPA Fund	Other as Needed
911 Center	Lowes	New Combination Lock & chain for Salem Tower Site		$32.16					
911 Center	APCO International	Public Safety Telecommunicator Recertification - Andy Bailey		$35.00					
911 Center	APCO International	Various Recertifications for Megan Rowand		$210.00					
911 Center	UniFirst Corporation	Carpet Runner Services for JSJOC Charlespointe			$62.25				
911 Center	Mountaineer Generator Service	Repaired generator at PK Tower from copper theft		$1,966.75					
911 Center	RD Wilson Sons & Co	2 Boxes of trash can liners for JSJOC Charlespointe			$89.14				
911 Center	UniFirst Corporation	Carpet Runner Services for JSJOC Charlespointe			$62.25				
911 Center	Hart Office Solutions	911 Copier Rental		$197.72					
911 Center	Emcor Services (Scallise Industries)	HVAC Service Agreement for Shinnston Tower Site							$998.38
911 Center	Emcor Services (Scallise Industries)	HVAC Service Agreement for Grafton Tower Site							$998.38
911 Center	GovWell Technologies Inc.	GovWell Program One Year Subscription 2025-2026			$32,000.00				
911 Center	West Virginia Enhanced 911 Council, Inc	Yearly dues renewal		$1,200.00					
Ambulance Authority	City Of Salem	January 2025 Allotment			$1,271.70				
Ambulance Authority	Nutter Fort VFD	January 2025 Allotment			$2,430.36				
Ambulance Authority	Harrison County EMS	January 2025 Allotments for EMS 61, 62, 63, 67			$20,671.92				
Ambulance Authority	Bridgeport Fire Department/EMS	January 2025 Allotment for BEMS 51, 52			$6,612.84				
Ambulance Authority	Anmoore EMS	January 2025 Allotment			$4,521.60				
Animal Control	EMCOR	Furnace Repairs			$655.31				
Animal Control	City of Shinnston	Water			$27.70				
Animal Control	Enterprise Sanitation	Trash for Jan 2025			$178.23				
Animal Control	US Bank	Amazon - Syringe Restock for vaccines			$73.75				
Animal Control	Audubon Animal Clinic	Vet Checkups for Milo & Sasha			$620.77				
Animal Control	EMCOR Services	Monthly Maintenance Agreement for HVAC			$371.68				

Date of Meeting	February 19,2025	Invoice - Quote							
Department Name	Vendor Name	Description Note	General County Fund 001	E-911 007	Vital Services Levy Fund 027	Community Corrections	Community Improvement Fund	ARPA Fund	Other as Needed
Animal Control	Audubon Animal Clinic, Inc.	January Spay & Neuter			$1,101.20				
Animal Control	US Cellular	Animal Control Phone Bill	m		$246.68				
Animal Control	US Bank	Medical Examination Light - Will be paid by Best Friends Grant			$642.90				
Assessor	GovWell Technologies Inc.	GovWell Program One Year Subscription 2025-2026	$6,000.00						
Commission	Clarksburg Water Board	6 locations	$1,678.57						
Commission	Hope Gas	Courthouse/Annex	$7,770.91						
Commission	Mon Power	Extension Office & Garage	$1,457.95						
Commission	Hart Office Solutions	Black Toner for Circuit Clerk	$170.00						
Commission	WorkForce West Virginia	Rinker Unemployment	$2,365.00						
Commission	The Water shop	Commission, Planning, and Maintenacne Water	$48.00						
Commission	City Net	Internet for Courthouse	$11,388.29						
Commission	Reference Services	Background Checks & Credentialing Fee	$170.00						
Commission	Harrison County Bank	Airport Property Payment	$34,395.48						
Commission	MVB Bank	609 West Main Street	$6,222.12						
Commission	Reynoldville Volunteer Fire Department	Truck Payment Reimbursement	$7,203.68						
Commission	Pierpont Foundation	Special Funding Request 2024 & 2025					$6,000.00		
Commission	EMCOR Services	Monthly Maintenance Agreement for HVAC Storage Garage	$371.66						
Commission	US Bank	Grant Writing Zoom Class for Christina Murphy	$495.00						
Commission	YMCA	Corporate Gym Membership Bill for December 2024	$64.00						
Commission	City Mechanical	Work on the plumbing at General Services Building	$2,121.25						
Commission	US Cellular	Harrison County Commission Phone Bill	$1,438.52						

Date of Meeting	February 19,2025	Invoice - Quote							
Department Name	Vendor Name	Description Note	General County Fund 001	E-911 007	Vital Services Levy Fund 027	Community Corrections	Community Improvement Fund	ARPA Fund	Other as Needed
Commission	Patsy Trecost	Mileage Reimbursement for meeting with Senate President	$177.80						
Commission	Software Systems Inc.	Level 2 & 3 Maintenance	$2,708.95						
Commission	US Bank	Greater Harrison PSD - Water bill for Quiet Dell School	$41.37						
Commission	FedEx	Postage	$30.43						
Commission	Thrasher	Rail Trail Work	$20,645.00						
Commission	UniFirst	Weekly Rugs	$61.57						
Commission	Visual Edge IT	Copier Rentals for Sherrifs Office & Prosecuting Attorney's Office	$992.62						
Commission	Frontier	Courthouse/Annex	$22.48						
Commission	Mon Power	License Plate Reader Electric Bill	$53.10						
Commission	Charter Communications	Internet Service / Extension Service	$389.96						
Commission	TRUIST	Deputy Credit Card Charges	$360.41						
Commission	Emcor Services	Installation of new pump in Garage	$6,624.00						
Commission	Enviroclean	January 2025 - Janitorial Service	$12,109.50						
Commission	Advantage Tech	50 Acronis Snap Deploy for PC RNWL PREM CUST SUP ESD	$270.50						
Commission	Fuelman	Gas Cards	$16,240.49						
Commission	Anderson Excavating	New Parking Lot Paving	$59,719.50						
Commission	Mon Power	Commission Electric Bill	$11,677.30						
Commission	WV State Auditor	Audit	$26,050.00						
Commission	Wallace Fire Department	Allotment Reimbursement	$30,000.00						
Community Corrections	Stationers	Office Supplies				$70.20			
Community Corrections	Solid Ground Theraoy Services	Social Work Licensure				$200.00			
Community Corrections	Opans	Lab Confirmations				$12,800.00			
Community Corrections	BestNotes	Monthly EMR Fees				$582.00			
Community Corrections	Uline	Nurse Station Materials				$179.59			
Community Corrections	The Change Company	Group Materials				$493.68			
Community Corrections	NASW Spring Conference	Registrations for Emily Rebelo, Carol Moscar, Wayne Worth				$790.00			
Community Corrections	Micro Distributing II, LTD	Lab Confirmations				$24,464.70			

Date of Meeting	February 19,2025	Invoice - Quote							
Department	Vendor	Description	General County	E-911	Vital Services Levy	Community	Community	ARPA	Other as
Name	Name	Note	Fund 001	007	Fund 027	Corrections	Improvement Fund	Fund	Needed
Community Corrections	The Thrasher Group, Inc.	Invoice # 1034962				$7,339.92			
Community Corrections	D/B/A PACE Enterprises, Inc.	Shred Service				$43.00			
Community Corrections	Alcohol Monitoring Systems, INC.	SCRAM Daily Monitoring fees				$2,106.65			
County Clerk	The Water Shop	9 Water	$54.00						
County Clerk	Amazon	2 Yellow Printer Paper for nightly deposits	$21.06						
County Clerk	MPB	Election Business Reply By Mail Envelopes, Brown Peel & Seal Reply By Mail Envelopes	$1,024.00						
County Clerk	MPB	Wallet Cards	$743.00						
County Clerk	Casto & Harris	25 Record Room Books	$2,260.00						
County Clerk									
Courts	The Water Shop	3 Water invoices	$57.00						
Courts	The Water Shop	Bedell Jury Room Water & McCarthy Jury Room Water	$54.00						
Grants	Pinnacle Consultants, LLC	Asbestos Testing for 28 Sea Street - will be reimbursed from WVDEP DLAP Grant	$10.00						
Grants	Pinnacle Consultants, LLC	Asbestos Testing For 1857 Junkins St, Clarksburg - Will be reimbursed from WVDEP DLAP Grant	$20.00						
Grants	Pinnacle Consulatnts, LLC	Asbestos Testing For 1930 Junkins St., Clarksburg - Will be reimbursed from WVDEP DLAP Grant	$20.00						
Grants	Pinnacle Consultants, LLC	Asbestos Testing for 429 Bristol Road, Salem - Will be reimbursed from WVDEP DLAP Grant	$50.00						
Grants	Pinnacle Consultants, LLC	Asbestos Testing for Sun Valley Rd, Parcel #52 - Will be reimbursed from WVDEP DLAP Grant	$60.00						

Date of Meeting	February 19,2025	Invoice - Quote							
Department	Vendor	Description	General County	E-911	Vital Services Levy	Community	Community	ARPA	Other as
Name	Name	Note	Fund 001	007	Fund 027	Corrections	Improvement Fund	Fund	Needed
Grants	Pinnacle Consultants, LLC	Asbestos Testing For 112 Factory St., Clarksburg - Will be reimbursed from WVDEP DLAP Grant	$70.00						
Grants	Pinnacle Consultants, LLC	Asbestos Testing For 113 Beechwood Ave, Clarksburg - Will be reimbursed from WVDEP DLAP Grant	$60.00						
Grants	Pinnacle Consultants, LLC	Asbestos Testing For 116 Mt. Clare Rd, Clarksburg - Will be reimbursed from WVDEP DLAP Grant	$90.00						
Grants	Pinnacle Consultants, LLC	Asbestos Testing For 135 Chub Run Rd., Clarksburg - Will be reimbursed from WVDEP DLAP Grant	$40.00						
Grants	Pinnacle Consultants, LLC	Asbestos Testing For 160 Mt. Clare Rd., Clarksburg - Will be reimbursed from WVDEP DLAP Grant	$10.00						
Grants	Pinnacle Consultants, LLC	Asbestos Testing For 724 Miners Way, Shinnston - Will be reimbursed from WVDEP DLAP Grant	$20.00						
Grants	Pinnacle Consultants, LLC	Asbestos Testing For 888 Gypsy Hollow Rd., Gypsy - Will be reimbursed from WVDEP DLAP Grant	$50.00						
Grants	Pinnacle Consultants, LLC	Asbestos Testing For 961 Gypsy Hollow Rd., Gypsy - Will be reimbursed from WVDEP DLAP Grant	$30.00						
Grants	Pinnacle Consultants, LLC	Asbestos Testing For 2337 Wilsonburg Rd., Clarksburg - Will be reimbursed from WVDEP DLAP Grant	$10.00						

Date of Meeting	February 19,2025	Invoice - Quote							
Department	Vendor	Description	General County	E-911	Vital Services Levy	Community	Community	ARPA	Other as
Name	Name	Note	Fund 001	007	Fund 027	Corrections	Improvement Fund	Fund	Needed
Grants	Pinnacle Consultants, LLC	Asbestos Testing For 2347 Wilsonburg Rd., Clarksburg - Will be reimbursed from WVDEP DLAP Grant	$50.00						
Grants	Pinnacle Consultants, LLC	Asbestos Testing For 5128 Garfield Rd., Clarksburg - Will be reimbursed from WVDEP DLAP	$20.00						
Grants	Pinnacle Consultants, LLC	Asbestos Testing for 5289 Sycamore Rd., Clarksburg - Will be reimbursed from WVDEP DLAP Grant	$50.00						
Grants	Pinnacle Consultants, LLC	Asbestos Testing for 1390 Philippi Pike, Clarksburg - Will be reimbursed from WVDEP DLAP Grant	$40.00						
Home Confinement	Buddi	Home Incarceration Daily Monitoring Fees							$3,564.40
IT	State Electric Supply	Door Cards & Door Controllers	$5,035.54						
IT	US BANK	Amazon - Hard Drives	$251.84						
Law Enforcement	GALLS	Safariland MKII Defense Spray Case	$197.49						
Law Enforcement	Verizon	Active Investigation	$75.00						
Law Enforcement	Bridgeport Express Care Inc.	New Employment Physical - Sukanick	$245.00						
Law Enforcement	Bennys Boot Hill	Safety Toe Shoe - E. Kesling	$117.00						
Law Enforcement	Continental Coffee & Water Service	Coffee Supplies	$109.85						
Law Enforcement	Truist	Bartlett	$88.99						
Law Enforcement	Trapuzzano's	Uniforms and equipment	$4,089.50						
Law Enforcement	TRUIST	Deputy Credit Card Charges	$2,501.46						
Law Enforcement	Advantage Occupational Medicine	New Hire Drug Screening	$55.00						
Law Enforcement	Parr Public Safety Equipment	Equipment for 2023 Ford	$105.45						
Law Enforcement	Skasiks Cleaners	Dry Cleaning	$286.05						
Law Enforcement	GALLS, LLC	Negotiator Commendation Bar	$19.56						

Date of Meeting	February 19,2025	Invoice - Quote							
Department Name	Vendor Name	Description Note	General County Fund 001	E-911 007	Vital Services Levy Fund 027	Community Corrections	Community Improvement Fund	ARPA Fund	Other as Needed
Law Enforcement	Robins Perfect Fit	Deputy Uniform Alterations	$88.00						
Law Enforcement	Harry Green 7 Acres	Repair Tires	$453.36						
Maintenance	RD Wilson	Partial Shipment of Suplies	$174.15						
Maintenance	Sandy's True Value	Supplies	$152.94						
Maintenance	Lowes	Supplies	$643.56						
Maintenance	Quality Machine	Repairs to Elevators	$1,501.14						
Maintenance	WV Outdoor Power	Oil for Pressure Washer	$17.99						
Maintenance	Custom Thermal Solutions LLC	Work on HVAC System	$1,515.00						
Maintenance	Sandy's True Value	Supplies	$283.90						
Maintenance	US Bank	Tractor Supply - Wheel Jack & Deep Sockets	$131.96						
Maintenance	Lowes	Supplies & Sweeper	$459.98						
OEM									
Parks & Rec.	Mon Power	Summit Park & Field			$17.28				
Parks & Rec.	Clarksburg Water Board	Rec Complex			$291.60				
Parks & Rec.	Mon Power	3 locations			$1,332.43				
Parks & Rec.	Enterprise Sanitation	Trash for Jan 2025			$443.61				
Parks & Rec.	Mon Power	Spelter Park			$71.56				
Parks & Rec.	Mon Power	Spelter Park			$10.00				
Planning Dept.	GovWell Technologies Inc.	GovWell Program - One Year Subscription 2025-2026	$10,000.00						
Process	US Cellular	Cellular Bill	$180.89						
Pros. Atty	TRUIST Bank	Various Charges	$511.21						
Pros. Atty	TRUIST Bank	Charges for Staples - Black Ink	$955.61						
Pros. Atty	Allison J. Kelley, CCR	Transcripts from a hearing	$258.00						
Pros. Atty	Sharon Vincent, CCR	Transcripts from a hearing	$71.00						
Regional Jail	WV Division of Corrections and Rehabilitation	Jan 2025 Inmate Housing	$138,553.58						
Security	The Water Shop	Water			$18.00				
Security	Skasiks Cleaners	Dry Cleaning for Security			$342.25				

Date of Meeting	February 19,2025	Invoice - Quote							
Department	Vendor	Description	General County	E-911	Vital Services Levy	Community	Community	ARPA	Other as
Name	Name	Note	Fund 001	007	Fund 027	Corrections	Improvement Fund	Fund	Needed
Senior Center	EMCOR Services	Monthly Maintenance Agreement for HVAC			$371.66				
Senior Center	Custom Thermal Solutions LLC	Work on HVAC System			$1,450.00				
Senior Center	Lee Reger Builds, Inc.	Senior Center Door Rebuild & Repair			$8,295.00				
Sheriff & Treasurer	Stationers	Office Supplies	$62.86						
Sheriff & Treasurer	Monroe Systems for Business	4 Calculators	$756.00						
Sheriff & Treasurer	Truist	Charges	$134.59						
Staging	The Water Shop	Water	$30.00						
WVU Extension Service	Lowes	Keurig K-Duo Coffee Maker, Maytag OTR Microwave	$548.99						
WVU Exxtension Service	Uline	Dry Erase Board, Markers and Eraser	$317.00						
			$447,427.91	$80,979.25	$86,080.74	$49,069.74	$6,000.00	$0.00	$5,909.07
					Grand Total :	$675,466.71			

COMMISSIONER'S SIGNATURE

COMMISSIONER'S SIGNATURE

COMMISSIONER'S SIGNATURE

Date of Meeting	February 19,2025	Invoice - Quote							
Department	Vendor	Description	General County	E-911	Vital Services Levy	Community	Community	ARPA	Other as
Name	Name	Note	Fund 001	007	Fund 027	Corrections	Improvement Fund	Fund	Needed

PP-711

EXONERATIONS

STATE OF WEST VIRGINIA **COUNTY OF HARRISON**

Personal Property

At a regular term of the County Commission of Harrison County, West Virginia, held at the Courthouse of said County, Commissioners

David Hinkle **Susan J. Thomas** **Patsy Trecost II**

On the 19th day of February, 2025 issued the following order, which was made and entered, to-wit:

Upon application of CRICHARDS for **GOLDEN STEPHANIE KAY** whose address is, 4693 VETERANS MEMORIAL HWY BRIDGEPORT, WV 26330, who proved to the satisfaction of the Commission that said property owner is aggrieved by an erroneous assessment of **11862** on **1996 14X76 Mobile Home**, Class **3/4** in **SIMPSON-ANMOORE**, Harrison County, West Virginia, which should have been assessed at **0**, Class **3/4** in and for the year **2023**, resulting in a difference in assessed value of **11862**. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed, in and for the year **2023**, if the same has not been paid, and if it has been paid, that the Sheriff refund the same to them.

The commission certifies the following facts upon which it grants said relief:

The above mentioned taxpayer in error is assessed for the 2023 tax year, the mobile home is assessed to Christopher Fox #3009289. Cancel this ticket and mark improper for the 2023 tax year.

District: **17 - SIMPSON-ANMOORE**
Account No. **3055762**
Ticket No. **625182**
Tax Year **2023**
Parcel ID:

Amount Exonerated: $335.46

PRESENT: Prosecuting Attorney
(or)
PRESENT: Tax Commissioner

APPROVED: President, County Commission

ORDER ENTERED TO STATE AUDITOR

ATTEST: County Clerk

ASSESSOR

PP.712

EXONERATIONS

STATE OF WEST VIRGINIA **COUNTY OF HARRISON**

Personal Property

At a regular term of the County Commission of Harrison County, West Virginia, held at the Courthouse of said County, Commissioners

David Hinkle **Susan J. Thomas** **Patsy Trecost II**

On the 19th day of February, 2025 issued the following order, which was made and entered, to-wit:

Upon application of CRICHARDS for **JONES MATTHEW A** whose address is, PO BOX 498 ANMOORE, WV 26323, who proved to the satisfaction of the Commission that said property owner is aggrieved by an erroneous assessment of **15192** on **1980 14X70 Liberty Mobile Home**, Class **2** in **SIMPSON-ANMOORE**, Harrison County, West Virginia, which should have been assessed at **11580**, Class **3/4** in and for the year **2023**, resulting in a difference in assessed value of **3612**. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed, in and for the year **2023**, if the same has not been paid, and if it has been paid, that the Sheriff refund the same to them.

The commission certifies the following facts upon which it grants said relief:

The above mentioned taxpayer in error is asseswsed for the 1980 mobile home, which is assessed to Faith Jones #3080327. Exonerate a value of 3612 at a class 2 rate of levy to correct the overcharge. Please remove the 80 1470 libe (3612) from the vehicle description.

District: **17 - SIMPSON-ANMOORE**
Account No. **3051166**
Ticket No. **625216**
Tax Year **2023**
Parcel ID:

Amount Exonerated: $51.07

PRESENT: Prosecuting Attorney
(or)
PRESENT: Tax Commissioner

APPROVED: President, County Commission

ORDER ENTERED TO STATE AUDITOR

ATTEST: County Clerk

ASSESSOR

PP-713

EXONERATIONS

STATE OF WEST VIRGINIA **COUNTY OF HARRISON**

Personal Property

At a regular term of the County Commission of Harrison County, West Virginia, held at the Courthouse of said County, Commissioners

David Hinkle **Susan J. Thomas** **Patsy Trecost II**

On the 19th day of February, 2025 issued the following order, which was made and entered, to-wit:

Upon application of CRICHARDS for **JONES MATTHEW A** whose address is, PO BOX 498 ANMOORE, WV 26323, who proved to the satisfaction of the Commission that said property owner is aggrieved by an erroneous assessment of **3936** on **1980 14X70 Liberty Mobile Home**, Class **2** in **SIMPSON-ANMOORE**, Harrison County, West Virginia, which should have been assessed at **0**, Class **3/4** in and for the year **2024**, resulting in a difference in assessed value of **3936**. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed, in and for the year **2024**, if the same has not been paid, and if it has been paid, that the Sheriff refund the same to them.

The commission certifies the following facts upon which it grants said relief:

The above mentioned taxpayer in error is assessed for the 1980 mobile home, which is assessed to Faith Jones #3080327. Cancel this ticket and mark improper for the 2024 tax year.

District: **17 - SIMPSON-ANMOORE**
Account No. **3051166**
Ticket No. **425291**
Tax Year **2024**
Parcel ID:

Amount Exonerated: $54.99

PRESENT: Prosecuting Attorney
(or)
PRESENT: Tax Commissioner

APPROVED: President, County Commission

ATTEST: County Clerk

ORDER ENTERED TO STATE AUDITOR

ASSESSOR

PP. 714

EXONERATIONS

STATE OF WEST VIRGINIA **COUNTY OF HARRISON**

Personal Property

At a regular term of the County Commission of Harrison County, West Virginia, held at the Courthouse of said County, Commissioners

David Hinkle **Susan J. Thomas** **Patsy Trecost II**

On the 19th day of February, 2025 issued the following order, which was made and entered, to-wit:

Upon application of CRICHARDS for **JUSTIFIED M2 SOLUTIONS** whose address is, 1885 STOUTS RUN RD MOUNT CLARE, WV 26408, who proved to the satisfaction of the Commission that said property owner is aggrieved by an erroneous assessment of **100872** on **2022 Chevy Silverado**, Class **3/4** in **ELK**, Harrison County, West Virginia, which should have been assessed at **71700**, Class **3/4** in and for the year **2024**, resulting in a difference in assessed value of **29172**. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed, in and for the year **2024**, if the same has not been paid, and if it has been paid, that the Sheriff refund the same to them.

The commission certifies the following facts upon which it grants said relief:

The above mentioned taxpayer in error reported the 2022 Chevy, vehicle not owned July 1, 2023. Exonerate a value of 29172 at a class 3 rate of levy to correct the overcharge. Please remove the 22 Chev Silv (29172) from the vehicle description.

District: **11 - ELK**
Account No. **3082562**
Ticket No. **415311**
Tax Year **2024**
Parcel ID:

Amount Exonerated: $669.21

PRESENT: Prosecuting Attorney
(or)
PRESENT: Tax Commissioner

APPROVED: President, County Commission

ORDER ENTERED TO STATE AUDITOR

ATTEST: County Clerk

ASSESSOR

PP-715

EXONERATIONS

STATE OF WEST VIRGINIA **COUNTY OF HARRISON**

Personal Property

At a regular term of the County Commission of Harrison County, West Virginia, held at the Courthouse of said County, Commissioners

David Hinkle **Susan J. Thomas** **Patsy Trecost II**

On the 19th day of February, 2025 issued the following order, which was made and entered, to-wit:

Upon application of CRICHARDS for **MCINTYRE JERRY & TWILA** whose address is, 2569 SYCAMORE RD CLARKSBURG, WV 26301, who proved to the satisfaction of the Commission that said property owner is aggrieved by an erroneous assessment of **11835** on **2019 Jeep Compass**, Class **3/4** in **TENMILE-OUTSIDE**, Harrison County, West Virginia, which should have been assessed at **1620**, Class **3/4** in and for the year **2024**, resulting in a difference in assessed value of **10215**. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed, in and for the year **2024**, if the same has not been paid, and if it has been paid, that the Sheriff refund the same to them.

The commission certifies the following facts upon which it grants said relief:

The above mentioned taxpayer in error reported the 2019 Jeep, vehicle sold March 2022. Exonerate a value of 10215 at a class 3 rate of levy to correct the overcharge. Please remove the 19 Jeep Comp (10215) from the vehicle description.

District: **18 - TENMILE-OUTSIDE**
Account No. **3055166**
Ticket No. **426472**
Tax Year **2024**
Parcel ID:

Amount Exonerated: $234.33

PRESENT: Prosecuting Attorney
(or)
PRESENT: Tax Commissioner

APPROVED: President, County Commission

ORDER ENTERED TO STATE AUDITOR

ATTEST: County Clerk

ASSESSOR

PP-716

EXONERATIONS

STATE OF WEST VIRGINIA **COUNTY OF HARRISON**

Personal Property

At a regular term of the County Commission of Harrison County, West Virginia, held at the Courthouse of said County, Commissioners

David Hinkle **Susan J. Thomas** **Patsy Trecost II**

On the 19th day of February, 2025 issued the following order, which was made and entered, to-wit:

Upon application of CRICHARDS for **MD TOWHIDUL ISLAM CELLAXS** whose address is, 110 BEVERLEY RD BROOKLYN, NY 11218, who proved to the satisfaction of the Commission that said property owner is aggrieved by an erroneous assessment of **3069** on **MACHINERY AND EQUIPMENT**, Class **3/4** in **SIMPSON-BRIDGEPORT**, Harrison County, West Virginia, which should have been assessed at **0**, Class **3/4** in and for the year **2022**, resulting in a difference in assessed value of **3069**. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed, in and for the year **2022**, if the same has not been paid, and if it has been paid, that the Sheriff refund the same to them.

The commission certifies the following facts upon which it grants said relief:

The above mentioned taxpayer in error is assessed for the 2022 tax year, business closed December 2020. Cancel this ticket and mark improper for the 2022 tax year.

District: **16 - SIMPSON-BRIDGEPORT**
Account No. **3060913**
Ticket No. **2022**
Tax Year **2022**
Parcel ID:

Amount Exonerated: $94.33

PRESENT: Prosecuting Attorney
(or)
PRESENT: Tax Commissioner

APPROVED: President, County Commission

ORDER ENTERED TO STATE AUDITOR

ATTEST: County Clerk

ASSESSOR

PP-717

EXONERATIONS

STATE OF WEST VIRGINIA **COUNTY OF HARRISON**

Personal Property

At a regular term of the County Commission of Harrison County, West Virginia, held at the Courthouse of said County, Commissioners

David Hinkle **Susan J. Thomas** **Patsy Trecost II**

On the 19th day of February, 2025 issued the following order, which was made and entered, to-wit:

Upon application of CRICHARDS for **MD TOWHIDUL ISLAM CELLAXS** whose address is, 110 BEVERLEY RD BROOKLYN, NY 11218, who proved to the satisfaction of the Commission that said property owner is aggrieved by an erroneous assessment of **3376** on **MACHINERY AND EQUIPMENT**, Class **3/4** in **SIMPSON-BRIDGEPORT**, Harrison County, West Virginia, which should have been assessed at **0**, Class **3/4** in and for the year **2023**, resulting in a difference in assessed value of **3376**. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed, in and for the year **2023**, if the same has not been paid, and if it has been paid, that the Sheriff refund the same to them.

The commission certifies the following facts upon which it grants said relief:

The above mentioned taxpayer in error is assessed for the 2023 tax year, business closed December 2020. Cancel this ticket and mark improper for the 2023 tax year.

District: **16 - SIMPSON-BRIDGEPORT**
Account No. **3060913**
Ticket No. **623448**
Tax Year **2023**
Parcel ID:

Amount Exonerated: $102.79

PRESENT: Prosecuting Attorney
(or)
PRESENT: Tax Commissioner

APPROVED: President, County Commission

ORDER ENTERED TO STATE AUDITOR

ATTEST: County Clerk

ASSESSOR

PP-718

EXONERATIONS

STATE OF WEST VIRGINIA **COUNTY OF HARRISON**

Personal Property

At a regular term of the County Commission of Harrison County, West Virginia, held at the Courthouse of said County, Commissioners

David Hinkle **Susan J. Thomas** **Patsy Trecost II**

On the 19th day of February, 2025 issued the following order, which was made and entered, to-wit:

Upon application of CRICHARDS for **MD TOWHIDUL ISLAM CELLAXS** whose address is, 110 BEVERLEY RD BROOKLYN, NY 11218, who proved to the satisfaction of the Commission that said property owner is aggrieved by an erroneous assessment of **3713** on **MACHINERY AND EQUIPMENT**, Class **3/4** in **SIMPSON-BRIDGEPORT**, Harrison County, West Virginia, which should have been assessed at **0**, Class **3/4** in and for the year **2024**, resulting in a difference in assessed value of **3713**. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed, in and for the year **2024**, if the same has not been paid, and if it has been paid, that the Sheriff refund the same to them.

The commission certifies the following facts upon which it grants said relief:

The above mentioned taxpayer in error is assessed for the 2024 tax year, business closed December 2020. Cancel this ticket and mark improper for the 2024 tax year.

District: **16 - SIMPSON-BRIDGEPORT**
Account No. **3060913**
Ticket No. **423507**
Tax Year **2024**
Parcel ID:

Amount Exonerated: $111.79

PRESENT: Prosecuting Attorney
(or)
PRESENT: Tax Commissioner

APPROVED: President, County Commission

ORDER ENTERED TO STATE AUDITOR

ATTEST: County Clerk

ASSESSOR

RE 618

EXONERATIONS

STATE OF WEST VIRGINIA **COUNTY OF HARRISON**

Real Estate

At a regular term of the County Commission of Harrison County, West Virginia, held at the Courthouse of said County, Commissioners

David Hinkle **Susan J. Thomas** **Patsy Trecost II**

On the 19th day of February, 2025 issued the following order, which was made and entered, to-wit:

Upon application of DMCNEMAR for **GALAN JOE, JANET & MARK EDWARD** whose address is, 98 LOGAN LN BRIDGEPORT, WV 26330, who proved to the satisfaction of the Commission that said property owner is aggrieved by an erroneous assessment of **74280** on **N 1/2 LOT #9 RANDOLPH LOWTHER S-D**, Class **2** in **SIMPSON-OUTSIDE**, Harrison County, West Virginia, which should have been assessed at **54280**, Class **2** in and for the year **2024**, resulting in a difference in assessed value of **20000**. The Commission therefore, orders that the said applicant be and is hereby exonerated from the said erroneous assessment and from the payment of the taxes so assessed, in and for the year **2024**, if the same has not been paid, and if it has been paid, that the Sheriff refund the same to them.

The commission certifies the following facts upon which it grants said relief:

The above mentioned property had a County Court Split, CCS. The homestead exemption was erroneously removed when the CCS was deleted. Exonerate a value of 20,000 at a Class 2 rate of levy to correct the overcharge.

District: **15 - SIMPSON-OUTSIDE**
Account No. **6391175**
Ticket No. **51969**
Tax Year **2024**
Parcel ID: **152308006200000000**

Amount Exonerated: $229.40

PRESENT: Prosecuting Attorney
(or)
PRESENT: Tax Commissioner

ATTEST: County Clerk

ASSESSOR

APPROVED: President, County Commission

ORDER ENTERED TO STATE AUDITOR

7-A

FORM OF REQUISITION
FOR PAYMENT FROM SERIES A
ADMINISTRATIVE EXPENSE FUND

The County Commission of Harrison County
(West Virginia)
Tax Increment Revenue and Refunding Bonds
(Charles Pointe Project No. 2- North Land Bay Improvements)
Series 2008 A

To: UMB Bank
120 South Sixth Street Suite 1400
Minneapolis, MN 55402

REQUISITION FOR PAYMENT NO. (02/19/25)

THE COUNTY COMMISSION OF HARRISON COUNTY (the "Issuer"), by its duly Authorized Representatives, hereby certifies, in connection with this Requisition for Payment from Series A Administrative Expense Fund (the "Requisition") under a Development Agreement for the above captioned bonds (the "Series 2008 A Bonds"), dated March 5, 2008 (the "Development Agreement") between the Issuer and the Developer, that:

1. Terms used herein and not otherwise defined herein shall have the meanings given such terms in the Development Agreement or the Indenture of Trust for the Series 2008 A Bonds, dated March 5, 2008 as supplemented and amended (the "Series 2008 A Trust Indenture") between the Issuer and UMB Bank as substitute trustee under the Series 2008 A Trust Indenture.

2. The amount requested to be transferred from the Revenue Fund to the Series A Administrative Expense Fund is necessary to pay Administrative Expenses incurred during the preceding six month period.

3. The amount requested to be disbursed from the Series A Administrative Expense Fund by this Requisition: (a) is a portion of the Administrative Expenses authorized for funding under the Series 2008 A Trust Indenture and Development Agreement, and (b) is an authorized expenditure under the Project Plan and the Act.

4. The total amount requested to be transferred from the Revenue Fund to the Series A Administrative Expense Fund pursuant to this Requisition is **$1,923.83**

5. The total amount requested to be disbursed from the Series A Administrative Expense Fund pursuant to this Requisition is **$1,923.83** As set forth in the invoices attached hereto, of the total amount of such disbursement:

(a) $ -0- is to be paid to the Developer as reimbursement to the Developer for an invoice or statement previously paid by the Developer to an entity that is not affiliated with the Developer; and

(b) **$1,923.83** is to be paid to a third party payee that is not affiliated with the Developer or on a joint basis to the Developer and such a third party payee with respect to an expense previously incurred.

In either event, the amount set forth herein is supported by the attached copies of invoices or statements.

IN WITNESS WHEREOF, this Requisition has been duly executed by the Issuer by its duly Authorized Representative this **19th day of February, 2025.**

THE COUNTY COMMISSION OF
HARRISON COUNTY

By: _____
Commissioner

Schedule I
to Requisition

Copies of Invoices or Statements
(Attached)

UMB Bank	Invoice #1000710	Dated: 01/21/25	$1,569.83
Jackson Kelly, PLLC	Invoice #1230099	Dated: 02/10/25	354.00
		Total	**$1,923.83**

JACKSONKELLY PLLC
Attorneys at Law
P.O. BOX 45705
BALTIMORE, MD 21297-5705
TELEPHONE 304-340-1000 FAX 304-340-1130
EMPLOYER I.D. NO. 550394215

34382
Charles Pointe Community Enhancement District
c/o Harrison County Commission
Attn: Michelle Tonkin
301 West Main Street
Clarksburg, WV 26301-2974
mtonkin@harrisoncountywv.com

February 10, 2025
Invoice No. 1230099

SUMMARY OF OUTSTANDING INVOICES

Total Amount of Current Invoice # 1230099 **$354.00**
Amount of Prior Invoices Outstanding:

INVOICE #	DATE	AMOUNT
1221827	10/17/24	4,980.00
1224121	11/14/24	487.00
1226172	12/12/24	434.50
1227757	01/09/25	560.50

Total Amount of Prior Invoices Outstanding 6,462.00

Total Amount Due $6,816.00

If payment of any prior invoice has already been forwarded, please disregard as to that invoice.

PLEASE RETURN THIS PAGE WITH REMITTANCE

NOTE: This summary page may not include all outstanding invoices. Outstanding invoices for other matters that are separately billed or billed to other contacts will not be reflected on this summary page. Should you have any questions regarding the invoices that appear above please contact JK_Finance@jacksonkelly.com.

PAYMENT DUE March 12, 2025

JACKSONKELLY PLLC
Attorneys at Law
P.O. BOX 45705
BALTIMORE, MD 21297-5705
TELEPHONE 304-340-1000 FAX 304-340-1130
EMPLOYER I.D. NO. 550394215

February 10, 2025
Invoice No. 1230099

34382
Charles Pointe Community Enhancement District

For Legal Services Rendered through January 31, 2025.

Matter 301
TIF Bond Assessments

Date	Timekeeper	Description	Hours	Amount
01/02/25	M. Imbrogno	Corresponding with board chair regarding execution of meeting minutes.	0.10	29.50
01/06/25	M. Imbrogno	Corresponding regarding execution of December meeting minutes.	0.20	59.00
01/06/25	M. Imbrogno	Reviewing and analyzing draft letter from County prosecutor to County Commission regarding clerical error in CED assessments on certain properties.	0.80	236.00
01/07/25	M. Imbrogno	Corresponding with county bond counsel regarding draft Application of Relief from Erroneous Assessment relating to certain CED assessments.	0.10	29.50
		Total Hours	1.20	
		Services		$354.00
		Total This Matter		$354.00

cc: Laura Pysz
lpysz@harrisoncountywv.gov

If you would prefer to have your invoices emailed or need to update your current email on file, please contact us at JK_Billing@jacksonkelly.com.

PAYMENT DUE March 12, 2025

UMB

UMB Bank, N.A.
P O Box 414589
Kansas City, MO 64141-4589

Invoice 1000710

Invoice Date:	**January 21, 2025**
Account Number:	**141961.1**
Administrator:	**Teri Donofrio**
Phone Number:	**(612) 337-7005**
Email:	**Teresa.Donofrio@umb.com**

County Commission of Harrison Cnty
President
301 West Main St
Clarksburg, WV 26301

Billing Period: **December 1, 2024 through December 31, 2024**

Prior Balance:	$5,449.16
Payments Received as of January 9, 2025	$ 0.00
Adjustments	$ 0.00
Outstanding Balance:	$5,449.16
Current Billing Period:	
Current Period Fees	$1,569.83
Total Fees Due	$7,018.99

Remittance Stub
Billing Period 12/01/2024 - 12/31/2024

Account Number:	141961.1
Invoice Number:	1000710
Remit Balance	$7,018.99

Payment Due Upon Receipt

County Commission of Harrison Cnty
President
301 West Main St
Clarksburg, WV 26301

☐ Check Enclosed $_____

Mail Payments To:
UMB Bank, N.A.
Attn: Trust Fees Department
P O Box 414589
Kansas City, MO 64141-4589

WIRE PAYMENT INSTRUCTIONS:

UMB Bank, N.A. Kansas City, Missouri	
ABA No.	101 000 695
SWIFT BIC/Code	UMKCUS44
BNF Account	98 0000 6823
BNF Name	Trust
Reference	1000710
Attention	Fee Processing

2008

UMB

UMB Bank, N.A.
P O Box 414589
Kansas City, MO 64141-4589

Invoice 1000710

Account Detail
Charles Pointe Project 2008AB

Account Number: 141961.1

Administrative Fees

Administration Fee	$458.33
Extraordinary Administration Fees	1,111.50
Administrative Fees Total	**$1,569.83**

Account Total **$1,569.83**

UMB

UMB Bank, N.A.
P O Box 414589
Kansas City, MO 64141-4589

Invoice **1000710**

Statement of Receivables

Reflects Only Those Payments Received And Applied As of January 9, 2025

Invoice Number	Invoice Date	Bill Period	Amount Receivable	Aged
994227	November 20, 2024	October 1, 2024 to October 31, 2024	3,357.83	50 days
997780	December 18, 2024	November 1, 2024 to November 30, 2024	2,091.33	22 days
	Total Balance Due		**5,449.16**	

7-B

REQUISITION FOR PAYMENT FROM ADMINISTRATIVE EXPENSE FUND

$36,500,000
The County Commission of Harrison County
Special District Excise Tax Revenue and Improvement Bonds,
Series 2019 A
(Charles Pointe Economic Opportunity Development District)

$12,280,000
The County Commission of Harrison County
Subordinate Special District Excise Tax Revenue and Refunding Bonds
Series 2019 B
(Charles Pointe Economic Opportunity Development District)

REQUISITION FOR PAYMENT NO. 99 (02/19/25)

The County Commission of Harrison County, a public corporation and governing body of Harrison County, a political subdivision of the State of West Virginia (the "*Issuer*"), by its Authorized Officer, hereby certifies in connection with this Requisition for Payment from Administrative Expense Fund (the "*Requisition*") pursuant to an Indenture of Trust (the "*Indenture*") for the above captioned bonds (the "*Series 2019 Excise Tax Bonds*"), dated as of August 16, 2019, by and between the Issuer and Wilmington Trust, N.A., as trustee, pursuant to which UMB Bank, N.A., serves as successor trustee (the "*Trustee*"), and agreed to by the Charles Pointe Economic Opportunity Development District Board (the "District Board") and pursuant to a Development Agreement for the Series 2019 Excise Tax Bonds, dated as of August 16, 2019 (the "*Development Agreement*") by and among the Issuer, the District Board, Genesis Partners, Limited Partnership, a West Virginia limited partnership (the "*Developer*") and Charles Pointe Crossing, LLC, a West Virginia limited liability company (the "*Site Developer*") that:

1. Terms used herein and not otherwise defined herein shall have the meanings given such terms in the Indenture and in the Development Agreement.

2. The amount requested to be disbursed by this Requisition: (a) is a portion of the Administrative Expenses authorized for funding under the Indenture and Development Agreement, (b) is an authorized expenditure under the Project Plan and the EODD Act, and (c) such requested expenditures, when combined with previous disbursements from the Administrative Expense Fund during the current Bond Year do not exceed $80,000 in the aggregate for such Bond Year.

3. The total amount requested to be disbursed pursuant to this Requisition is **$4,716.50** As set forth in the invoices attached hereto, of the total amount of such disbursement:

(a) **$ -0-** is to be paid to the Issuer, the District Board, the Developer or Site Developer as reimbursement to the Issuer, the District Board, the Developer or Site

Developer for an invoice or statement previously paid by the Issuer, the District Board, the Developer or the Site Developer; and

(b) **$4,716.50** is to be paid to a third party payee that is not affiliated with the Issuer, the District Board, the Developer or the Site Developer or on a joint basis to the Issuer, the District Board, the Developer or the Site Developer and such a third party payee with respect to an expense previously incurred.

In either event, the amount set forth herein is supported by the attached copies of invoices, statements or proof of payment.

IN WITNESS WHEREOF, this Requisition has been duly executed by the Issuer by its Authorized Officer this **19th day of February, 2025.**

THE COUNTY COMMISSION OF
HARRISON COUNTY

By: _____
Commissioner

Schedule I
to Requisition

Copies of Invoices or Statements
(Attached)

UMB Bank	Invoice #1000750	Dated: 01/21/2025	$ 4,716.50
		Total	**$ 4,716.50**

UMB

UMB Bank, N.A.
P O Box 414589
Kansas City, MO 64141-4589

Invoice 1000750

Invoice Date:	**January 21, 2025**
Account Number:	**158735.1**
Administrator:	**Teri Donofrio**
Phone Number:	**(612) 337-7005**
Email:	**Teresa.Donofrio@umb.com**

Charles Pointe EODD 2019ABC
Attn: County Administrator
Harrison County Courthouse
301 West Main Street
Clarksburg, WV 26301

Billing Period: **December 1, 2024 through December 31, 2024**

Prior Balance:	$ 14,794.00
Payments Received as of January 9, 2025	$ 14,794.00
Adjustments	$ 0.00
Outstanding Balance:	$ 0.00

Current Billing Period:

Current Period Fees	$4,716.50
Total Fees Due	$4,716.50

Remittance Stub
Billing Period 12/01/2024 - 12/31/2024

Account Number:	158735.1
Invoice Number:	1000750
Remit Balance	$4,716.50

Payment Due Upon Receipt

Charles Pointe EODD 2019ABC
Attn: County Administrator
Harrison County Courthouse
301 West Main Street
Clarksburg, WV 26301

☐ Check Enclosed $_____

Mail Payments To:
UMB Bank, N.A.
Attn: Trust Fees Department
P O Box 414589
Kansas City, MO 64141-4589

WIRE PAYMENT INSTRUCTIONS:

UMB Bank, N.A. Kansas City, Missouri	
ABA No.	101 000 695
SWIFT BIC/Code	UMKCUS44
BNF Account	98 0000 6823
BNF Name	Trust
Reference	1000750
Attention	Fee Processing

UMB

UMB Bank, N.A.
P O Box 414589
Kansas City, MO 64141-4589

Invoice **1000750**

Account Detail
Charles Pointe EODD 2019ABC

Account Number: 158735.1

Administrative Fees

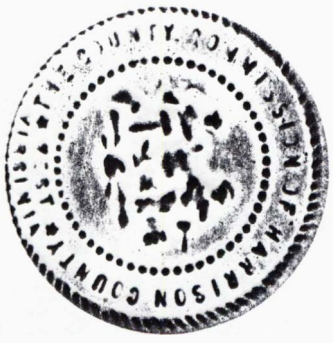
Administration Fee	$625.00
Extraordinary Administration Fees	4,091.50
Administrative Fees Total	**$4,716.50**
Account Total	**$4,716.50**

2019

Citizens' Initiative Petition for West Milford

Enacting State Law Code 8-35-1 which was violated at the last city Election, when only 15 legal votes were cast.

We the undersigned qualified voters of West Milford, hereby present by this Citizen Initiative Petition Request State Law 8-35-1 attached to this Petition.



HARRISON_CO_VOTER_REG
FEB 6 '25 AM 11:22

WEST VIRGINIA CODE

CHAPTER 8. MUNICIPAL CORPORATIONS.

Article 34 All Articles Article 36

ARTICLE 35. DISSOLUTION OF MUNICIPALITIES.

PART I. FORFEITURE OF CHARTER OR CERTIFICATE OF INCORPORATION.

§8-35-1. Forfeiture of charter or certificate of incorporation; notice; dissolution of municipality.

Any municipality heretofore incorporated or which shall hereafter be incorporated and which has no substantial indebtedness, and which shall fail for one year to exercise its corporate powers and privileges, or which has not twenty qualified voters, or in which there were not twenty legal votes cast at its last election, or the population of which shall be reduced below one hundred persons and so remain for six consecutive months, shall in either event have its charter or certificate of incorporation and all rights, powers and privileges so conferred upon such municipality forfeited.

The county court of the county wherein any such municipality or the major portion of the territory thereof is located shall have jurisdiction to hear and determine all matters relating to the forfeiture of such charter or certificate of incorporation, upon the petition of one or more of its inhabitants, and to dissolve such municipal corporation. Ten days' notice of the filing of such petition with the clerk of the county court of such county, served upon the mayor and recorder or on the last mayor or recorder thereof, shall be sufficient notice upon which such county court shall so act, and upon the proper proof of the allegations of such petition, any such charter or certificate of incorporation shall be declared forfeited and the municipal corporation dissolved and all debts of such municipality shall be ordered paid and the forfeiture and dissolution shall not become effective until such debts have been paid. Upon such forfeiture and dissolution all interest of such

municipality in corporate funds, if any, in excess of the amounts required to pay corporate debts shall be and the same is hereby transferred to and vested in the State of West Virginia to be controlled by the State Auditor. If the territory so incorporated, or a major part thereof, either in area or in population, shall, however, within one year next after such declaration of forfeiture and dissolution by the county court be reincorporated under this chapter, then the Auditor of the State of West Virginia shall convey unto such new municipality all of the rights of the State of West Virginia in and to the corporate property, moneys, claims, demands and taxes collected or uncollected, of the former municipal corporation so dissolved.

#	Signature	Printed Name	Residence in West Milford, WV Street and Number	Date
1	Kim Cisse	KIM CISSE	15 Hillcrest Ave W. MILFORD 26451	WV 2-4-25
2	Wyatt Lafavor	Wyatt Lafavor	210 Liberty St. WM 26451	2-4-25
3	Sarah Heckert	Sarah Heckert	210 Liberty St. West Milford WV 26451	2-4-25
4	Tamra Rogers	TAMRA Rogers	85 Mill St. WV 26451	2-4-25
5	Linda Bowen	Linda Bowen	81 Mill St WV 2645	
6	Julie Johnson	Julie Johnson	68 Mill St WV 26452-4-25	
7	Cheryl Messer	Cheryl Messer	61 Mill St.	2-4-25
8	Eugene Messer	Eugene Messer	61 Mill St	2-4-25
9	Trista Tenney	Trista Tenney	61 Mill St.	2-4-25

AFFIDAVIT OF CIRCULATOR

I, DONALD MYERS, being duly sworn, deposes and say that

I reside at the address appearing below my signature hereto: that I am the circulator of the foregoing paper containing 9 signatures: that I witnessed the affixing of each signature, that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be.

Signed Donald Myers

Address PO Box 197

REYNOLDSVILLE, WV 26422

HARRISON COUNTY - VOTER PARTICIPATION HISTORY

SELECTION CRITERIA

Age From:

Age To:

Precincts/Districts:

Municipality:

Party: Constitution, Democrat, Green, Independent, Libertarian, Mountain, No Party Affiliation, Non-Partisan, Other, Republican, Socialist Equality Party

Voter Status: Active, Inactive, Pending

Registration Start Date:

Registration End Date:

Election Date - Name: 02/06/2025 -- 2025 CITY PETITION

Precinct	Voter Registration	Party	Voter Name	Election History	Residence Address	Gender	Status	Ballot Type
4	001064924	DEMOCRAT	BOWEN, LINDA A E	02/06/2025--2025 CITY PETITION	8009 LORIA ST STONEWOOD WV 26301	FEMALE	ACTIVE	REGULAR
144	001075147	REPUBLICAN	CISSE, KIM	02/06/2025--2025 CITY PETITION	15 HILLCREST AVE WEST MILFORD WV 26451	FEMALE	ACTIVE	REGULAR
144	001046034	REPUBLICAN	HECKERT, SARAH REBECCA	02/06/2025--2025 CITY PETITION	210 LIBERTY ST WEST MILFORD WV 26451	FEMALE	ACTIVE	REGULAR
144	100003263	REPUBLICAN	JOHNSON, JULIE VANESSA	02/06/2025--2025 CITY PETITION	68 MILL ST WEST MILFORD WV 26451	FEMALE	ACTIVE	REGULAR
144	101041862	NO PARTY AFFILIATION	LAFAVOR, WYATT JOSEPH	02/06/2025--2025 CITY PETITION	210 LIBERTY ST WEST MILFORD WV 26451 - 0000		ACTIVE	REGULAR
144	001086472	DEMOCRAT	MESSER, CHERYL D	02/06/2025--2025 CITY PETITION	61 MILL ST WEST MILFORD WV 26451	FEMALE	ACTIVE	REGULAR
144	100627423	DEMOCRAT	MESSER, EUGENE RAY	02/06/2025--2025 CITY PETITION	200 LIBERTY ST WEST MILFORD WV 26451	MALE	ACTIVE	REGULAR
144	001093267	DEMOCRAT	ROGERS, TAMRA L	02/06/2025--2025 CITY PETITION	407 MILL ST WEST MILFORD WV 26451	FEMALE	ACTIVE	REGULAR
144	100141253	NO PARTY AFFILIATION	TENNEY, TRISTA NICOLE	02/06/2025--2025 CITY PETITION	61 MILL ST WEST MILFORD WV 26451	FEMALE	PENDING	REGULAR

Total Voters: 9

Party Code	Party Name	# Voters	Male	Female	Unknown
C1	Constitution	0	0	0	0
D	Democrat	4	1	3	0
IND	Independent	0	0	0	0
L	Libertarian	0	0	0	0
M	Mountain	0	0	0	0
N	No Party Affiliation	2	0	1	0
OTH	Other	0	0	0	0
R	Republican	3	0	3	0
AFP	null	0	0	0	0



10

West Virginia Statewide Imagery Contract

Prepared by Kurt Donaldson 4/23/2024

INFORMATION SHEET

West Virginia Statewide Imagery Program

A statewide contract through the WV GIS Technical Center at West Virginia University is available for the acquisition of digital orthoimagery in West Virginia. As part of the Statewide Imagery Program (WVSIP), the imagery is unit priced so that participants can budget for imagery years in advance as well as pay over multiple budget cycles. To meet the needs of the largest number of potential participants, a variety of product options are available through the WVSIP program to include countywide unit pricing for 12-inch, 6-inch, 4-inch, and 3-inch spatial resolutions. This contract allows for municipalities, counties, state agencies, and the federal government to tap into an existing contract to acquire imagery at a known unit price that is usable until June 30, 2025.

Pixel Resolution (Detail Level)	3-inch	4-inch	6-inch	12-inch
Cost per square mile	**$106**	**$77**	**$62**	**$42**
Map Scale	1" = 50'	1" = 67'	1" = 100'	1" = 200'
Horizontal Accuracy (ASPRS 1)	0.5 feet	0.66 feet	1.0 feet	2.0 feet

Note: 4-band stacked imagery that includes color infrared can be added at 25% of the acquisition cost

A target spatial resolution of 6 inches is recommended for counties that can afford this level of detail. The horizontal accuracy standard is ASPRS Class 1. The original state contract was awarded to Blue Mountain Inc. which is now part of The Thrasher Group, Inc. The state contact and county unit prices can be viewed at the following links: Amendment #2 (7/1/2024-6/30/2025) | Amendment #1 (current price list) | 2019 Contract

Performance Period

The total contracting period of this contract has been extended from 1 January 2024 through 30 June 2025 to include the spring 2025 leaf-off season.

How can you participate?

Any organization can participate in the Statewide Imagery Program. A signed MOU that states the specifications and costs is all that is needed to participate in the program. The MOU must be signed by **March 15** of the flight season. For more information, contact one of the following program representatives:

Kurt Donaldson, GISP, CFM
WVU GIS Technical Center
304.293.9467
kdonalds@wvu.edu

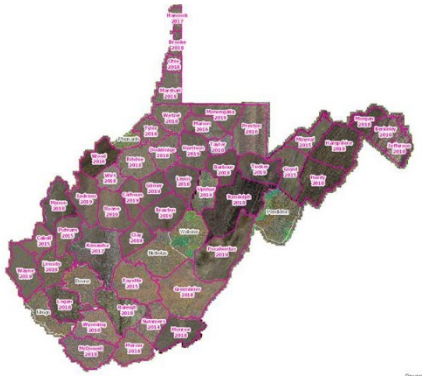
Craig Fry, CP
The Thrasher Group, Inc.
724.485.7060
CFry@thethrashergroup.com



View Aerial Imagery Examples

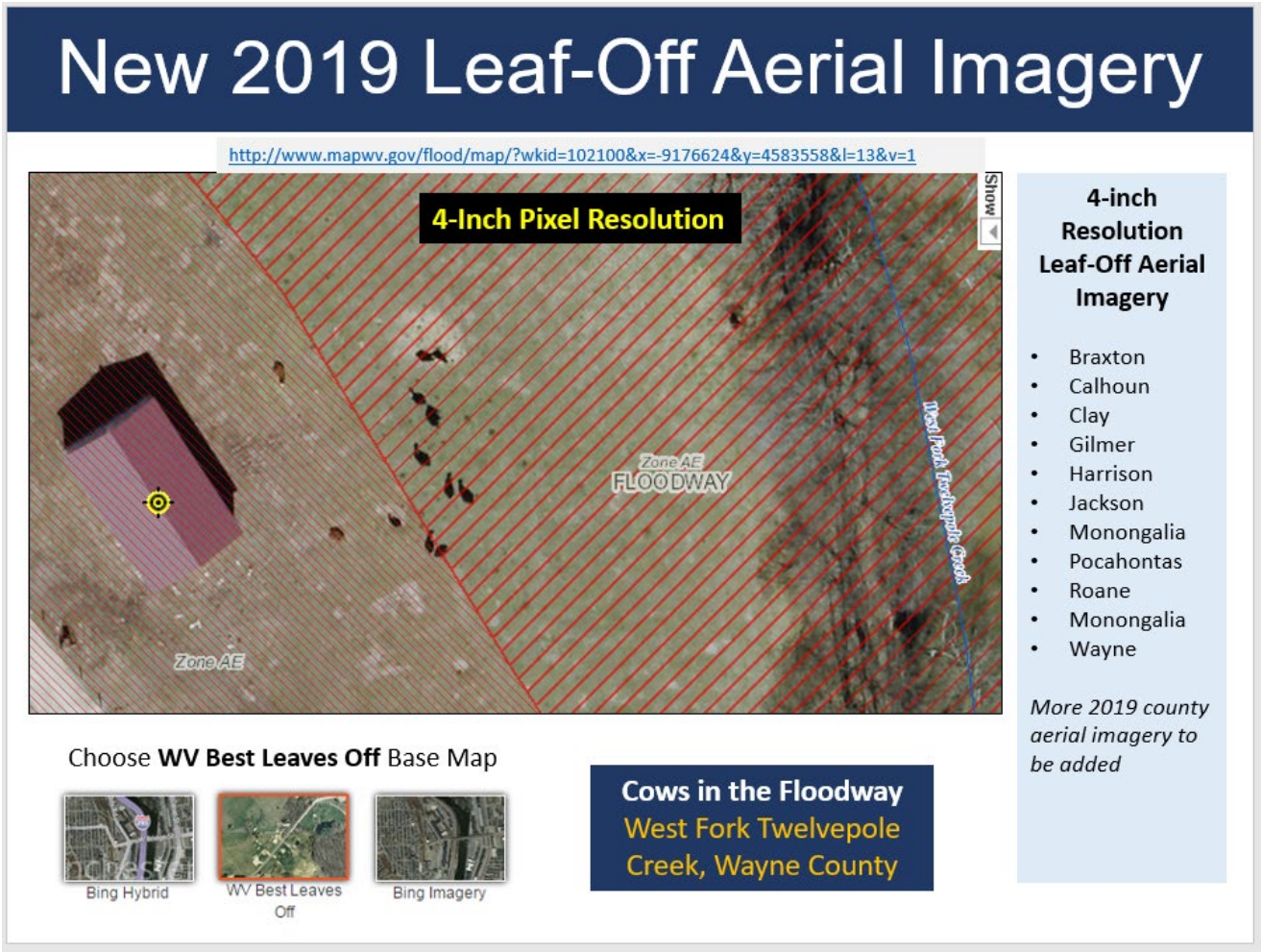
You can review the aerial imagery acquired via the State Contract by linking to the statewide aerial imagery web service below. Refer to counties of the vendor acquisition map by The Thrasher Group, Inc.

- County Aerial Imagery Year Acquired
- County Aerial Imagery Resolution
- County Aerial Imagery Vendor
- Resolution Comparison – Baseball Fence
- Resolution Comparison – WVU Coliseum
- Statewide Leaf-Off imagery web map service
- Download County Aerial Imagery



Detailed Imagery Resolution

The four-inch resolution imagery is high enough resolution to count cows on the imagery.





State Contract Aerial Imagery Pricing

AERIAL IMAGERY PRICING

Pixel Resolution (Detail Level)	3-inch	4-inch	6-inch	12-inch
Cost per square mile	**$106**	**$77**	**$62**	**$42**
Map Scale	1" = 50'	1" = 67'	1" = 100'	1" = 200'
Horizontal Accuracy (ASPRS 1)	0.5 feet	0.66 feet	1.0 feet	2.0 feet

Notes:
4-band stacked imagery that includes color infrared can be added at 25% of the acquisition cost.
The county border buffer is 1000 feet unless otherwise noted.

County	Square Miles	12" @ $42 per square mile	6" @ $62 per square mile	4" @ $77 per square mile	3" @ $106 per square mile
BARBOUR COUNTY	343	$14,406	$21,266	$26,411	$36,358
BERKELEY COUNTY	322	$13,524	$19,964	$24,794	$34,132
BOONE COUNTY	503	$21,126	$31,186	$38,731	$53,318
BRAXTON COUNTY	516	$21,672	$31,992	$39,732	$54,696
BROOKE COUNTY	93	$3,906	$5,766	$7,161	$9,858
CABELL COUNTY	288	$12,096	$17,856	$22,176	$30,528
CALHOUN COUNTY	280	$11,760	$17,360	$21,560	$29,680
CLAY COUNTY	344	$14,448	$21,328	$26,488	$36,464
DODDRIDGE COUNTY	320	$13,440	$19,840	$24,640	$33,920
FAYETTE COUNTY	668	$28,056	$41,416	$51,436	$70,808
GILMER COUNTY	339	$14,238	$21,018	$26,103	$35,934
GRANT COUNTY	480	$20,160	$29,760	$36,960	$50,880
GREENBRIER COUNTY	1024	$43,008	$63,488	$78,848	$108,544
HAMPSHIRE COUNTY	645	$27,090	$39,990	$49,665	$68,370
HANCOCK COUNTY	88	$3,696	$5,456	$6,776	$9,328
HARDY COUNTY	584	$24,528	$36,208	$44,968	$61,904
HARRISON COUNTY	416	$17,472	$25,792	$32,032	$44,096
JACKSON COUNTY	471	$19,782	$29,202	$36,267	$49,926
JEFFERSON COUNTY	212	$8,904	$13,144	$16,324	$22,472
KANAWHA COUNTY	910	$38,220	$56,420	$70,070	$96,460
LEWIS COUNTY	389	$16,338	$24,118	$29,953	$41,234
LINCOLN COUNTY	439	$18,438	$27,218	$33,803	$46,534
LOGAN COUNTY	455	$19,110	$28,210	$35,035	$48,230
MARION COUNTY	311	$13,062	$19,282	$23,947	$32,966



County	Square Miles	12" @ $42 per square mile	6" @ $62 per square mile	4" @ $77 per square mile	3" @ $106 per square mile
MARSHALL COUNTY	312	$13,104	$19,344	$24,024	$33,072
MASON COUNTY	445	$18,690	$27,590	$34,265	$47,170
MCDOWELL COUNTY	535	$22,470	$33,170	$41,195	$56,710
MERCER COUNTY	420	$17,640	$26,040	$32,340	$44,520
MINERAL COUNTY	329	$13,818	$20,398	$25,333	$34,874
MINGO COUNTY	424	$17,808	$26,288	$32,648	$44,944
MONONGALIA COUNTY	366	$15,372	$22,692	$28,182	$38,796
MONROE COUNTY	473	$19,866	$29,326	$36,421	$50,138
MORGAN COUNTY	230	$9,660	$14,260	$17,710	$24,380
NICHOLAS COUNTY	654	$27,468	$40,548	$50,358	$69,324
OHIO COUNTY	109	$4,578	$6,758	$8,393	$11,554
PENDLETON COUNTY	698	$29,316	$43,276	$53,746	$73,988
PLEASANTS COUNTY	134	$5,628	$8,308	$10,318	$14,204
POCAHONTAS COUNTY	941	$39,522	$58,342	$72,457	$99,746
PRESTON COUNTY	651	$27,342	$40,362	$50,127	$69,006
PUTNAM COUNTY	350	$14,700	$21,700	$26,950	$37,100
RALEIGH COUNTY	609	$25,578	$37,758	$46,893	$64,554
RANDOLPH COUNTY	1039	$43,638	$64,418	$80,003	$110,134
RITCHIE COUNTY	454	$19,068	$28,148	$34,958	$48,124
ROANE COUNTY	483	$20,286	$29,946	$37,191	$51,198
SUMMERS COUNTY	367	$15,414	$22,754	$28,259	$38,902
TAYLOR COUNTY	176	$7,392	$10,912	$13,552	$18,656
TUCKER COUNTY	421	$17,682	$26,102	$32,417	$44,626
TYLER COUNTY	261	$10,962	$16,182	$20,097	$27,666
UPSHUR COUNTY	355	$14,910	$22,010	$27,335	$37,630
WAYNE COUNTY	512	$21,504	$31,744	$39,424	$54,272
WEBSTER COUNTY	556	$23,352	$34,472	$42,812	$58,936
WETZEL COUNTY	361	$15,162	$22,382	$27,797	$38,266
WIRT COUNTY	235	$9,870	$14,570	$18,095	$24,910
WOOD COUNTY	377	$15,834	$23,374	$29,029	$39,962
WYOMING COUNTY	502	$21,084	$31,124	$38,654	$53,212

Note: A countywide buffer of 1000 feet is flown beyond the county border.

Vendor agrees to not exceed the countywide unit rates or price schedule listed for the services rendered:



FAQs

FREQUENTLY ASKED QUESTIONS

What is Aerial Imagery?

Aerial imagery refers to digital pictures taken from the air. These pictures are normally taken from a vertical perspective looking straight down from the airplane onto the rooftops. Digital aerial imagery requires bright sunlight and cloud free conditions for good results. Digital orthoimagery is the foundation for GIS, forming the base layer from which many additional data layers are created. It combines the characteristics of an aerial image with the geometric qualities of a map. This allows GIS and CAD software to accurately measure all visible ground features in their true geographic position and lets users:

- Make accurate distance and area calculations across the entire image mosaic
- Measure the true position of any feature observed in the orthoimagery

What is the best resolution for your needs?

Your organization should capture aerial imagery at the smallest feature and highest positional accuracy that you require, while not to paying for more than you need if there is no benefit. Refer to the table below to choose the best resolution. Digital aerial imagery can vary greatly in accuracy and pixel resolution. Pixel resolution (a single point in a graphic image) refers to the actual distance on the ground each pixel represents in the orthoimagery. For example, one-foot pixel resolution means each pixel in the image covers one foot on the ground.

Table 1. Comparison of Aerial Imagery Resolution

Resolution	3-inch	4-inch	6-inch	12-inch
Cost per square mile	$106	$77	$62	$42
Mapping of:	Utilities and public works	Utilities and public works	Urban and more developed areas	Rural and less developed areas
Mapping Scale	1:600 Map Scale 1” = 50’	1:800 Map Scale 1” = 67’	1:1200 Map Scale 1” = 100’	1:2400 Map Scale 1” = 200’ or 1” = 400’
Positional Accuracy	Very High	Higher than 6” Lower than 3”	Higher than 12” Lower than 4”	Lowest
Key Features Visible	*Very Small Infrastructure* ▪ Fire Hydrants ▪ Manhole Covers ▪ Individual people and animals ▪ Finer details on roads including markings and skid marks	*Smaller Infrastructure* ▪ Clearer Road Markings ▪ Power Lines	*Infrastructure* ▪ Property line fences ▪ Utility Poles ▪ Individual Trees ▪ Vehicle Types ▪ Road markings	*Large Infrastructure* ▪ Buildings ▪ Paved Roads ▪ Railroads ▪ Vehicles ▪ Tree/shrub line
Tax Parcel Conversion Projects or Re-mapping	Identifiability of small features somewhat improved over 4”. Lower cost-to-benefit ratio	Ideal for mapping fences and other survey features at a higher positional accuracy than 6”	Ideal for mapping fences, survey features, and land divisions (e.g., fences, walls, tree lines, roads)	Satisfactory for conversion projects
Other Notes	More building lean may be noticeable at 3” resolution for taller structures	2-foot contours for engineering grade maps generated at this resolution		



What is Uncorrected versus Corrected (Ortho) Aerial Imagery?
If you are planning to measure ground features or to create maps from your aerial images, then orthorectified imagery is necessary. Orthorectification corrects for tip or tilt of the aircraft and displacement in the photograph caused by changes in the ground elevation.

How often should aerial imagery be purchased by your organization?
We would like to see all counties flown once every five years at a minimum resolution of 12 inches. Rapidly growing counties or developing areas may choose to fly every year.

How is a client billed for the imagery?
Clients are billed upon the complete delivery of the imagery products. Organizations may be able to pay the aerial imagery company over more than one budget cycle.

When is leaf-off aerial imagery flown in West Virginia?
Leaf-off aerial imagery is flown during late February to early April when there is neither no snow on the ground nor flooding. Leaf-on conditions occur about April 10 of every year, depending on the location in the state.

When will the aerial imagery be delivered?
For spring flights, all ensuing deliverables must be completed before the end of the calendar year, and preferably before October 1.

What is color-infrared imagery?
Color-infrared imagery is a false-color image that includes the near-infrared spectral band. Color infrared imagery is good at penetrating atmospheric haze and for determining the health of vegetation.

What is oblique imagery?
Oblique imagery is aerial photography that is captured at approximately a 45-degree angle with the ground and thus allows viewers to see and measure not only the top of objects but the sides as well. Typically, oblique imagery requires proprietary software to view.

What are Benefits of a Statewide Imagery Program?
A coordinated statewide imagery program employs a collective approach where partners share imagery acquisition costs in an equitable manner and based on the available funding of organizations.

- Excellent value through:
  - economy of scale
  - partner funding
  - efficiency in implementation
- Data-sharing among members
- Specifications and QA/QC support
- RFP and contract administrative support



Business Case for Aerial Imagery. What is it used for?

- Aerial imagery is used throughout West Virginia to meet daily business needs. Imagery has many uses, including providing a common operating picture and accurately mapping the locations of natural and man-made features.
- Access to current imagery improves business efficiency and informs decision making.

What is the MrSID compression ratio?

MrSID (Multi-resolution Seamless Image Database) is a highly compressed format used to store images of photographs. The MrSIDs by default are compressed to a 20 to 1 ratio generation 4.

What is the defaults county border buffer?

The county border buffer is 1000 feet unless otherwise noted. The county can expand the buffer by adding the additional specifications in the Memorandum of Understanding.

What does The Thrasher Group offer a 4-inch resolution product?

The 4-inch resolution allows for two-foot contour accuracy, provides a spatial resolution that is slightly better than Google Earth, and captures slightly more detail than the 6-inch resolution product.

APPRAISAL OF
UNITED INTERNATIONAL, INC.
RAILROAD RIGHT-OF-WAY
30 ± ACRES, 3 ± MILES EAST SIDE OF THE WEST FORK RIVER, BETWEEN SPELTER & HAYWOOD,
HARRISON COUNTY, WEST VIRGINIA

Prepared At The Request Of:

HARRISON COUNTY COMMISSION
ATTN: Laura Pysz, County Administrator

Prepared By:

Jay Goldman, President
GOLDMAN ASSOCIATES, INC.
1014 Bridge Road *(304) 343-5695*
Charleston, West Virginia 25314 *Fax (304) 343-5694*
www.goldmanassociates.org

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GOLDMAN ASSOCIATES INC.

January 22, 2025

Harrison County Commission
ATTN: Laura Pysz, County Administrator
229 S. Third Street
Clarksburg, WV 26301

Re: United International, Inc.
30 ± Acres, East Side of the West Fork River,
Between Spelter & Haywood,
Harrison County, West Virginia

Dear Ms. Pysz:

At the request of Frank Zimmerman, III, Esquire, I have observed the above-referenced property for the purpose of developing an opinion of market value. The subject property is owned by United International, Inc. and consists of approximately 30 acres located along the east side of the West Fork River, between the Towns of Spelter and Haywood in Harrison County, West Virginia. It consists of approximately 3 ± miles of abandoned rail lines. No recent survey or title opinion was available, but maps and photographs located throughout the report provide a basic understanding of the location, size and configuration of the property. The purpose of this appraisal is to provide an opinion of the current market value of the assumed fee simple estate of the subject property. The intended use of the appraisal is to assist you with negotiations in the possible acquisition of the property from United International, Inc. for a Rails-to-Trails project.

The date of the last observation was December 14, 2024 and the property was previously observed on January 14, 2021. The effective date of the appraisal is December 14, 2024. It appears that no changes have occurred with the property.

Market value is defined within the body of this report. The report is intended to meet the requirements of the Uniform Standards of Professional Appraisal Practice.

1014 Bridge Road, Charleston, West Virginia 25314 ▪ (304) 343-5695
Fax (304) 343-5694 ▪ www.goldmanassociates.org

It is my opinion that the current market value of the fee simple estate of the subject property, as of the effective date of the appraisal of December 14, 2024, was:

One Hundred Twenty Thousand Dollars
($120,000.00)

Attached to this letter of transmittal is a narrative appraisal report, which includes information on the property and its surroundings, limiting conditions and certifications, qualifications, and other pertinent data.

This letter must remain attached to the report, which contains 77 pages plus related exhibits, in order for the value opinions set forth to be considered valid.

Sincerely,

GOLDMAN ASSOCIATES, INC.



Jay Goldman, President
WV State Certification #CG023

JG:csm
Attachments

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CONTINGENT & LIMITING CONDITIONS

This appraisal report and the certification are made expressly subject to the following assumptions and limiting conditions and any special limiting conditions contained in the report which are incorporated by reference.

The legal description furnished is assumed to be correct. I assume no responsibility for matters legal in character nor do I render my opinion as to the title, which is assumed to be good. All existing liens and encumbrances, if any, have been disregarded and the property is appraised as though free and clear, under responsible ownership and competent management.

The user of this report may wish to have legal, engineering, or physical component inspections made by qualified experts in those fields to determine the suitability of the property for the proposed or present use. The appraiser has not conducted these types of inspections.

The sketch in this report is included to assist the reader in visualizing the property. I have made no survey of the property and assume no responsibility in connection with such matters. If a survey has not been provided or obtained, it may not be possible to identify encroachments, right-of-ways or rights reserved by other property owners that impact the value of the property. A current survey should be obtained.

I believe to be reliable the information which was furnished by others, but assume no responsibility for its accuracy.

Possession of this report, or a copy thereof, does not carry with it the right of publication, nor may it be used for any purpose by any but the applicant without the previous written consent of the appraiser or the applicant and then only with proper qualifications.

I am not required to give testimony or to appear in court by reason of this appraisal, with reference to the property in question, unless arrangements have been previously made therefore.

The land, and particularly the soil, of the area under appraisement appears firm and solid. Subsidence in the area is unknown or uncommon, but this appraiser does not warrant against this condition or occurrence.

Subsurface rights (minerals and oil) were not considered in making this appraisal.

The comparable sales data relied upon in this appraisal is believed to be from reliable sources. However, it was not possible to inspect the comparables completely, and it was necessary to rely on information furnished by others as to said data. Therefore, the value conclusions are subject to the correctness and verification of said data.

I am not qualified to make an analysis of environmental conditions relating to the property other than referring the reader to common sources of environmental concerns found in properties of similar age and construction type. An Environmental Audit is an important part of analyzing the suitability of real property and should be conducted by a properly licensed professional.

I am not qualified to opine on compliance with specific federal guidelines regarding access required by the Americans With Disabilities Act of 1990 (ADA). This type of analysis must be conducted by an architect or engineer and may be an important part of evaluating the suitability of the improved property under existing or proposed uses.

I have observed, as far as possible, the land and the improvements thereon. However, it was not possible to personally observe conditions beneath the soil or hidden structural

components within the improvements. Therefore, no representations are made herein as to these matters and, unless specifically considered in the report, the value opinion is subject to any such conditions that could cause a loss in value. Condition of heating, cooling, ventilating, electrical and plumbing equipment is considered to be commensurate with the condition of the balance of the improvements unless otherwise stated.

Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser or the firm with which he is consequently connected) shall be disseminated to the public through advertising media, news media, sales media or any other public means of communication without the prior written consent and approval of the undersigned.

Appraiser's Certification – Effective USPAP Date January 1, 2024

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.

- The use of this report is subject to the requirements of The Appraisal Institute relating to review by its duly authorized representatives.

- I have made a personal inspection of the property that is the subject of this report on December 14, 2024, which serves as the effective date of the appraisal.

- No one provided significant real property appraisal assistance to the person signing this certification.

- As of the date of this report, Jay Goldman has completed the continuing education program of the Appraisal Institute.

- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three year period immediately preceding the agreement to perform this assignment. I previously appraised this property on January 14, 2021.

Respectfully submitted,



Jay Goldman
WV State Certification #CG023
Expiration 9/30/2025

SUMMARY OF SALIENT FACTS AND CONCLUSIONS

Location:	United International, Inc. - 30 ± Acres, East Side of the West Fork River, Between the Towns of Spelter and Haywood, Harrison County, West Virginia
Tax District:	Clay-Outside District; Clay-Shinnston District; Eagle-Outside District Simpson-Outside District
Maps:	208, 914, 228, 2305, 1101
Client:	The Harrison County Commission ATTN: Laura Pysz, County Administrator
Owner:	United International, Inc.
Purpose of Appraisal:	Provide an Opinion of Current Market Value
Scope of Work:	Sales Comparison Approach – Land (Corridor Valuation)
Rights Appraised:	Fee Simple Estate Assumed *(Possibly Surface Only But No Title Report Provided)*
Type of Improvements:	None
Land Area:	30 ± Acres; 3 ± Mile Former Rail Corridor *(No Survey Provided)*
Zoning:	None
Highest and Best Use:	Rail Corridor – Conversion to Public Trail (Deed Restricted)
Current Year Taxes:	2024 – $249.14 *(2024 Taxes Have Been Paid)* Assessor's Appraised Value - $18,100.00
Observation Dates:	December 14, 2024
Effective Date:	December 14, 2024
Report Date:	January 22, 2025
Market Value Opinion:	$120,000.00

Subject Property

The subject property consists of approximately 30 acres, according to the Harrison County Assessor for a 3 ± mile abandoned rail line owned by United International, Inc. located on the east side of the West Fork River, between the communities of Spelter to the south and Haywood to the north. Within the appraisal report, reference will be made to maps, photographs, deeds, and other information that will further define the site. The property will be described in the Site Data section of the appraisal and photographs are located throughout the report for the reader's review.


Trail Looking Toward Spelter


Proposed Trail North of Spelter

Purpose and Intended Use of Appraisal

The purpose of this appraisal is to provide an opinion of the current market value of the assumed fee simple estate of the subject property. It is recognized that is may not be a fee simple parcel since no current title report or survey was provided and the Deed to the property was originally from the Baltimore & Ohio Railroad Company, which Quitclaims any right in the property. Therefore, whatever interest that the grantor had has been transferred forward to the current owner. The property is currently titled in the name of United International, Inc.

The purpose of the appraisal is for the possible acquisition of the railroad right-of-way site by the Harrison County Commission. It is contemplated that the property would be conveyed to the Harrison County Commission, or its designee, by the current owner for the purpose of establishing a Rails-to-Trails Project in Harrison County, which would be an extension of existing projects in the community of Fairmont to the north and Clarksburg to the south.

The information and opinions contained in this appraisal set forth the appraiser's best judgment in light of the information available at the time of the preparation of this report. Any use of this appraisal by any other person or entity, or any reliance or decisions based upon this appraisals are the sole responsibility and

at the sole risk of the third party. The appraiser accepts no responsibility for damages suffered by any third party as a result of a reliance on, decisions made, or actions taken based on this report. The appraiser reserves the right to modify this appraisal report in the event that newly discovered information should become available.

Hypothetical Conditions/Extraordinary Assumptions

In virtually every appraisal assignment, an appraiser is asked to value properties without perfect information. To have perfect information would mean that the appraiser knows every legal, physical and economic characteristic of the property pertaining to boundaries, legal descriptions, surveys, soil conditions, environmental conditions, etc.

The Uniform Standards of Professional Appraisal Practice provides for the appraiser to make certain extraordinary assumptions or assume hypothetical conditions as identified in Standard Rules 1-2(f) and (g). The definitions for extraordinary assumptions and hypothetical conditions, based on the Uniform Standards of Professional Appraisal Practice, 2024 Edition, are shown as follows:

> Extraordinary Assumption – An assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions.
>
> > Comment: Uncertain information might include physical, legal, or economic characteristics of the subject property; or conditions external to the property, such as market conditions or trends; or the integrity of data used in an analysis.
>
> Hypothetical Condition – A condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis.
>
> > Comment: Hypothetical conditions are contrary to known facts about physical, legal, or economic characteristics of the subject property; or about conditions external to the property, such as market conditions or trends; or about the integrity of data used in an analysis.

A prime example of a typical hypothetical condition is conducting an appraisal on a building that has not yet been built. Typically, the effective date of the appraisal will be the date that the site was observed and the improvements are appraised based on the information as of that date and assuming that they existed. An example of an extraordinary assumption is that a site is served with adequate infrastructure to develop a certain use when that data cannot be confirmed until an engineer conducts an analysis to determine the capacity

required to support that type of development. Frequently, an appraiser is called into an assignment long before engineering and feasibility studies are completed, so the appraiser is working without perfect information.

Unless otherwise noted, the valuation methods do not attempt to adjust for current uncertainty due to the Novel Coronavirus (COVID-19) as it may relate to health issues or financial markets and real estate transactions. The expectation is that current measures and actions may abate in the future in certain geographic areas and industries, and that such impacts may be short-term in nature, resulting in a return to stable market conditions.

This appraisal is based on a number of ordinary assumptions, but there are also hypothetical conditions or extraordinary assumptions asserted in this assignment. The main issue is there is no current title opinion or survey and there is conflicting evidence between the Harrison County Assessor's Office and the Deeds as to the amount of acreage. Based on scaling of maps and other estimates, it is assumed that the area consists of approximately 3 ± lineal miles of abandoned railroad right-of-way and approximately 30 ± acres of land area. This was a previously agreed upon amount with Charlotte Shaffer, Executive Director of the Planning Commission of the Harrison County Commission. Should this amount be challenged and a different amount determined upon a title opinion and survey, the numbers in this appraisal may need to be adjusted.

Report Type

This is an Appraisal Report intended to be in compliance with the Uniform Standards of Professional Appraisal Practice, as amended January 1, 2024. The report will summarize the property characteristics and analysis. The appraiser frequently appraises similar properties in the market area and is competent to appraise this type of property.

Definition of Market Value

The definition of Fair Market Value, as defined by the Department of the Treasury, Internal Revenue Service, in ***Publication 561***, Revised January 2023, is shown as follows:

> "FMV. Fair market value is the price that property would sell for on the open market. It is the price that would be agreed on between a willing buyer and a willing seller, with neither being required to act, and both having reasonable knowledge of the relevant facts."

Scope of Work/Extent of Data Collection

The scope of the assignment is to formulate the appraiser's opinion of the current market value of the quitclaimed supposed fee simple interest in the subject property. The property was previously observed with Kent Spellman, the contact for the Harrison County Commission, on September 4, 2019. The latest site observation was conducted on December 14, 2024, which serves as the effective date of the appraisal. As with all appraisal assignments, the appraiser has the ability to use one or more of the three traditional approaches to value including the Sales Comparison, Cost and Income Approaches. In this appraisal, the appraiser chose to eliminate the Cost and Income Approaches because it is a corridor, there are no improvements, and it is unlikely that there would be any lease.

Information in this appraisal has come from a variety of sources. The appraiser was first contacted and engaged for an assignment by Kent Spellman of the Rails-to-Trails Conservancy and further by Charlotte Shaffer, Executive Director of Planning Commission for the Harrison County Commission. Neither party was able to supply any title work or current surveys. The appraiser utilized Google Earth maps and coordinated with Seth Davidson, a GIS Analyst, who helped provide mapping. Information was obtained from the Harrison County Clerk's and Assessor's Offices. The appraiser also maintains a database of properties that have sold throughout the State of West Virginia and has had past experience working with Rails-to-Trails projects in a number of West Virginia counties. The appraisal firm is a member of the North Central West Virginia Real Estate Information Network (Multiple Listing Service or MLS) and has access to SpecPrint, which is a proprietary mapping source. Zoning was confirmed through the Harrison County Planning Commission.

The scope of work for this assignment was based on the intended use of the appraisal report. It is also based on the type of analysis that should be conducted by other real estate appraisers when valuing this type of asset in this market area. The rail lines may be in excess of 100 years old, based on the area of development and the past history of the Spelter Smelter site. The exact age is unknown. The rails have been removed and there were no improvements except some evidence of ballast onsite.

Effective Date of Appraisal

The date of the last site observation was December 14, 2024, which serves as the effective date of the appraisal. The property was previously inspected in 2019 and 2021 and it is assumed that there had been no substantive change between these two dates.

Rights Appraised

The rights appraised were assumed to be the fee simple interest, subject to any easements, right-of-ways or leases discovered in a thorough title examination or provided by a survey. The only survey is referenced in a Deed, but there is other general mapping provided.

Environmental Conditions

The assumption is made that there are no adverse environmental conditions affecting the property caused by the previous ownership of the property that may adversely impact the value. It is always prudent to obtain An All Appropriate Inquiry (Environmental Audit) to make a final determination of any environmental conditions.

Some specific areas of concern are summarized as follows:

Storage Tanks:	There were no above ground storage tanks observed during the site inspection and the property contacts indicated that there was no known knowledge of storage tanks on the property.
Collection Sites:	There were no collection sites noted during the site observation.
Drums/Containers/ Pesticides:	Nothing was identified during the site observation. The general area is trashy.
Asbestos:	Since the property is unimproved, the presence of asbestos would be unlikely.
Miscellaneous:	This property was used as a railroad for many years. Its purpose was to transport chemicals from the former Grasselli Chemical Company and from the zinc smelter in the Town of Spelter. These two companies were subject to a major national published class action lawsuit titled *Perrine, et al. v. E.I. DuPont De Nemours & Company, et al.* A large class action area was included, which would include the subject area. Therefore, it is only prudent to consider environmental testing if it was determined that it may impact the future use of the property. Any non-secured property is always subject to unpermitted dumping.

No environmental reports were submitted for the appraiser's review, so the existence of environmental concerns is unknown. If any adverse environmental conditions are discovered within the property, this could affect the indicated value.

Legal Description

According to the Harrison County Assessor's Office, the subject property contains approximately 30 acres of a railroad strip. The most recent Deed is from the Fresa Construction Company to United International, Inc. by Deed dated September 11, 1996 and recorded in Deed Book 1280 at Page 619 in the Harrison County Clerk's Office. It represents a Deed that references prior Deeds. The recited consideration was $40,000.00.

The previous Deed to Fresa Construction Company was from The Baltimore & Ohio Railroad Company by Deed dated February 19, 1986 and recorded in Deed Book 1159 at Page 386. It included a strip of land, which was 5.04 miles in length and varying in width, comprising 69.938 acres. It referenced valuation maps of the railroad. The document indicates that the property was acquired in the late 1880's and the early 1900's. There was some additional Deeds referencing acquisition as late as 1953. On Page 389 of the Deed, there was an allocation that the land value was $35,000.00 and that track and rail facilities were personal property totaling $105,000.00. On Page 393 of the Deed, there is a map based on the proposed conveyance at the time, indicating the distance of 5.04 miles.

At the time of this report, the attorney, Frank Simmerman, III, was doing title work to determine if there were any reversing clauses.

There may be possible out-conveyances from this ownership, but no title report was provided. The aforementioned Deeds are shown on the following pages:

DEED BOOK 1280/PAGE 619

YOUNG, MORGAN & CANN

BOOK 1280 PAGE 619

THIS DEED, Made this 11th day of September, 1996, by and between **FRESA CONSTRUCTION COMPANY**, a West Virginia company, party of the first part, herein the "GRANTOR" and **UNITED INTERNATIONAL, INC.**, a West Virginia corporation, party of the second part, herein the "GRANTEE".

WITNESSETH: That for and in consideration of the sum of Ten Dollars ($10.00), cash in hand paid by the GRANTEE to the GRANTOR, receipt whereof is hereby acknowledged and other good and valuable considerations, the GRANTOR does hereby remise, release and quitclaim unto the GRANTEE, its successors and assigns, all of GRANTOR's right, title and interest in and to a line of railroad formerly owned by the Baltimore and Ohio Railroad Company (B&O), named the Monongahela River Branch extending from a point at B&O's Milepost 24.39, Value Station 1229 and 08.1 at or near Spelter, West Virginia, as generally shown on B&O's Drawing X 24118, dated April 4, 1984, last revised January 13, 1986, all of which is described, set out and shown on the deed from said The Baltimore and Ohio Railroad Company to the GRANTOR dated February 19, 1986, of record in the Office of the Clerk of the County Commission of Harrison County, West Virginia, in Deed Book No. 1159, at page 386, which said drawings appeared as EXHIBITS to said deed at pages 393 and 394, to which deed and attached drawings reference is made for all purposes as if set out in full herein.

There is excepted and reserved, however, and not conveyed by this deed that portion of said right of way known, described and referred to in B&O's documentation and records as the McCandlish Railroad Siding No. 4, beginning at a point on the former main line at or about Station No. 1184 and 00 as shown on the above referenced railroad maps and the southerly end of the Simpson Creek railroad trestle, comprising 1.767 acres (about one (1) mile).

This conveyance is made subject to all existing reservations, restrictions, exceptions, conditions, easements, rights of way or other servitudes, if any, made, retained or created in prior deeds of record in the chain of title to the property herein conveyed.

mail 9/12/96
Grantee
PO Box 550
Jane Lew, WV 26378

YOUNG, MORGAN & CANN

BOOK 1280 PAGE 620

The undersigned Grantor does hereby declare, under penalties of fine and imprisonment as provided by law, that the total consideration received for the property transferred by this document to be $40,000.

IN WITNESS WHEREOF, the party of the first part has caused its name to be signed hereto by its proper members.

$1.65 STATE & COUNTY 241328 $13.20 STATE & COUNTY C 582454 COUNTY AA 269363

$1.65 STATE & COUNTY 241336 $11.55 STATE & COUNTY D 554677 COUNTY AA 269373

FRESA CONSTRUCTION COMPANY,
a West Virginia Company

By: Michael R. Fresa
Michael R. Fresa, President

STATE OF WEST VIRGINIA

COUNTY OF HARRISON, TO-WIT:

SEP 11 3 05 PM '96 COUNTY HARRISON WEST VIRGINIA

The foregoing instrument was acknowledged before me this 9th day of September, 1996, by MICHAEL R. FRESA, the President of FRESA CONSTRUCTION COMPANY, a West Virginia Company, on behalf of the company.

My commission expires August 23, 2004.

(Notarial Seal)

OFFICIAL SEAL NOTARY PUBLIC STATE OF WEST VIRGINIA NAOMI L. POWELL 601 YOUNG, MORGAN & CANN SUITE ONE SCHROATH BLDG. CLARKSBURG, WV 26301 My Commission Expires August 23, 2004

Naomi L. Powell
Notary Public

$1.65 COUNTY FF 166147 $7.15 COUNTY DD 149067 $4.40 COUNTY CC 141160 $94.05 STATE & COUNTY

This instrument prepared by:

Roger J. Morgan, Esquire
YOUNG, MORGAN & CANN, Attorneys at Law
Suite One, Schroath Building, Clarksburg, West Virginia 26301

g:\docs\fresa\cpa\deed.doc

This instrument was presented to the Clerk of the County Commission of Harrison County, West Virginia, on 9/11/96 and the same is admitted to record.

Teste: Sylvia Seale Clerk
Harrison County Commission

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DEED BOOK 1159/PAGE 386

BOOK 1159 PAGE 386 THIS DEED, made FEB 19 1986 , by and between THE BALTIMORE AND OHIO RAILROAD COMPANY, a corporation of the State of Maryland, whose post office address is 100 North Charles Street, Baltimore, Maryland 21201, hereinafter called Grantor, and FRESA CONSTRUCTION COMPANY, a corporation of the State of West Virginia, whose post office address is P. O. Box 187, Bridgeport, West Virginia 26330, hereinafter called Grantee, witnesseth:

That, for and in consideration of payment of the sum of ONE HUNDRED FORTY THOUSAND DOLLARS ($140,000.00), which is the full monetary consideration for this conveyance, the receipt whereof is hereby acknowledged, Grantor does hereby remise, release and forever quitclaim unto Grantee, Grantee's successors and assigns, all of Grantor's right, title and interest in and to a line of Grantor's railroad extending from a point at Grantor's Milepost 19.35, Valuation Station 962+80, at or near Haywood, West Virginia, to a point at the end of track, Grantor's Milepost 24.39, Valuation Station 1229+08.1, at or near Spelter, West Virginia, as generally shown on Grantor's Drawing X-24118, dated April 4, 1984, last revised January 13, 1986 which is attached hereto and made a part hereof, and more particularly described as follows:

(A) A strip of land approximately 5.04 miles in length, and of varying widths, comprising 69.938 acres, more or less, and being a portion of what was generally known as Grantor's Monongahela River Branch of its Monongah Division BEGINNING at Grantor's Valuation Station 962+80, at or near Haywood, West Virginia, and extending in a Southerly direction through Harrison County to Grantor's Valuation Station 1229+08.1 at or near Spelter, West Virginia;

(B) Also, all track and related facilities beginning at Grantor's Valuation Station 962+38 and extending Southerly through the above described Premises to Grantor's Valuation Station 1229+08.1 as generally indicated on Grantor's Drawing No. X-24408, dated December 2, 1985, entitled "Proposed Sale Line of Railroad Property at Haywood", attached;

ALL as more fully shown on Railroad Valuation Section Maps 55.1 (10) through 55.1 (12), inclusive, which are incorporated herein by reference, copies of which are available in the offices of Grantor and Grantee.

Mail To Roger Morgan et al Parkersburg WV 4/1/86

BEING all or portions of the property acquired by Monongahela River Rail Road Company (predecessor of The Baltimore and Ohio Railroad Company) by the following instruments, recorded in the Land Records of Harrison County, West Virginia: BOOK 1159 PAGE 387

Grantor	Date	Recordation Data Book	Page
Felix W. Martin, et ux.	March 29, 1893	87	485
Leroy H. Martin, et ux.	July 21, 1910	188	260
Felix W. Martin, et ux.	July 21, 1910	188	262
Martin Brothers Co.	June 30, 1910	188	73
Martin Brothers Co.	January 5, 1912	203	182
Thomas J. Martin, et ux.	May 21, 1910	188	71
James L. Madden	May 16, 1910	188	87
Frank Chicarelle, et ux.	May 11, 1910	188	85
Edmond S. Emrick, et ux.	February 17, 1912	204	380
Larry Bambardare, et ux.	May 11, 1910	188	84
C. S. Homer, et ux.	February 19, 1889	76	367
Luther C. Harbert, et ux.	March 29, 1889	107	562
Somers-Minor, et ux.	February 19, 1889	76	332
Stephen L. Vincent	July 9, 1889	77	456
Andrew J. Smithers, et ux.	March 28, 1889	90	154
Nancy Linville, et al.	May 9, 1889	76	409
Rebecca Hall	May 15, 1889	75	453
Marcellus N. Poll	May 9, 1889	75	487
Joshua N. Fortney, et ux.	March 23, 1889	76	334
Oscar T. Fortney, et ux.	May 16, 1889	75	455
The Monongaha Coal & Coke Co.	December 10, 1985	96	477
F. M. Smith, et ux.	March 14, 1889	76	475
Jedadiah W. Smith, et ux.	March 14, 1889	76	412

By Blanket Deed dated November 20, 1912, recorded as aforesaid in Deed Book 214, Page 73, Monongahela River Rail Road Company conveyed all of its property to The Baltimore and Ohio Railroad Company.

ALSO BEING portions of the property acquired by The Baltimore and Ohio Railroad Company, in its own name, by the following instruments, recorded in the Land Records of Harrison County, West Virginia:

Grantor	Date	Recordation Data Book	Page
Edmond S. Emrick, et ux.	December 27, 1912	214	88
Gertrude E. Hacken, et vir., et al.	October 9, 1913	223	327
Edmond S. Emrick, et ux.	July 13, 1916	257	62
Martin Brothers Co.	March 10, 1928	306	15
Meadowbrook Corp.	July 9, 1953	738	27

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The current Land Book listing for the year 1986 of the property herein conveyed, which has no physical address and which is not listed on any Tax Map, is in the name of The Baltimore and Ohio Railroad Company, whose mailing address is 100 North Charles Street, Baltimore, Maryland 21201.

TOGETHER with the buildings and improvements thereupon erected, made or being, and all and every of the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging, or in anyway appertaining, including all of Grantor's right, title and interest in and to all rail, ties, bridges, buildings, improvements, signals, fixtures, operating rights-of-way and beneficial contracts.

FURTHER RESERVING unto Grantor, Grantor's successors and assigns, the right to construct, maintain, operate, use, replace, relocate, renew and remove Fiber Optic communication cables, lines or facilities, beneath the surface of the Premises, and all ancillary equipment or facilities (both underground and surface), or to attach the same to existing bridges or poles on the Premises; TOGETHER with the further rights to assign said reserved easement, right and facilities, in whole or in part, and to lease, license or permit third parties to so construct, maintain, etc.

TO HAVE AND TO HOLD the Premises aforesaid, with the privileges and appurtenances thereunto belonging, to Grantee, Grantee's successors and assigns forever.

BOOK 1159 PAGE 389

SUBJECT, however, to: reservations, exceptions and restrictions of record; zoning ordinances and to subdivision regulations and laws, if any; taxes and assessments both general and special which become due and payable after the date of this instrument and which Grantee assumes and agrees to pay; all encroachments which might be revealed from an inspection of the premises, aforesaid; and all existing ways and servitudes, howsoever created, including any existing fiberoptic telecommunication lines and facilities, and Monongahela Power Company's location, maintenance and use of all wire line and cable crossings as provided for under Master Wire Crossing Agreement dated November 25, 1963.

Grantor hereby declares that the consideration paid for the land is $35,000 and the consideration paid for the track and rail facilities as personal property is $105,000, or a total consideration paid for the property conveyed by this document of $140,000.

AND THIS DEED FURTHER WITNESSETH that Manufacturers Hanover Trust Company and D. B. Herterich, as Trustees under The Baltimore and Ohio Railroad Company's Refunding and General Mortgage to Central Trust Company of New York and James N. Wallace, dated December 1, 1915, as amended, modified and supplemented, have executed this deed for the sole purpose of releasing and do hereby release all their estate, right, title and interest, as such Trustees, in and to all the property herein conveyed, or in and to the estate, right, title and interest herein remised, released and quitclaimed; but this release is subject to any and all the same rights, reservations, exceptions, limitations and agreements herein specified on behalf of the Grantor, and is without covenant or warranty, express or implied, and without recourse against said Trustees in any event.

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IN TESTIMONY WHEREOF, THE BALTIMORE AND OHIO RAILROAD COMPANY and MANUFACTURERS HANOVER TRUST COMPANY (as one of the aforesaid Trustees), pursuant to due corporate authority, have caused their names to be signed hereto by their officers hereunto duly authorized and their corporate seals, duly attested, to be hereunto affixed; and D. B. HERTERICH (as the other of the aforesaid Trustees) has hereunto set his hand and seal, duly attested, to be hereunto affixed.

BOOK 1159 PAGE 390

WITNESS:

THE BALTIMORE AND OHIO RAILROAD COMPANY

By _____
T. R. Jackson, General Manager

ATTEST:

_____
Corporate Secretary

WITNESS:

MANUFACTURERS HANOVER TRUST COMPANY as Trustee as aforesaid.

By _____
Vice President

Susan M. Frame

Eleanor T. Green

ATTEST:

_____
Trust Officer
R. J. Stanislaro

WITNESS:

Susan M. Frame

Eleanor T. Green

_____ (SEAL)
D. B. HERTERICH, as Trustee as aforesaid.

Appd. as to Legal Form

- 5 -

STATE OF MARYLAND)
) SS.
CITY OF BALTIMORE)

BOOK1159 PAGE 391

I, Helen A. Klein, a Notary Public of the State of Maryland and the ~~City~~ County of ~~Baltimore~~ Harford, do certify that on February 19, 1986 before me in said City personally came T. R. Jackson, to me known and known to me to be one of the persons whose name is subscribed to the above instrument, who, being by me first duly sworn, did depose, acknowledge and say that he resides at Cockeysville, Baltimore County, Maryland, that he is General Manager of The Baltimore and Ohio Railroad Company, one of the corporations described in and which executed said instrument; that he knows the seal of said corporation; that one of the seals affixed to said instrument is such seal; that it was so affixed by authority of the Board of Directors of said corporation; that he signed his name thereto for said corporation pursuant to such authority, and that said instrument is the free act and deed of said corporation; and that the conveyance herein is not part of a transaction, sale, lease, exchange or other transfer or conveyance of all or substantially all of the property and/or assets of the Grantor.

In witness whereof, I hereunto set my hand and official seal, the day and year written above.

My Commission expires on July 1, 1986.

Helen A. Klein
Notary Public

STATE OF NEW YORK)
) SS.
CITY AND COUNTY OF NEW YORK)

I, Kathy A. Murphy, a Notary Public of said City and County, do certify that on MAR 3 1988, before me in said City and County personally came D. A. URSITTI, JR., to me known, and known to me to be one of the persons whose name is subscribed to the above instrument, who, being by me first duly sworn, did depose, acknowledge and say that he resides at [redacted] New York, N. Y.; that he is a Vice President of Manufacturers Hanover Trust Company, one of the corporations described in and which executed said instrument; that said corporation is a Trustee under the mortgage of The Baltimore and Ohio Railroad Company dated December 1, 1915, as amended, modified and supplemented; that he knows the seal of said corporation; that one of the seals affixed to said instrument is such seal; that it was so affixed by authority of the Board of Directors of said corporation; that he signed his name thereto for said corporation pursuant to such authority; and that said instrument is the free act and deed of said corporation as such Trustee.

In witness whereof, I hereunto set my hand and official seal, the day and year written above.

My Commission expires on

Kathy A. Murphy
Notary Public

KATHY A. MURPHY
Notary Public, State of New York
No. 60-4926140
Qualified in Westchester County
Certificate filed in New York County
Commission Expires March 30, 1988

- 6 -

STATE OF NEW YORK)
) SS.
CITY AND COUNTY OF NEW YORK)

BOOK 1159 PAGE 392

I, Kathy A. Murphy, a Notary Public of said City and County, do certify that on MAR _3 1986, before me in said City and County personally came D. B. Herterich, to me known, and known to me to be one of the persons whose name, as a Trustee under the mortgage of The Baltimore and Ohio Railroad Company dated December 1, 1915, as amended, modified and supplemented, is subscribed to the above instrument, who, being by me first duly sworn, did depose, acknowledge and say that he resides at R. D. 1, Mendham, New Jersey; that he is a Trustee under the mortgage of The Baltimore and Ohio Railroad Company dated December 1, 1915, as amended, modified and supplemented; and that he executed said instrument as his free act and deed as such Trustee.

In witness whereof, I hereunto set my hand and official seal, the day and year written above.

My Commission expires on

Kathy A. Murphy
Notary Public

KATHY A. MURPHY
Notary Public, State of New York
No. 60-4825140
Qualified in Westchester County
Certificate filed in New York County
Commission Expires March 30, 1988

This 7-page instrument prepared by:

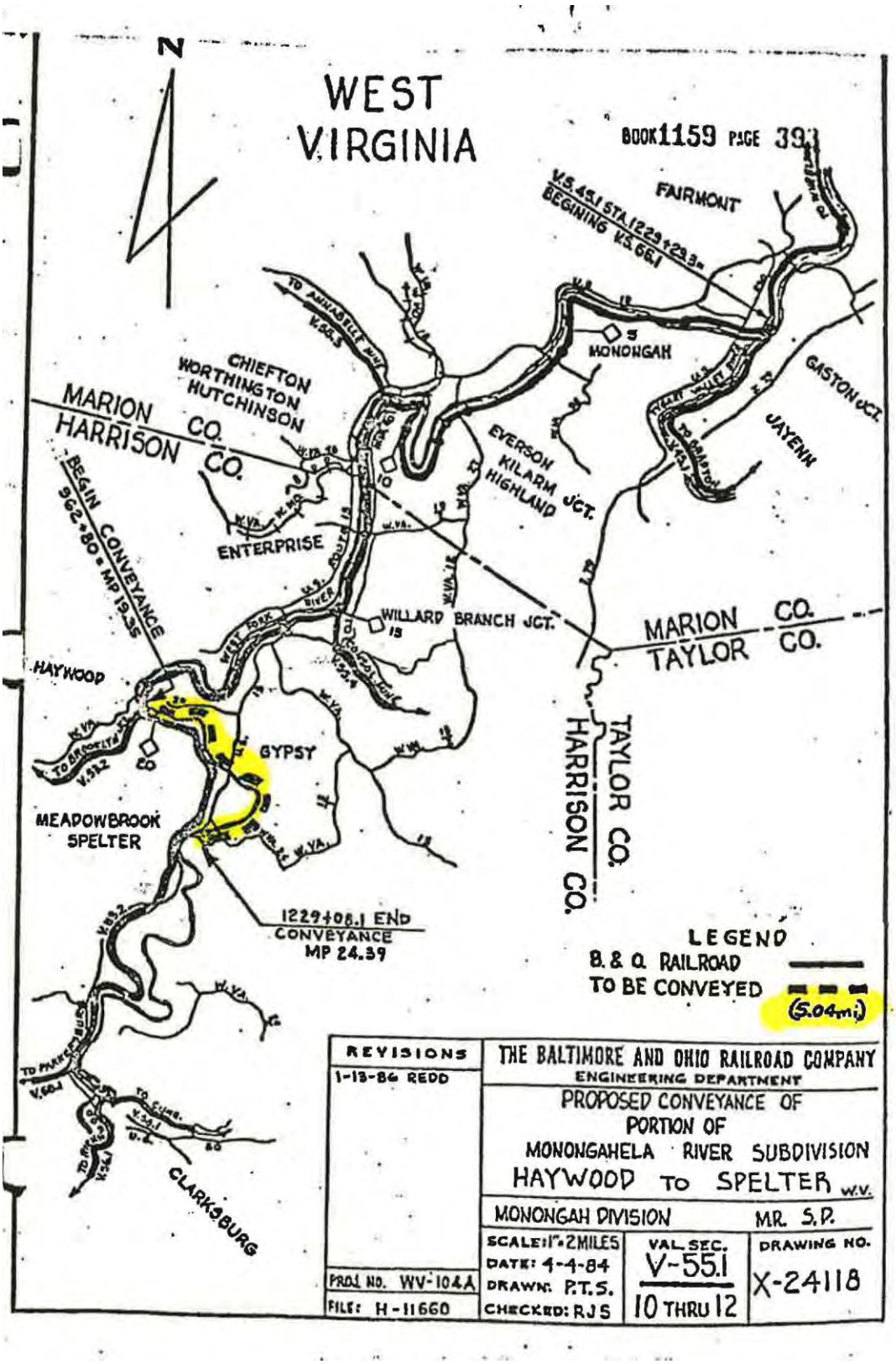
Richard C. Keene
Attorney for Grantor
Business Address:
100 North Charles Street, Suite 2204
Baltimore, Maryland 21201

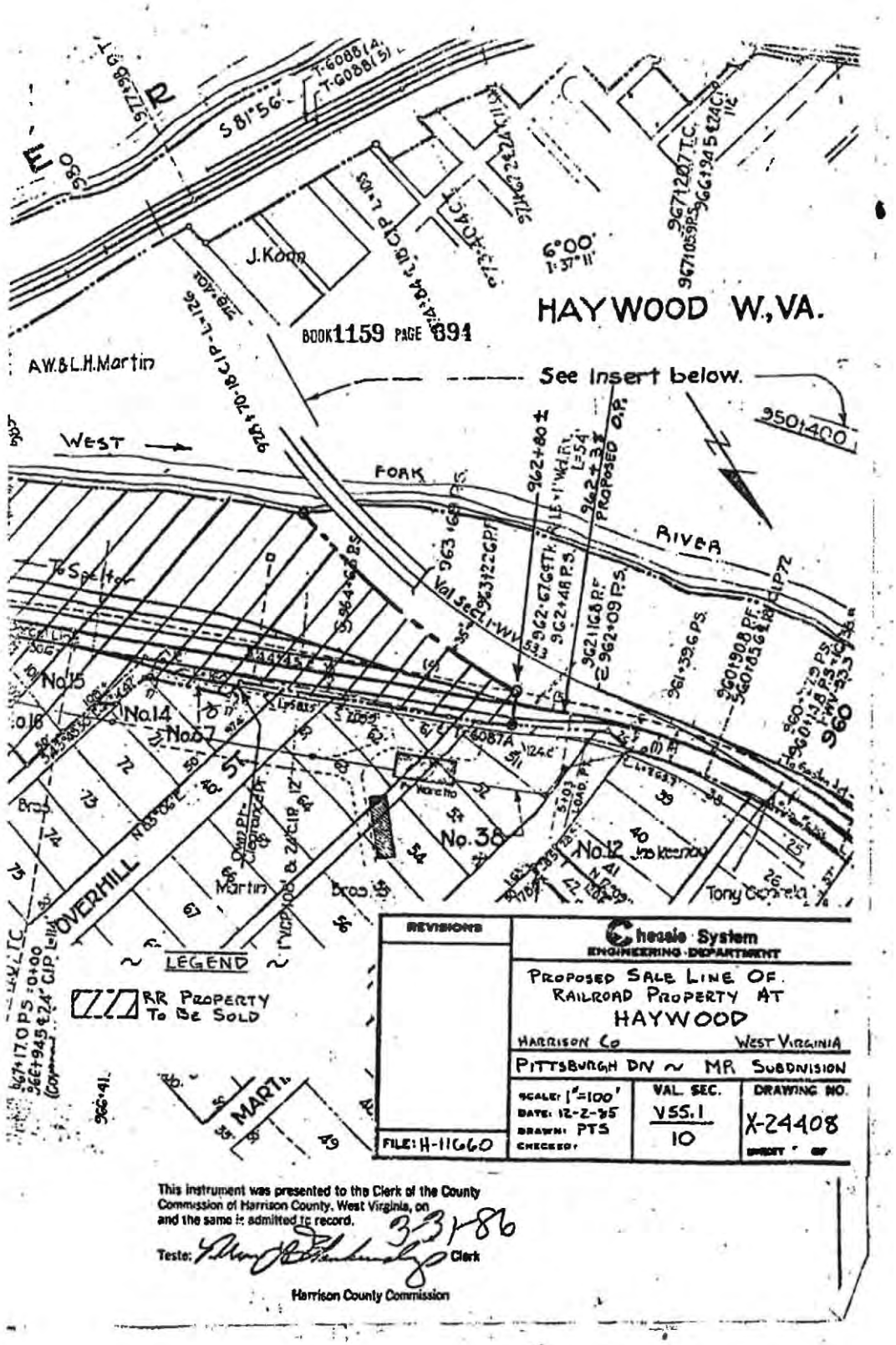
Phone: (301) 237-3121

$94.05 STATE & COUNTY F 220312

$21.45 STATE & COUNTY D 322231

- 7 -


N
WEST VIRGINIA
BOOK 1159 PAGE 39
FAIRMONT
MONONGAH
CHIEFTON
WORTHINGTON
HUTCHINSON
MARION CO.
HARRISON CO.
ENTERPRISE
EVERSON
KILARM
HIGHLAND
JCT.
GASTON JCT.
JAYENN
WILLARD BRANCH JCT.
MARION CO.
TAYLOR CO.
HAYWOOD
GYPSY
MEADOWBROOK
SPELTER
TAYLOR CO.
HARRISON CO.
1229+08.1 END
CONVEYANCE
MP 24.39
CLARKSBURG
LEGEND
B. & O. RAILROAD
TO BE CONVEYED
(5.04mi)
REVISIONS
1-13-86 REDD
THE BALTIMORE AND OHIO RAILROAD COMPANY
ENGINEERING DEPARTMENT
PROPOSED CONVEYANCE OF
PORTION OF
MONONGAHELA RIVER SUBDIVISION
HAYWOOD TO SPELTER W.V.
MONONGAH DIVISION
MR. S.P.
SCALE: 1" = 2 MILES
DATE: 4-4-84
DRAWN: P.T.S.
CHECKED: RJS
VAL. SEC.
V-55.1
10 THRU 12
DRAWING NO.
X-24118
PROJ NO. WV-104A
FILE: H-11660


HAYWOOD W.,VA.
BOOK 1159 PAGE 894
See Insert below.
WEST FORK RIVER
OVERHILL
MARTIN
LEGEND
RR PROPERTY To Be Sold
REVISIONS
Chessie System
ENGINEERING DEPARTMENT
PROPOSED SALE LINE OF RAILROAD PROPERTY AT HAYWOOD
HARRISON Co WEST VIRGINIA
PITTSBURGH DIV ~ MR SUBDIVISION
SCALE: 1"=100'
DATE: 12-2-85
DRAWN: PTS
CHECKED:
VAL. SEC. V55.1 10
DRAWING NO. X-24408
FILE: H-11660
This instrument was presented to the Clerk of the County Commission of Harrison County, West Virginia, on and the same is admitted to record.
Teste: Clerk
Harrison County Commission

Tax Data

The subject property consists of properties shown on a variety of tax districts and maps in Harrison County. The properties are typically not specifically identified by map and parcel since they are railway corridors. The properties are not assessed as individual parcels in most cases, but properties are found in the name of United International, Inc. Most assessments of active railway properties are made by the West Virginia State Tax Department and do not involve the local Assessors.

Since this property is not an active railroad, it is assessed by the Harrison County Assessor in the Eagle-Outside Tax District in the name of United International, Inc. and references the same Deed Book. The 2023 tax assessment for Map 207 and Parcel 66 is identified as follows:

United International, Inc.
Map 207/Parcel 66

Land	$	10,860.00
Building		0.00
Total	$	10,860.00
Class III Tax Rate		0.022941
Annual Taxes	$	249.14

County Real Estate Tax Assessors are supposed to appraise property at 100% of market value and then apply 60% assessment for tax calculation. In this situation, the subject property is appraised by the County Assessor for $18,100.00. Assessor's values rarely are indicative of market value and this often creates discrepancies with real estate appraisals. According to information obtained from the Harrison County Sheriff's Office website, the 2024 taxes have been paid.

Area Data

West Virginia is geographically located in the mid-Atlantic region which extends as far north as Pittsburgh, Pennsylvania; as far west as Columbus, Ohio; as far east as Washington D. C.; and as far south as Richmond, Virginia. According to the 2020 Census, within this state there are approximately 1.793 million people, which is a decrease of approximately 3.2% from 2010.

Clarksburg is the county seat of Harrison County. Harrison County is most often associated with an area known as the High Tech Corridor, which extends from Harrison County north through Marion and Monongalia counties. Most

often, this is most associated with Morgantown, which is the home of West Virginia University, the major land grant institution in the State of West Virginia. Interstate 79 is the main connector and a lot of the development that has occurred has been along the interstate. This includes major developments at the Bridgeport/ Clarksburg exit, which is retail oriented; retail development at the Meadowbrook Exit; the FBI Center, Charles Pointe, United Hospital Development and the White Oaks at Exit 124; the High Tech Consortium Development at Fairmont; and a plethora of retail and university oriented facilities in Morgantown on both Interstate 79 and Interstate 68. As the northern West Virginia business economy has expanded, Interstate 79, between Clarksburg and Morgantown, is considered to be one uniform business area.

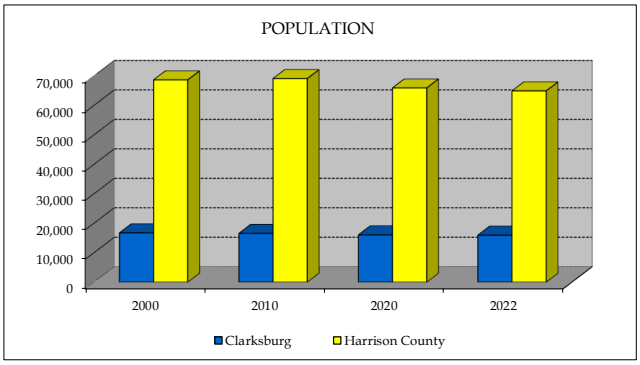
South of Clarksburg is Corridor H, which travels from Exit 99 at Buckhannon to the Virginia border. This development has been a work in progress but once it is completed it will open major east/west traffic from the Washington D.C. area to Interstate 79. With the current construction, there will be four lanes from Interstate 79 to Parsons and current design work to extend it to Thomas and Davis. This is under a lot of scrutiny due to the Blackwater Canyon and a route has not been selected.

Downtown Clarksburg has had a difficult time redeveloping since most of the retail moved to the interstate and many of the offices have relocated along the interstate. The main attraction continues to be the Harrison County Courthouse and the Federal Building.

Population

According to the United States Census Bureau, the City of Clarksburg in Harrison County has the following populations:

POPULATION				
	2000	2010	2020	2022
Clarksburg	16,743	16,578	16,061	15,977
Harrison Co.	68,652	69,099	65,921	64,915

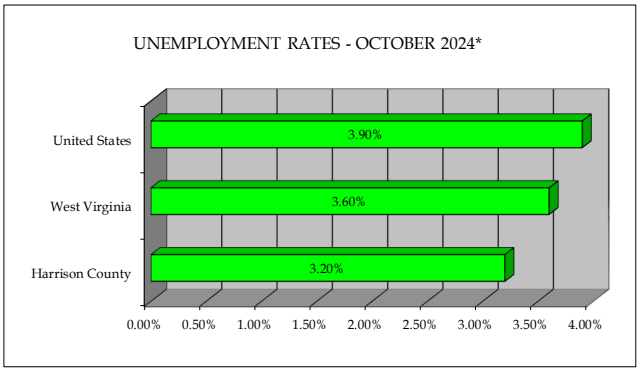


As shown in the population for the City of Clarksburg, there has been a decrease over the past few years, going from 16,578 in the 2010 Census to 16,061 in the 2020 Census. Residential developments have been built in the Bridgeport area due to the availability of land and more desirable area.

Employment

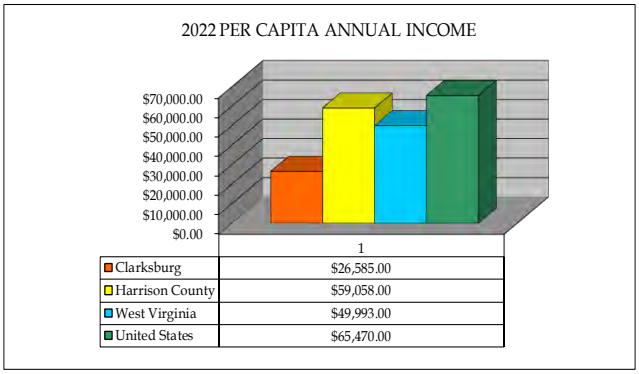
The unemployment rate in Harrison County in October 2024, was 3.2%, which compares to 3.0% one year earlier. West Virginia's unemployment rate in October 2024 was 3.6%. The following table summarizes employment for the county and state:

LABOR FORCE ESTIMATES OCTOBER 2024*				
Entity	LF	E	UE	Rate
Harrison Co.	34,420	33,320	1,100	3.2%
WV	787,100	758,600	28,500	3.6%
U.S. Unemployment Rate				3.9%
**All rates are unadjusted. November 20, 2024* *LF – Labor Force; E-Employed; UE – Unemployed*				



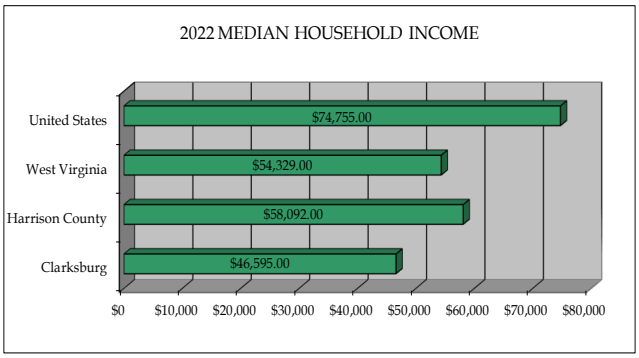
The following table summarizes and displays the 2022 per capita income figures on a county, state, and national level.

2022 PER CAPITA ANNUAL INCOME	
Clarksburg	$26,585.00
Harrison County	$59,058.00
West Virginia	$49,993.00
United States	$65,470.00
Source: US Census & Bureau of Economic Analysis	



As of October 2024, the total nonfarm employment was 39,590 with the service sector providing 33,190 and goods producing sector providing 6,400. The median household income for 2022 was the latest information available for the city, county and state level by the Bureau of Economic Analysis (BEA) and is shown as follows:

2022 MEDIAN HOUSEHOLD INCOME	
Clarksburg	$46,595.00
Harrison County	$58,092.00
West Virginia	$54,329.00
United States	$74,755.00



The top 10 employers as of March 2022 in the Harrison County market are shown as follows:

	Employer
1.	WVU Medicine
2.	Harrison County Board of Education
3.	Wal-Mart Associates, Inc.
4.	Pratt & Whitney Engine Services, Inc.
5.	MHI RJ Aviation, Inc.
6.	City of Bridgeport
7.	WV Department of Highways
8.	Applied Construction Solutions, Inc.
9.	Eastern Gas & Transmission
10.	ECM Energy Services, Inc.
**1st Quarter 2023 workforcewv.org*	

Transportation

Harrison County is served by U.S. Route 50, which is a major east/west highway; Interstate 79 which is the major north/south route, and Route 19, which parallels Interstate 79.

The area is served by Benedum Airport, located in Bridgeport. This is a public airport with current commercial service from Allegiant and United Express with service to Orlando, Florida, Chicago O'Hare, Washington Dulles and seasonal service to Myrtle Beach and Destin-Fort Walton Beach, Florida. Other important factors associated with the airport include service facilities associated with Pratt Whitney and the Robert C. Byrd National Aerospace Education Facility. There is an established business and industrial park connected to the airport. Rail service is provided by CSX.

There are no navigable rivers in the immediate area although they are available in Marion County. Cheat Lake is a well-known recreational area.

Retail

The largest retail sector in the area is between the Bridgeport and Anmoore Interchanges. What originally commenced as a Wal-Mart anchored shopping center connected to US Route 50, expanded into a two mile stretch of commercial development between two interstate interchanges with many national brand businesses represented. For example, Kroger, Sam's Club, Lowe's and Walmart are all found in this location and they draw traffic from a large geographic area. It would not be unusual for patrons to travel from 20 to 30 miles away to benefit from these facilities.

In addition to this, there are several small neighborhood shopping centers in the Harrison County area and the Meadowbrook Mall in Bridgeport.

Hotel

The Bridgeport Interchange has substantial hotel services, many of which are in response to commercial growth and the attraction of the oil and gas industry in this area. Hotels include Springhill Suites by Marriott, TownePlace Suites, Best Western, Quality Inn, Days Inn and Hilton Garden Inn. The other location with substantial hotel options include the FBI Interchange, where there is a Microtel, Wingate, Courtyard by Marriott, Hawthorne Suites, Holiday Inn Express and Comfort Suites. The volume of commercial development and the construction traffic associated with major development projects has prompted the intense development of hotel rooms in this area.

Office Space

There have been a limited number of offices built in Clarksburg. Most of the new developments and relocations have been along the interstate, most notably at the FBI Interchange. Older multi-tenant general office buildings in downtown have additional space for rent and large segments that are underutilized. Most of the offices are older in the downtown area and do not have the functionality that new ones achieve and the location is no longer appealing. The availability of land and existing services have attracted commercial offices to relocate to suburban locations along interstate interchanges.

Education

Educational facilities serving this area include West Virginia University,

Fairmont State University, Salem University, West Virginia Wesleyan and Alderson-Broaddus.

Summary

The outlook for this area will continue to be bright because it is considered part of the High Tech Corridor and is connected to West Virginia University in Morgantown. The local economy will also ebb and flow based on stages in the energy markets, but this is a business interest with a long history in this area that is expected to continue. The development will continue along Interstate 79 and it will be a struggle for the downtown area to redevelop. The overall area has seen a lot of technical advancement and employment around the airport and other facilities. With continued federal funding these will continue to grow. It is doubtful that there will be any substantial growth along US Route 19.


DeLORME
DeLorme Street Atlas USA® 2011
Area Map
Subject Property
Greensboro
Bobtown
Dilliner
Point Marion
Mount Morris
Brave
Blacksville
Pentress
Wana
Littleton
Wadestown
Burton
Core
Cassville
Maidsville
Pursglove
Granville
Wileyville
Catherines Knob
Fairview
Booth
Big Run
Metz
Reader
Pine Grove
Grant Town
Paw Paw
Baxter
Everettville
Jacksonburg
Mannington
Rivesville
Rachel
Farmington
Barrackville
Smithfield
Idamay
Four States
Fairmont
Winfield
Folsom
Carolina
Worthington
Alvy
Kingmont
Colfax
Wyatt
Enterprise
Wallace
Valley Falls State Park Trails
Center Point
Lumberport
Haywood
Gypsy
Meadowbrook
Grafton
Thornton
Sardis
Hepzibah
Dawmont
Harrison/Marion Regional
Smithburg
Bridgeport
Salem
Bristol
Reynoldsville
Clarksburg
Rosemont
Flemington
Simpson
Industrial
Tygart Lake Project
Blandville
New Milton
Galloway
Mount Clare
Brownton
Moatsville
West Milford
Watters Smith Memorial SP
Lost Creek
Philippi-Barbour County Regional
Philippi
McWhorter
Jane Lew
Century
Louis Bennett Field
Volga
Camden
Bear Knob
Hodgesville
Alum Bridge
Sugarloaf
Weston
Audra SP
Belington
Linn
Horner
Buckhannon
Upshur County Regional
Nebo
Junior
Norton
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www.delorme.com
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Neighborhood Data

A neighborhood is a portion of a larger community in which there is a homogenous grouping of inhabitants, buildings, or business enterprises. Neighborhood boundaries may consist of well-defined natural or manmade barriers or they may be more or less well defined by distinct changes in land use or in the character of the inhabitants. In evaluating a neighborhood, the appraiser must consider physical boundaries, legal boundaries, use patterns, and the availability of services.

The market area is identified geographically as northwest Harrison County, West Virginia. This is an area that has the following general borders: the Harrison County line to the north and west, Interstate 79 to the east and US Route 50 to the south. The market area includes a number of small communities, many of which were former coal camps, and their main source of access is Meadowbrook Road from Interstate 79 and US Routes 19 and from US Route 50 to US Route 19. The area has a number of older neighborhoods, which were developed in the early 1900s. Some of the communities in this area include Hephzibah, Erie, Gypsy, Seminole, Lumberport, Shinnston, and Spelter.

There are four (4) factors that seem to have dictated the development of this market area. The factors include terrain, lack of zoning, availability of infrastructure and historical uses. For example, the community of Spelter was developed as a company town. Spelter was initially developed in the early 1900s and the houses were sold to the individual owners in the 1950s.

Communities north of Spelter include the Jewel City Subdivision, Gypsy Hollow, Seminole, and Haywood. The houses in Seminole were razed for a flood project. For perspective, the Jewel City (Mauslby Cove) site is across the river from the subject property and was originally a landfill that was developed in the early 2000 time period as a church with large lots. It is relatively level and has been successful. There is a substantial elevation difference between the finished subdivision and the subject property.

North of that is Gypsy Hollow, which is an area that extends off of US Route 19 to the east. Across from that is the community of Gypsy, which is an older community of coal company houses that are in overall poor condition. Many have been burned, are abandoned, and very few show evidence of pride of ownership. There is a lot of trash and debris in the neighborhood. Further north, the area is extended toward Haywood where the Harrison County Power Plant is located. There are small side roads in the area.

The market area has large terrain elevation differences. It has low areas, which are flood prone, near the West Fork River, and it has steep terrain that is not suitable for dense development. The difficult terrain has restricted the location and availability of infrastructure, which in turn has dictated where properties have been developed. The secondary

roads primarily travel along valley floors, which usually include a stream of some sort. The homes are generally located along the creek or on the hillside, depending upon the amount of flat land. Some of the bottomland is also subject to flooding. Additionally, the active CSX rail line on the west side of the West Fork River is prominent in some of these areas because there are several facilities that utilize rail access and it is elevated. It hauls coal and chemicals.

Because of the lack of zoning, there is a large variation in land use in the area. The land uses range from single-family residential to heavy industrial. Without zoning, there is no master plan so the community is often not homogeneous. It is not unusual to find a single-family residence adjacent to a large industrial facility. Also, there is no code enforcement in the market area, therefore there is a wide variety of property conditions. These conditions range from new homes and commercial properties to burnt-out shells, abandoned trailers, and abandoned commercial properties. There are many unappealing properties throughout the market area, which substantially detracts from its potential for development. However, there have been a few new subdivisions that have been developed recently that currently have houses under construction. These subdivisions include Maulsby Cove, Tymber Creek, and Riverdale Estates.

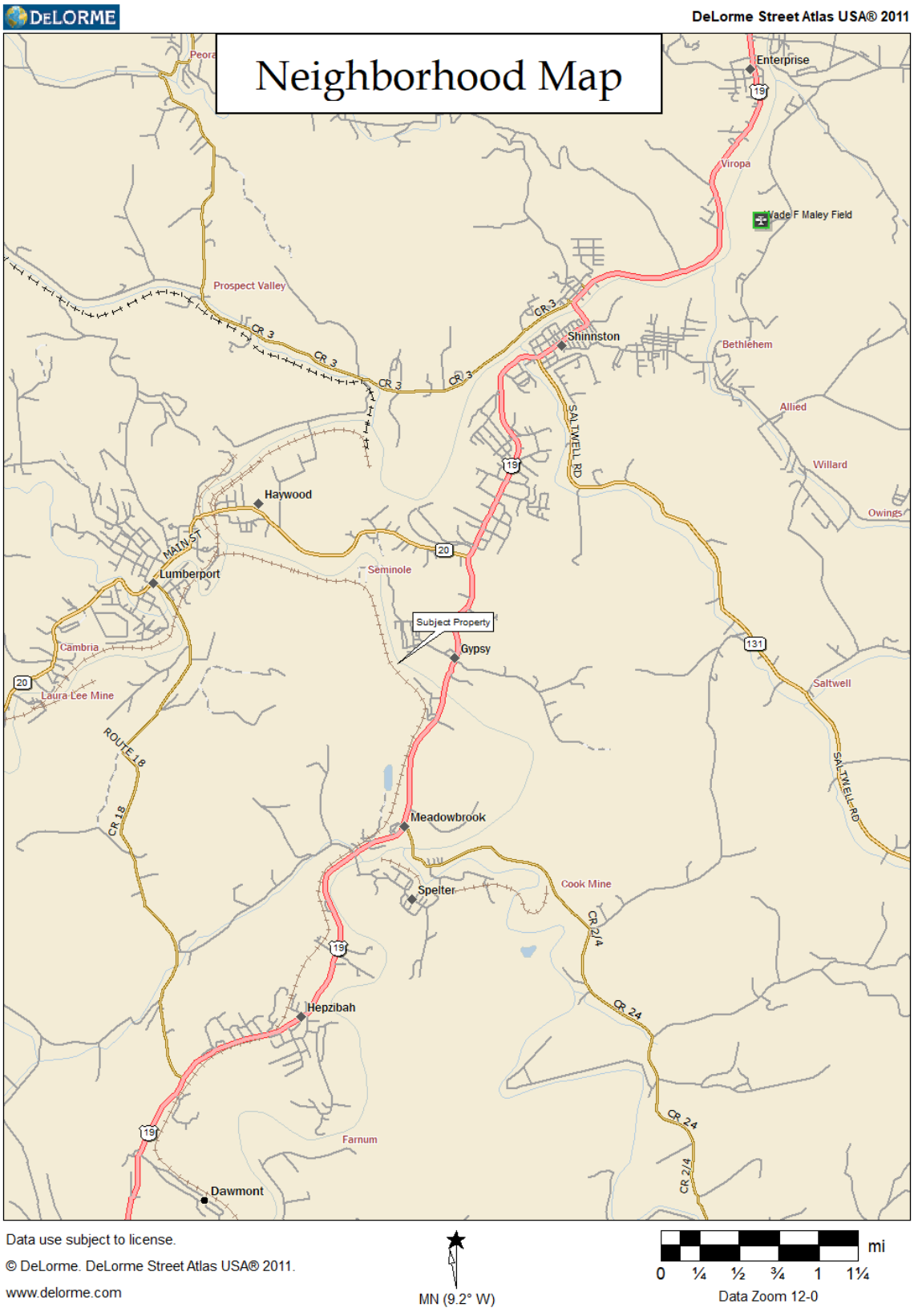
The infrastructure available in these communities is limited. There are a number of areas that have no sewer, limited public water, and many of the properties are located in the flood zone. It is helpful that some infrastructure systems will be substantially upgraded in the future.

The market area is very diverse and has a multitude of uses. The market area still has substantial amounts of vacant land, some of which is used for agricultural purposes. Additionally, the market area contains land that has small privately owned commercial property along US Route 19. The irony of the development is that there is a Pete Dye Championship Golf Course between Route 19 and the Meadowbrook Exit of Interstate 79, which is a major recreational destination point. The Meadowbrook Road connector between Interstate 79 and US Route 19 has several substantial light industrial developments and several warehouses.

The Harrison County Power Plant is located in the Haywood area. It is a major power generator in the area and the stacks are visible from many points in the neighborhood. It is a coal fired plant and coal is either trucked in or transferred by rail car. News articles discussed a possible closure, but that has been reversed and it is expected to operate until 2040.

It is difficult to summarize the market area other than to describe it as diverse and eclectic. Zoning has not restricted land uses and properties have been developed as an owner sees fit. Many of the properties have fallen into terrible disrepair and should be razed. Older commercial uses located along the main roads are very small. The only real development is around the Jewell City

Church of God known as Maulsby Cove, which is a recent development that has many fine homes. The future of this area is not likely to change because there is limited demand for property.


DeLORME
DeLorme Street Atlas USA® 2011
Neighborhood Map
Peora
Enterprise
Viropa
Vade F Maley Field
Prospect Valley
CR 3
Shinnston
Bethlehem
Allied
Willard
Owings
SALTWELL RD
Haywood
MAIN ST
Lumberport
Seminole
Subject Property
Gypsy
Cambria
Laura Lee Mine
ROUTE 18
CR 18
Meadowbrook
Spelter
Cook Mine
CR 2/4
CR 24
Hepzibah
Farnum
Dawmont
Saltwell
19
20
131
Data use subject to license.
© DeLorme. DeLorme Street Atlas USA® 2011.
www.delorme.com
MN (9.2° W)
mi
0 ¼ ½ ¾ 1 1¼
Data Zoom 12-0

Site Data

The Site Data is based on the Deed, the survey attached to the Deed, and maps that show the general location of the railroad. There is a Baltimore & Ohio valuation map of the overall area. There is no specific survey dealing with this property. It is assumed to contain approximately 30 acres of corridor. As such, it does not have a clear identification of the width of the right-of-way. Some of the land near Haywood is bisected by CSX ownership.

The property is on the east side of the West Fork River. The property abuts many properties along there, but due to elevation differences, there are areas that are extremely steep. The areas between the rail bed and the river are typically steep and subject to flooding in certain areas. The subject property is in a curvature that follows the river. It originally connected the area along the east side of the West Fork River to the zinc smelter in the Town of Spelter with interconnects along the way.

The rail line, which was south of the Spelter Bridge, varied in width sometimes at 50'. There were siding areas that were wider. This is typical of old utility and railroad right-of-ways that do not clearly define center lines. The subject area north of the Spelter Bridge has similar characteristics. The following are the basic characteristics of the site:

Tax District:	Eagle-Outside District
Map/Parcel:	207/66
Neighborhood:	This is on the east side of the West Fork River and extends from Spelter to other communities such as Meadowbrook, Gypsy, Seminole, and Haywood. The rail follows US Route to the area of Gypsy Hollow then crosses under the Lopez Bridge and extends behind Gypsy. It reemerges along some residential area before it gets to Haywood. See the map submitted by Charlotte Shaffer as to the northern terminus.
Access:	Access is typically from Meadowbrook Road, Spelter Road, Gypsy and US Route 19.
Roads:	Meadowbrook Road is a paved, two lane road that crosses the West Fork River and connects to US Route 19, north of Clarksburg to the Meadowbrook Interchange of Interstate 79. Around Gypsy, the old rail

	line goes behind several residences, one or two churches, and reemerges parallel to Route 19.
Interstate Access:	The property is located approximately 5 miles from the Meadowbrook Interchange of Interstate 79, Exit 121.
Topography:	The topography of the site is fairly level as a road bed, which is typical but on each side it is usually sloping. There area around Meadowbrook has some flood area where it crosses Simpson Creek and extends north. Several trestles may require rebuilding.
Configuration:	This was a previous railroad right-of-way, which had several sidings, possibly in the wider areas. It is difficult to tell where these were and there is no specific map showing any variations. There are owners around the Meadowbrook Road, which has adjacent local access, who have actively blocked the area at the landscaping business.
Utilities:	There are utilities available in the neighborhood. Utilities may be available at areas like Meadowbrook Road and near the Gypsy area, but that would primarily be electricity. Some of the track bed may have been used for utility rights-of-ways.
Zoning:	According to the Harrison County Planning Commission, there is no zoning.
Flood Map:	The property appears on several different Floodscape Flood Hazards Map, according to information from the WV Flood Tool, found at mapwv.gov. The property is shown on Map 54033C 0064 D at Haywood and on Map 54033C 0152 D at Spelter.
Flood Determination:	The entire property appears to be located within a high risk flood hazard area and the floodway.
Site Improvements:	There are no site improvements. The area is grass, underbrush, and some trees with evidence of railroad ballasts below the surface. There is some chain link fencing around some of the property where it is

adjacent to another user. Cut stone trestle supports are remaining.

Parking: There is no parking along the way and there are pull-off spots along Meadowbrook Road and at Seminole.

The rail corridor previously served an industrial use. There is no evidence that the rail corridor is there except for maps, Deed references and old aerial photographs. There are several concrete and stone abutments where it crosses creeks and rivers, but the trestles have been removed. Maps and photographs illustrating the location, condition and design of the site are shown as follows:



Trail Looking Toward Spelter



Proposed Trail North of Spelter



Proposed Trail North of Spelter



Proposed Trail Near Route 19 & The Lopez Bridge



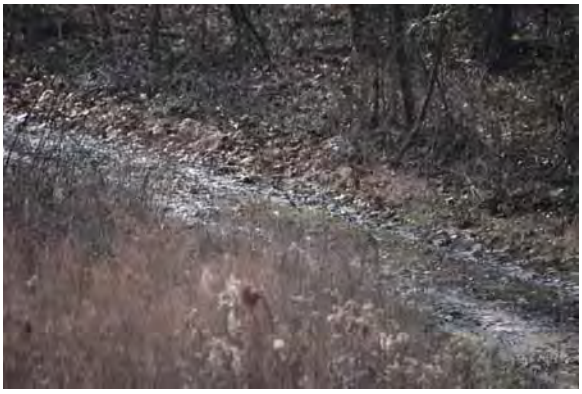
Proposed Trail Near Bible Baptist Fellowship Church



Proposed Trail Near Gypsy



Proposed Trail Near Seminole



Proposed Trail Near Haywood



Harrison County Power Plant



Proposed Trail Near Haywood

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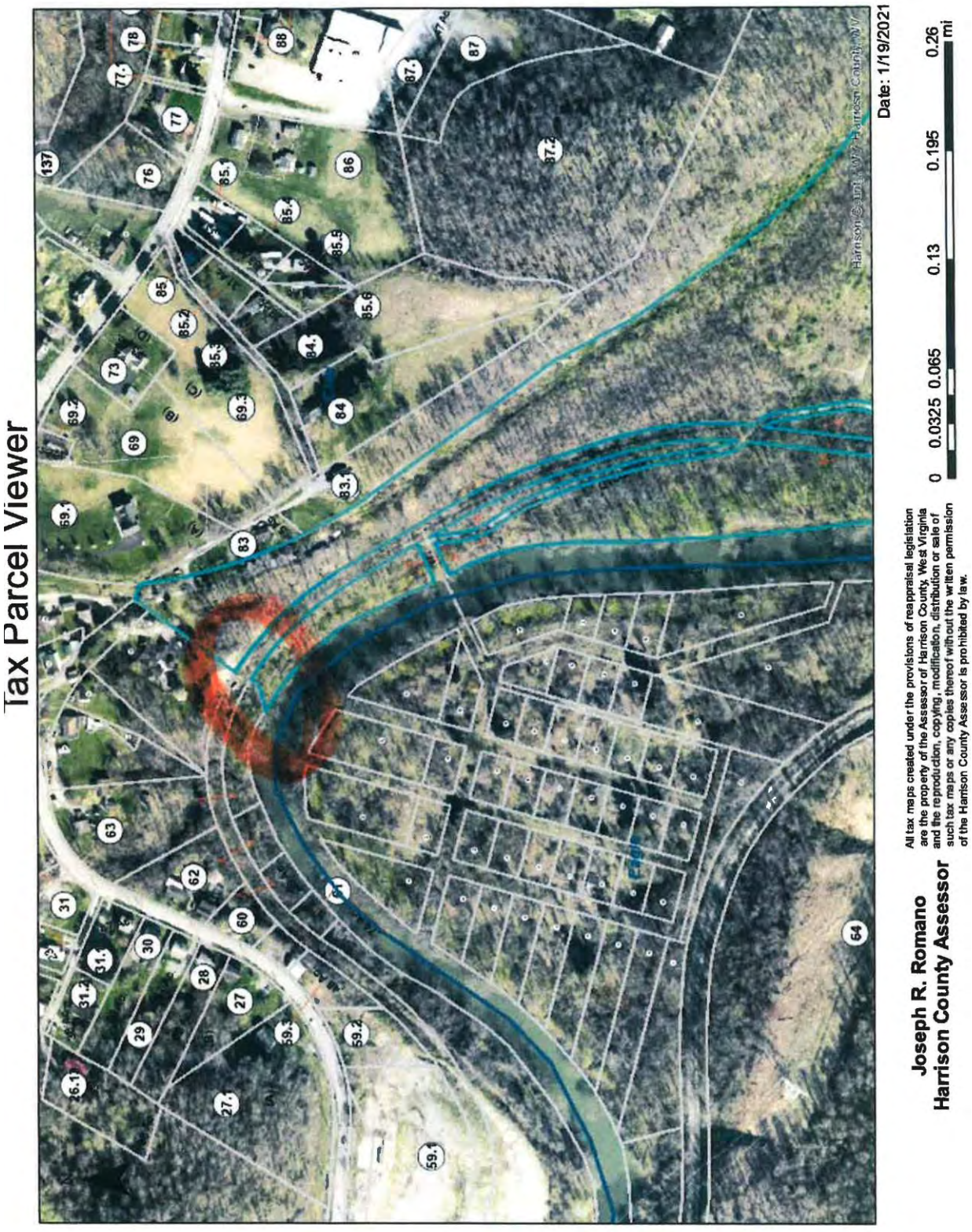
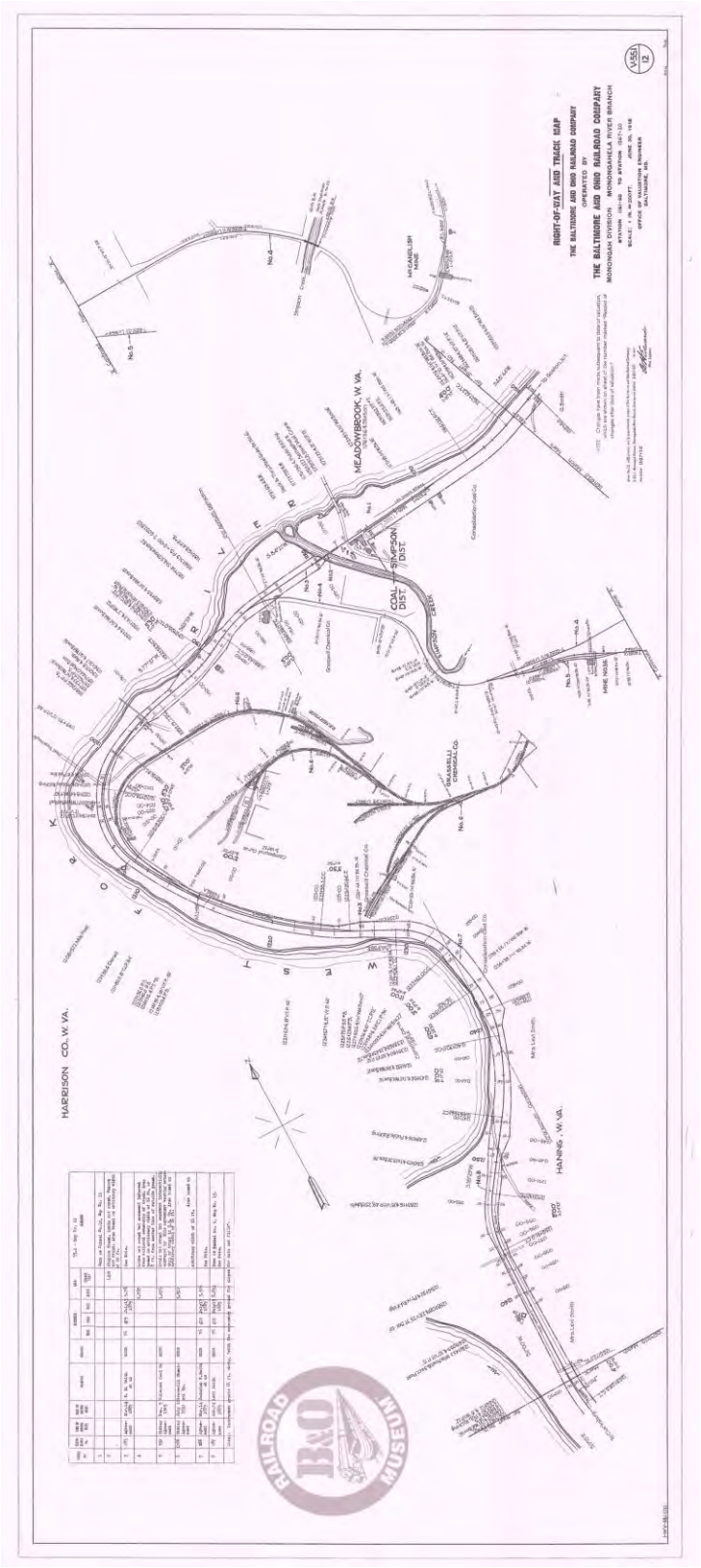
AERIAL PHOTOGRAPH



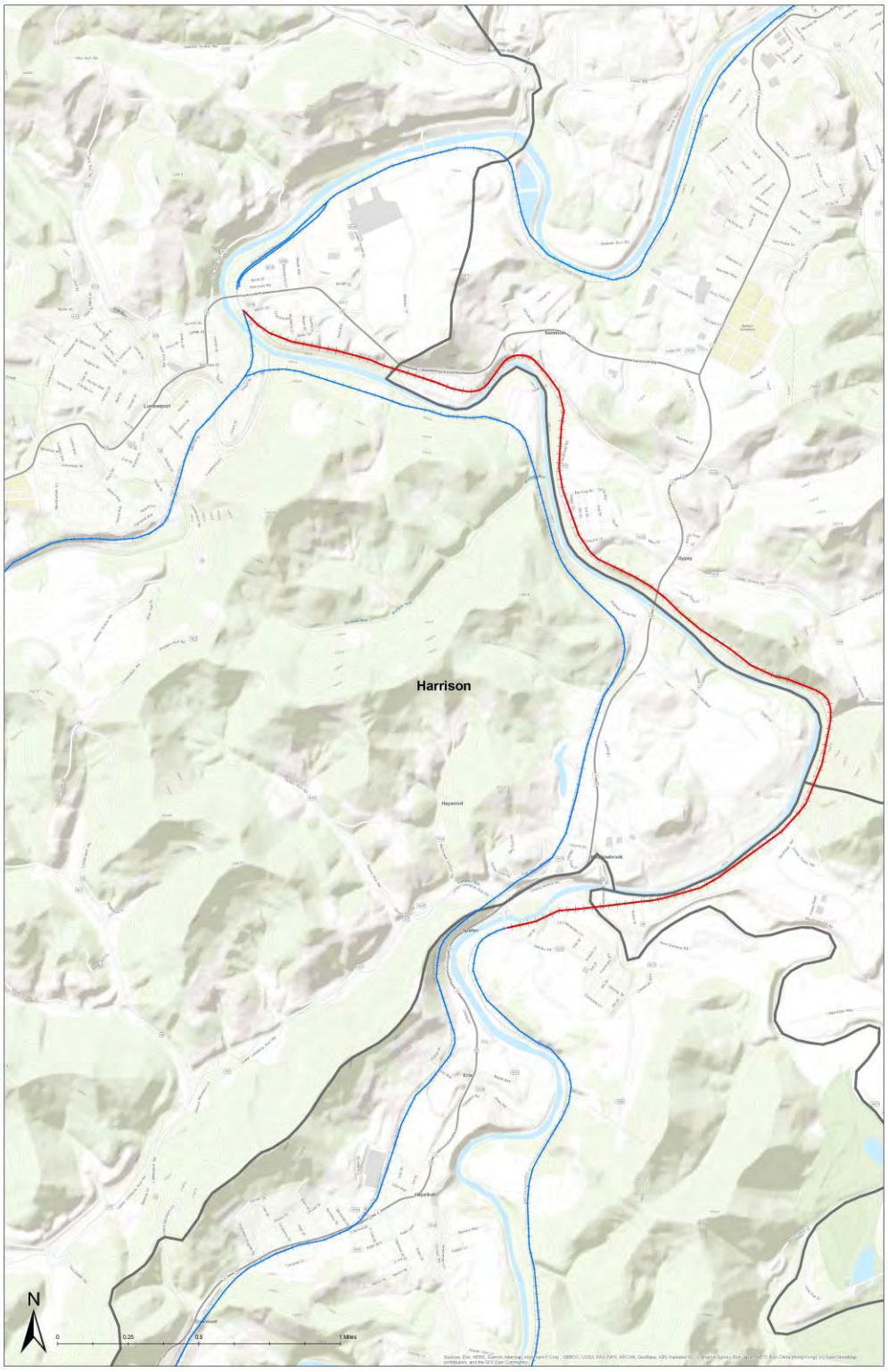
MAP PROVIDED BY CHARLOTTE SHAFFER



MAP PROVIDED BY HARRISON COUNTY COMMISSION



MAPS PREPARED BY SETH DAVIDSON, GIS ANALYST



MAPS PREPARED BY SETH DAVIDSON, GIS ANALYST



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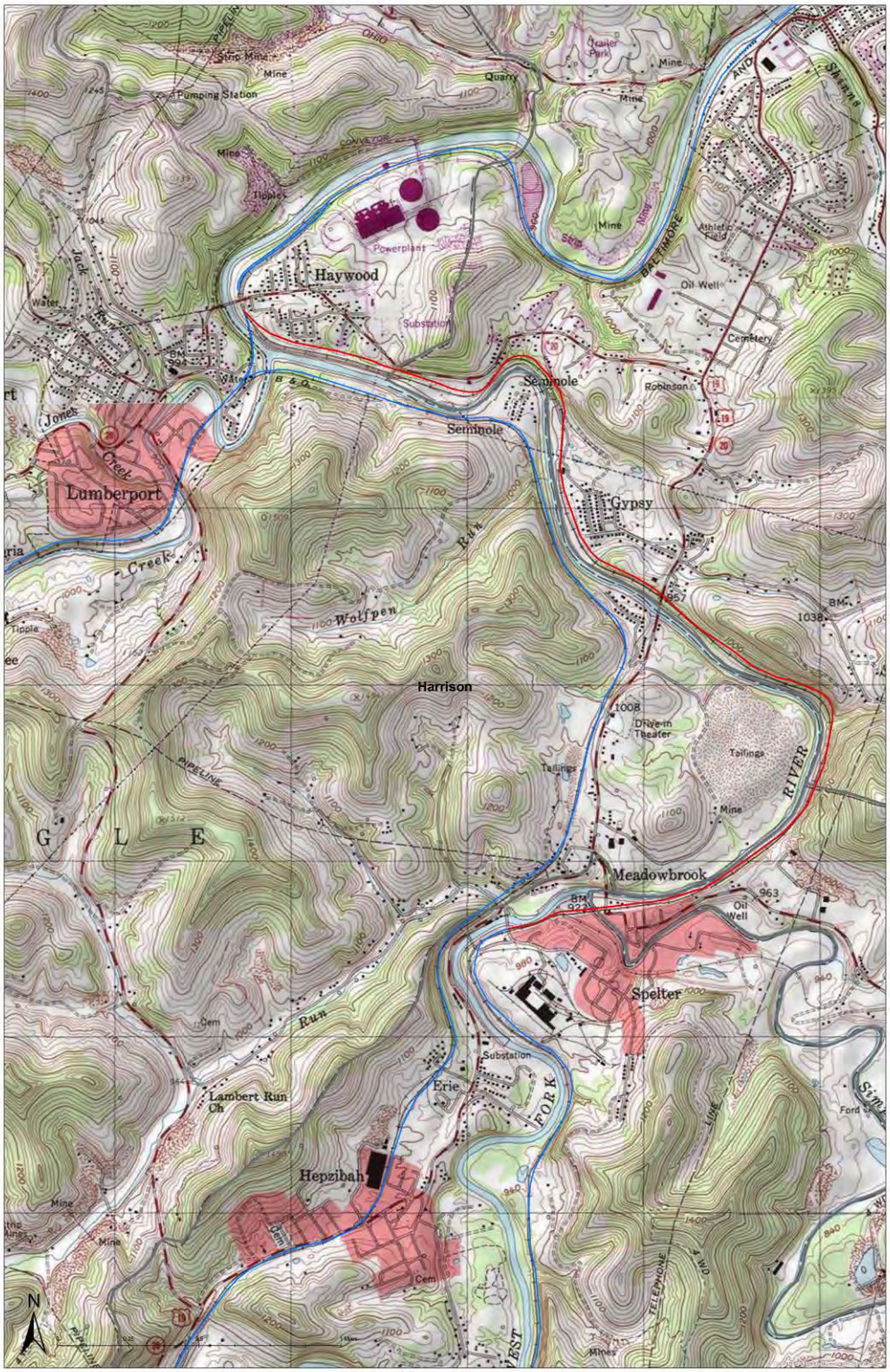
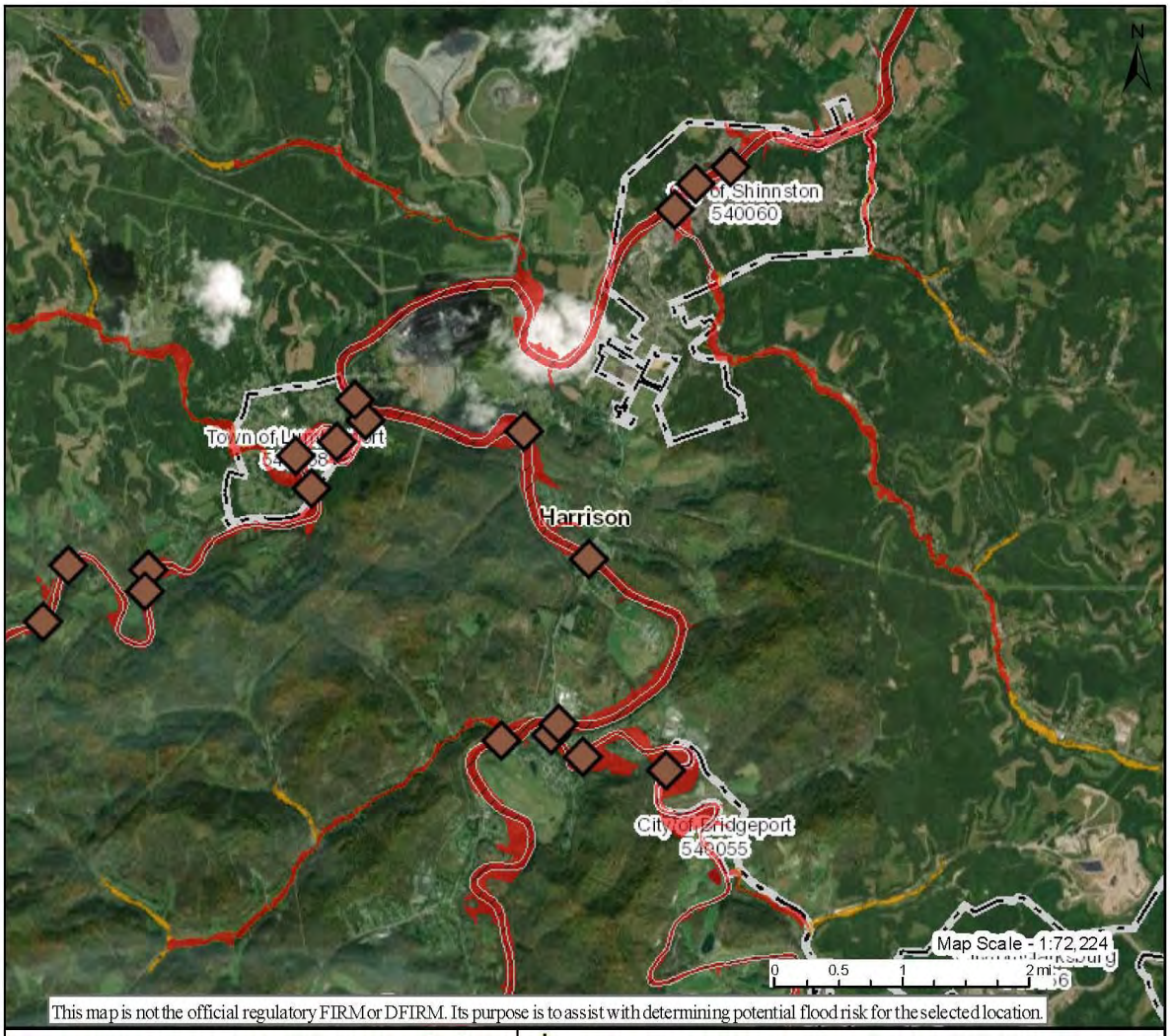


WV FLOOD TOOL MAP

WV Flood Map



HIGH RISK

- Regulatory Floodway
- Zone AE — 1-Percent-Annual-Chance Flood Hazard Area **With Base Flood Elevation** (BFE)
- Zone A — 1-Percent-Annual-Chance Flood Hazard Area **Without BFE** (may have Advisory Flood Heights)
- Advisory — 1-Percent-Annual-Chance Future Conditions (High Risk Advisory Flood Zones)

Download the Full Legend for all flood tool symbols
https://www.mapwv.gov/flood/map/docs/wv_flood_tool_legend.pdf

Disclaimer:
The online map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. Refer to the official Flood Insurance Study (FIS) for detailed flood elevation data in flood profiles and data tables. WV Flood Tool (*https://www.MapWV.gov/flood*) is supported by FEMA, WV NFIP Office, and WV GIS Technical Center.

Flood Info Location — *Map created on 1/25/2021*

User Notes	
Flood Hazard Area	
Flood Zone	
Stream	
Watershed (HUC8)	
Flood Height	
Water Depth	
Elevation	0.0 ft (Source:) (NAVD88)
Community & ID	
FEMA Map & Date	
Location (lat, long)	
Parcel ID	
E-911 Address	

Improvement Data

It is assumed that there are no improvements on the property other than the ballast.

Highest and Best Use

Based on The Dictionary of Real Estate Appraisal, Seventh Edition, published by The Appraisal Institute, the definition of highest and best use is as follows:

1. "The reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.

2. The use of an asset that maximizes its potential and that is possible, legally permissible, and financially feasible. The highest and best use may be for continuation of an asset's existing use or for some alternative use. This is determined by the use that a market participant would have in mind for the asset when formulating the price that it would be willing to bid. (International Valuation Standards "IVS")

3. [The] highest and most profitable use for which the property is adaptable and needed or likely to be needed in the reasonably near future. (Uniform Appraisal Standards for Federal Land Acquisitions)"

4. [For fair value determination] The use of a nonfinancial asset by market participants that would maximize the value of the asset or the group of assets and liabilities (for example, a business) within which the asset would be used. (FASB Glossary). The highest and best use of a nonfinancial asset takes into account the use that is physically possible, legally permissible, and financially feasible. (FASB 820-10-35-10B). The highest and best use of a nonfinancial asset establishes the valuation premise used to measure the fair value of the asset, as follows: (a) The highest and best use of a nonfinancial asset might provide maximum value to market participants through its use in combination with other assets as a group (as installed or otherwise configured for use) or in combination with other assets and liabilities (for example, a business). (b) The highest and best use of the asset might provide maximum value to market participants on a standalone basis. (FASB 820-10-35-10E)

The subject property is unzoned and as under West Virginia State Law, any use may be permitted provided it does not create a nuisance. Due to the fact that this property will be restricted by Deed Covenants and can only be used as a Rails-to-Trails project, it limits the highest and best use to that purpose.

The site is physically capable of being used for a Rails-to-Trails project because it is similar to others in Harrison County to the south, Monongalia and Marion Counties to the north. It will require rebuilding stream crossings. This would ultimately be a connector parcel for the integrated system. Financially, it is feasible provided that there are grants available to fund the project and maintain the system. It is not economically feasible for individuals to undertake such a project.

Due to the location and the connection to the southern part of the Spelter corridor, the highest and best use is for this purpose. It would not be feasible to consider any other use. There are no known requirements for other corridor uses.

Appraisal Process

The appraisal process is the analysis of the various data to arrive at an opinion of market value. In order to express a reasonable opinion of the market value of the subject property, the appraiser has considered various valuation methods. The three approaches that are available include the Sales Comparison Approach, Cost Approach and the Income Approach. Information for each of these approaches comes from the market place and at times is interrelated.

Sales Comparison Approach

The Sales Comparison Approach is the most easily understood and probably the most widely used. It is most appropriate and applicable when similar types of improved properties are available for direct comparison. This approach involves analyzing key factors of similarity and dissimilarity of similar type properties that are located in the same or competing areas. The principle underlying this technique is that it is expressive of the value established by informed buyers and sellers in the market area. This approach also serves as a reliable indicator regarding the amount of market activity. Its limitations are lack of similar data, older data and sales, which lack comparability. It is also utilized when developing an opinion of value for the land, as vacant.

Cost Approach

The Cost Approach considers the current cost of reproducing or replacing the existing improvements with consideration for depreciation and obsolescence. Replacement costs are typically used because it allows for replacing the existing improvements with modern building materials that are common in the market at the time of the appraisal. The depreciation that is deducted can come from three sources including physical deterioration, functional obsolescence and external obsolescence. The value of the land, as though vacant, is added to the depreciated value of the improvements to indicate the market value from the Cost Approach. This approach is directly related to the principle of substitution,

which states that no one is likely to pay more for an existing property than what it would cost to recreate it.

Income Approach

The measure of value in this approach is directly related to the net income that the subject can create during the remaining economic life of the improvements. The process includes estimating the gross income, vacancy and expenses that are incurred by the property owner from leasing the property. Several methods are available for this approach, including capitalization of the first year's net operating income, as well as an analysis of the discounted cash flow over a forecasted holding period. The net income is capitalized to arrive at an indication of value from the standpoint of an investment. Competing investments may include real estate, securities or a variety of investment vehicles. All of the information in this procedure must be obtained from the market to use standards, which are accepted by investors in the area. The principle underlying this method is the present worth of anticipated future benefits (net income) derived from the property.

Conclusion

The appraiser, in applying the tools of analysis to the problem in question, seeks to simulate the thought process of a probable decision maker rather than a particular one with specific individual interests. The various approaches to valuation are merely a simulation of these alternative courses of action, potentially open to the decision maker. The appraiser's judgment concerns the applicability of alternative tools of analysis to the facts of the problem, the data, information needed to apply these tools, and the selection of the most applicable approaches to solve the appraisal problem. Some appraisal problems will fully utilize each valuation procedure while others may lack enough data to develop each approach. In all assignments each approach will be considered.

The appraiser has chosen to only use the Sale Comparison Approach because it is most easily understood and most applicable for this assignment. The Cost and Income Approaches are not applicable due to the fact there are no structures and there is no income.

Sales Comparison Approach – Land

The selection of comparable sales for Rails-to-Trails projects are usually interesting because they consider the across-the-fence value of similar properties or the use of other Rails-to-Trails acquisitions. Often, the latter is based on contributions by owners, either railroad companies or private individuals, who have an interest in the Rails-to-Trails concept.

In the case of the subject property, it starts in the Spelter area, which was an area subject to a class action environmental litigation case and expands north through older

communities and terminates just south of the Haywood area. Much of the property is unusual because it is riverbank property and would not be conducive for development.

In selecting comparable sales, ideally you would have a similar size piece of property that had similar characteristics in the same geographic area. To research this, there are multiple ways including using a Multiple Listing Service, reviewing tax maps and looking for sales that are adjacent to the subject property or finding properties that may be offered for sale. In this case, the initial research included looking at the subject property, looking for properties for sale in the neighborhood, or finding a similar neighborhood in the general Clarksburg area where there were sales that would replicate the subject.

Often, the best source is to look for small vacant land sales in the Multiple Listing Service, talk with brokers, and visit those sales to see if they have similar characteristics. Many of these lots could not be used by themselves, but are acquired by adjacent property owners for protection or enlargement of their current properties.

A review of neighborhoods such as Gypsy, where the subject property abuts, indicates an older neighborhood with many unoccupied, burned out, and dilapidated houses. There is typically no market for these properties and the few sales that occur are typically less than $5,000.00 per lot and purchased by adjacent neighbors or speculators.

Due to the terrain of the rail line that abuts the West Fork River, the portion between the rail and the river is virtually unusable and the other side of the right-of-way may be hilly and impractical for use. The fact that it is in a flood zone limits its use.

The other source of sales is existing Rails-to-Trails properties that have sold in similar settings. Often these sales include remote properties in sparsely populated areas while others may be in more densely populated areas. In the case of the subject, the most recent sale was across Spelter Road from the subject property. This sale was based upon a negotiated donation from The Chemours Company FC, LLC to the Harrison County Commission. This was a linear right-of-way that had many of the same characteristics although it was an in area that had been subject to pollution from the former zinc smelter.

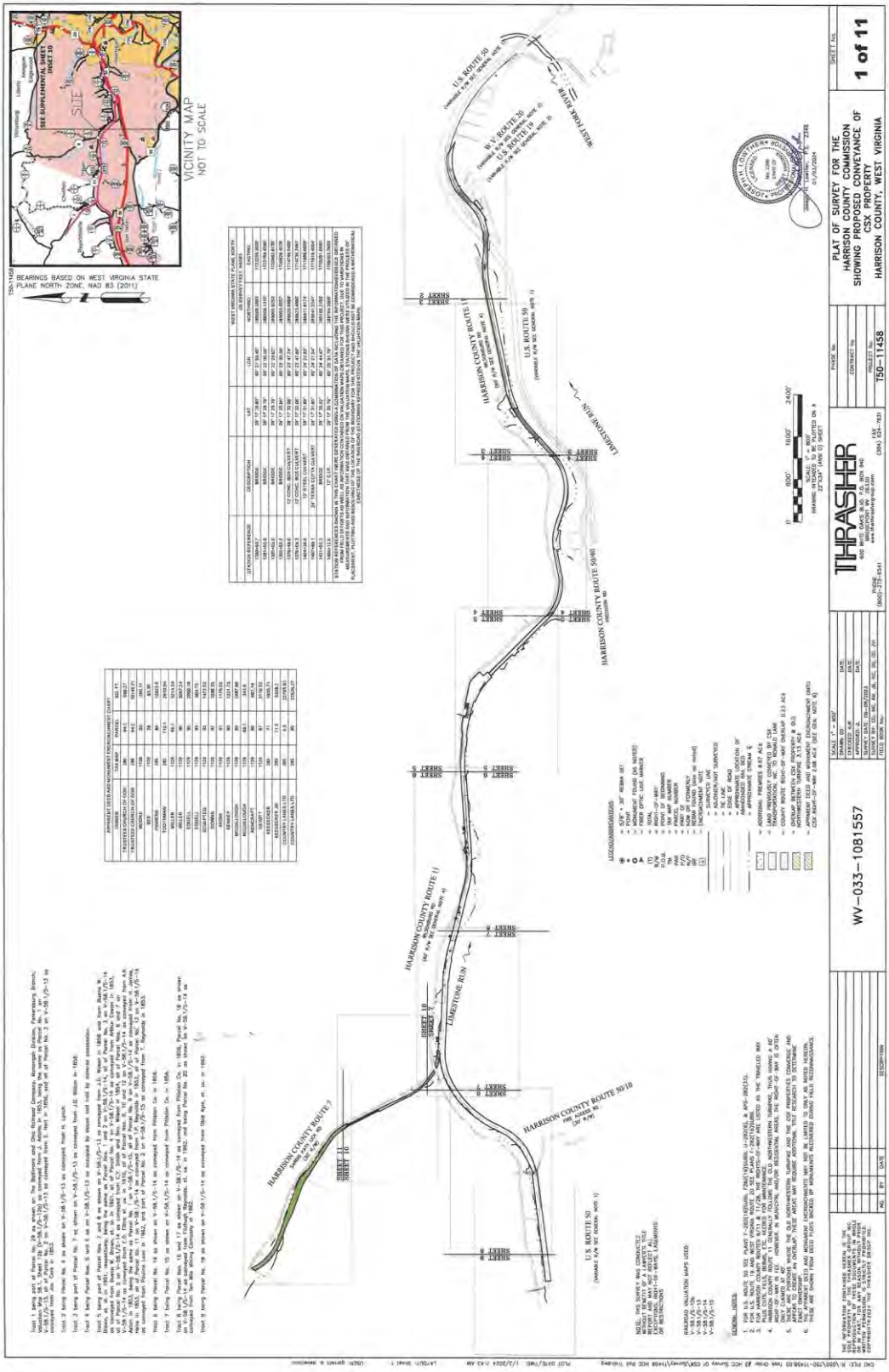
The appraiser looked at recent lot sales in the Clarksburg area of smaller properties or remnants to determine if they were similar and they had been acquired by adjacent property owners. The sales that have been selected are shown as follows:


DeLorme
DeLorme Street Atlas USA® 2011
Land Sales Map
LAND SALE TWO
SUBJECT PROPERTY
LAND SALE ELEVEN
LAND SALE NINE
LAND SALE TEN
LAND SALE FOUR
LAND SALE SIX
LAND SALE ONE
LAND SALE SEVEN
LAND SALE EIGHT
LAND SALE FIVE
LAND SALE THREE
Parkersburg
Charleston
Beckley
Weston
Buckhannon
Bridgeport
Clarksburg
Morgantown
Fairmont
Elizabeth
Pomeroy
Middleport
Ravenswood
Grantsville
Glenville
Spencer
Sutton
Webster Springs
Winfield
Sissonville
Cross Lanes
Pinch
Hurricane
Saint Albans
Hamlin
Summersville
Richwood
Cedar Grove
Gauley Bridge
Fayetteville
Oak Hill
Mount Hope
Madison
Harts
Logan
Crab Orchard
Lewisburg
Alderson
Hinton
Union
Pineville
Covington
Warm Springs
Marlinton
Cranberry Wilderness
Monongahela NF
Greenbrier River
New River
Gauley River
Elk River
Coal River
Kanawha River
Ohio River
Muskingum River
Hocking River
Stonewall Jackson Lake
Wayne NF
Middlebourne
New Martinsville
Woodsfield
Caldwell
Crooksville
Duncan Falls
New Concord
McConnelsville
Glouster
The Plains
Harrisville
Salem
Shinnston
Mannington
Kingwood
Masontown
Parsons
Buckhannon
Webster Springs
Marlinton
Warm Springs
Lewisburg
Covington
Alderson
Hinton
Union
Pineville
Beckley
Crab Orchard
Mount Hope
Oak Hill
Fayetteville
Gauley Bridge
Cedar Grove
Summersville
Richwood

COMPARABLE LAND SALE ONE

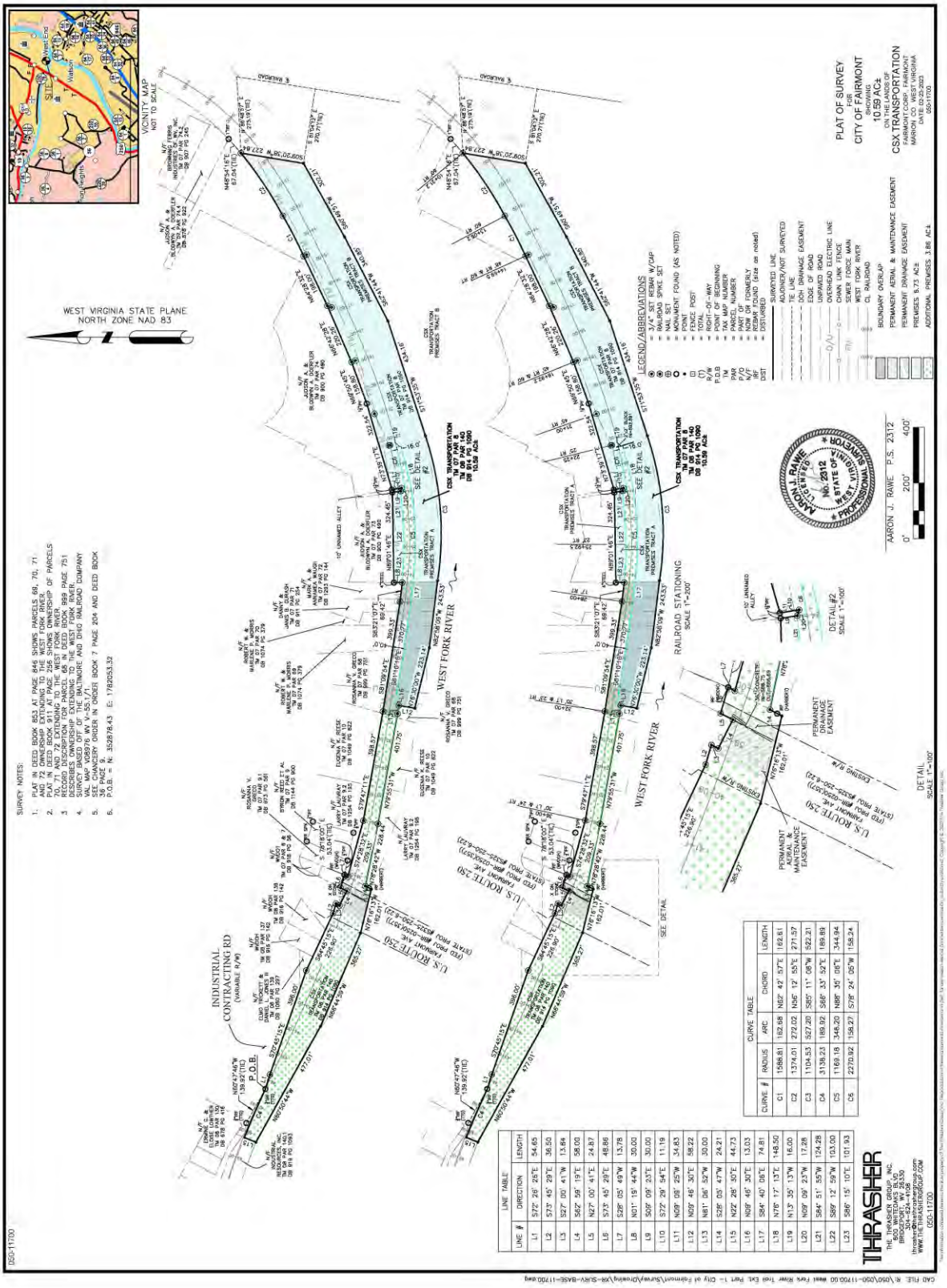
Hyperlink:	S:\Main\Comp Database\Comps\Vacant Land\Comp-1474.doc		
Location:	Mostly North of US Route 50, South of County Route 11 & West of County Route 7, Between Reynoldsville to Adamston, West of Clarksburg, Harrison County, West Virginia		
Tax District:	Coal	**Maps:**	285 & 286/No Parcels
Sale Date:	3/22/2024	**Recorded:**	1773/903
Grantor:	CSX Transportation, Inc.		
Grantee:	The Harrison County Commission		
Verified:	Appraiser, Courthouse, Assessor & Online Records		
Building Size:	N/A	**Site Size:**	56.54 Acres 2,462,882 Square Feet
Description:	This property is located west of Clarksburg in Harrison County and consists of a railroad bed traveling north of US Route 50, South of County Route 11 and west of County Route 7 between Reynoldsville in the west and Adamston in the east. It is a mostly level railroad bed that follows the road and Limestone Creek. Portions of the property may be located within a high risk flood hazard area.		
Sale Price:	$245,980.00	**Unit Price:**	$4,350.55 Per Acre $0.10 Per Square Foot
Financing:	None		
Zoning:	None		
Utilities:	Available on Adjacent Properties		
Topography:	Level Railroad Bed on Creek Site		
Intended Use:	Rails-to-Trails Project		
Prior Sale Data:	Greater Than 3 Years		
Comments:	The purchaser acquired this property for the purpose of developing a Rails-to-Trails project.		

DIST	MAP	PCL	ACCT	LEGAL	NOTE
7	286	99	7094076	TRACT #1 ABANDONED CSX RAIL TRAIL (11.47 AC)	PCL STARTS IN DIST 8 MAP 8 MOVE TO DIST 7 MAP 286
		100	7094082	TRACT #2 ABANDONED CSX RAIL TRAIL (1.09 AC)	
		101	7094091	TRACT #3 ABANDONED CSX RAIL TRAIL (5.98 AC)	
		102	7094100	TRACT #4 ABANDONED CSX RAIL TRAIL (.17 AC)	
	285	111	6683029	TRACT #5 ABANDONED CSX RAIL TRAIL (30.19 AC)	DEL & CONS PCLS 90 & 88 WITH PCL 111
		113	7094118	TRACT #6 ABANDONED CSX RAIL TRAIL (.10 AC)	
		114	7094127	TRACT #7 ABANDONED CSX RAIL TRAIL (.36 AC)	
		115	7094145	TRACT #8 ABANDONED CSX RAIL TRAIL (6.95 AC)	
		116	7094154	TRACT #9 ABANDONED CSX RAIL TRAIL (.23 AC)	


PLAT OF SURVEY FOR THE
HARRISON COUNTY COMMISSION
SHOWING PROPOSED CONVEYANCE OF
CSX PROPERTY
HARRISON COUNTY, WEST VIRGINIA
1 of 11
WV-033-1081557
THRASHER
VICINITY MAP
NOT TO SCALE
SEE SUPPLEMENTAL SHEET
SHEET 10
SITE
BEARINGS BASED ON WEST VIRGINIA STATE
PLANE NORTH ZONE, NAD 83 (2011)
U.S. ROUTE 50
W.V. ROUTE 20
U.S. ROUTE 19
WEST FORK RIVER
U.S. ROUTE 50
HARRISON COUNTY ROUTE 1
U.S. ROUTE 50
LIMESTONE RUN
HARRISON COUNTY ROUTE 50/40
HARRISON COUNTY ROUTE 11
LIMESTONE RUN
HARRISON COUNTY ROUTE 7
HARRISON COUNTY ROUTE 50/18
U.S. ROUTE 50
SURVEYOR'S NOTES
LEGEND/ABBREVIATIONS
ADJOINER'S DEED AND MONUMENT ENCROACHMENT CHART
WEST VIRGINIA STATE PLANE COORDINATES
COORDINATE TABLE
SCALE 1" = 800'
DRAWN BY
CHECKED BY
APPROVED
SURVEY DATE
FIELD BOOK No.
PROJECT No.
750-11458
PHASE No.
CONTRACT No.
SHEET No.

COMPARABLE LAND SALE TWO

Hyperlink:	S:\Main\Comp Database\Comps\Vacant Land\Comp-1475.doc		
Location:	(CSX Site WV-049-1077539) NS of West Fork River, East & West Sides of Fairmont Avenue (Route 250), Fairmont, Marion County, WV 26554		
Tax District:	Fairmont Corp.	**Map/Parcel:**	7/8 8/140
Sale Date:	4/3/2023	**Recorded:**	1320/516
Grantor:	CSX Transportation, Inc.		
Grantee:	The City of Fairmont		
Verified:	Appraiser, Courthouse, Assessor & Online Records		
Building Size:	N/A	**Site Size:**	10.59 Acres 461,300 Square Feet
Description:	This is a long and narrow tract of land situated on the north side of the West Fork River, the east and west sides of Fairmont Avenue (Route 250), and a portion on the south side of Industrial Road within the Fairmont City Limits. It is a former railroad bed and most of the property is located within a high risk flood hazard area.		
Sale Price:	$400,000.00	**Unit Price:**	$37,771.48 Per Acre $0.87 Per Square Foot
Financing:	None		
Zoning:	Parcel 8 – Neighborhood Residential Parcel 140 – Main Corridor Commercial & Neighborhood Residential		
Utilities:	Assumed Available Along Public Right-of-Way & Adjacent Properties		
Topography:	Level Railroad Bed on Creek Side		
Intended Use:	Rails-to-Trails Project		
Prior Sale Data:	Greater Than 3 Years		
Comments:	A Corrective Deed for this transaction was filed on April 18, 2024 in Deed Book 1353 at Page 100, correcting the legal description. A new survey was prepared for the property on February 23, 2023 by Aaron Rawe, Land Surveyor of The Thrasher Group. The City of Fairmont is currently in negotiations to acquire additional property from CSX to develop a Rails-to-Trails program throughout the city.		


PLAT OF SURVEY
CITY OF FAIRMONT
SHOWING
10.59 AC±
ON THE LANDS OF
CSX TRANSPORTATION
FAIRMONT COMPANY
HARRISON COUNTY, WEST VIRGINIA
DATE 02-23-2023
050-11700
VICINITY MAP
NOT TO SCALE
WEST VIRGINIA STATE PLANE
NORTH ZONE NAD 83
SURVEY NOTES:
1. PLAT IN DEED BOOK 853 AT PAGE 846 SHOWS PARCELS 69, 70, 71 AND 72 OWNERSHIP EXTENDING TO THE WEST FORK RIVER.
2. PLAT IN DEED BOOK 911 AT PAGE 315 SHOWS OWNERSHIP OF PARCELS 70, 71 AND 72 EXTENDING TO THE WEST FORK RIVER.
3. RECORD DESCRIPTION FOR PARCEL 65 IN DEED BOOK 989 PAGE 751 BUSCRIBES TO THE MEANDERS OF THE WEST FORK RIVER.
4. SURVEY BASED OFF OF THE BALTIMORE AND OHIO RAILROAD COMPANY VAL MAP, VOL 976 W. V.=35.7 FT.
5. SEE CASE NO. 21-C-101 IN ORDER BOOK 7 PAGE 204 AND DEED BOOK 36 PAGE 3.
6. P.O.B. = N: 3529878.43 E: 1782053.32
LEGEND/ABBREVIATIONS
3/4" SET REBAR W/CAP
RAILROAD SPIKE SET
MAG NAIL
MONUMENT FOUND (AS NOTED)
POINT
FENCE POST
TOTAL
RIGHT-OF-WAY
POINT OF BEGINNING
TAX MAP NUMBER
PARCEL NUMBER
PART OF FORMERLY
REBAR FOUND (size as noted)
DISTURBED
SURVEYED LINE
ADJOINER/NOT SURVEYED
TIE LINE
DOH DRAINAGE EASEMENT
EDGE OF ROAD
UNPAVED ROAD
OVERHEAD ELECTRIC LINE
CHAIN LINK FENCE
STATE FOREST MAIN
WEST FORK RIVER
CL RAILROAD
BOUNDARY OVERLAP
PERMANENT AERIAL & MAINTENANCE EASEMENT
PERMANENT DRAINAGE EASEMENT
PREMISES 5.73 AC±
ADDITIONAL PREMISES 3.86 AC±
AARON J. RAWE P.S. 2312
0' 200' 400'
RAILROAD STATIONING
SCALE 1"=200'
DETAIL #2
SCALE 1"=100'
DETAIL
SCALE 1"=100'
SEE DETAIL
SEE DETAIL #2
WEST FORK RIVER
INDUSTRIAL CONTRACTING RD
(VARIABLE R/W)
U.S. ROUTE 250
(STATE PROJ #025-0250/037)
FAIRMONT - ENTERPRISE
(STATE PROJ #025-0250/032)
PERMANENT AERIAL & MAINTENANCE EASEMENT
PERMANENT DRAINAGE EASEMENT
EXISTING R/W
CSX TRANSPORTATION
TM 07 PAR 140
TM 09 PAR 1.1
DB 814 PG 1090
10.59 AC±
CSX TRANSPORTATION
PREMISES TRACT A
CSX TRANSPORTATION
PREMISES TRACT B
LINE TABLE
LINE # | DIRECTION | LENGTH
L1 | S72° 26' 25"E | 54.65
L2 | S73° 45' 29"E | 36.50
L3 | S27° 00' 41"W | 13.64
L4 | S62° 59' 19"E | 58.00
L5 | N27° 00' 41"E | 24.87
L6 | S73° 45' 29"E | 48.86
L7 | S28° 05' 49"W | 13.78
L8 | N01° 19' 44"W | 30.00
L9 | S09° 09' 23"E | 30.00
L10 | S72° 29' 54"E | 11.19
L11 | N09° 09' 25"W | 34.83
L12 | N09° 46' 30"E | 58.22
L13 | N81° 06' 52"W | 30.00
L14 | S28° 05' 47"W | 24.21
L15 | N22° 28' 30"E | 44.73
L16 | N09° 46' 30"E | 13.03
L17 | S84° 40' 08"E | 74.81
L18 | N76° 17' 13"E | 148.50
L19 | N13° 35' 13"W | 16.00
L20 | N09° 09' 23"W | 17.28
L21 | S84° 51' 55"W | 124.28
L22 | S89° 12' 59"W | 193.00
L23 | S86° 15' 10"E | 101.93
CURVE TABLE
CURVE # | RADIUS | ARC | CHORD | LENGTH
C1 | 1586.81 | 182.68 | N62° 42' 57"E | 183.61
C2 | 1374.01 | 272.02 | N56° 12' 55"E | 271.57
C3 | 1104.53 | 327.20 | S65° 11' 06"W | 322.21
C4 | 3138.23 | 189.92 | S66° 33' 52"E | 189.89
C5 | 1169.18 | 348.20 | N88° 35' 06"E | 344.94
C6 | 2270.92 | 158.27 | S78° 24' 05"W | 158.24
THRASHER
THE THRASHER GROUP, INC.
800 WHITEOAKS BLVD.
BRIDGEPORT, WV 26330
304-624-4108
thrasher@thrashergroup.com
WWW.THETHRASHERGROUP.COM
(250-11700)
CAD FILE: R:\050\050-11700.00 West Fork River Trail Ext. Part 1- City of Fairmont\Survey\Drawing\Xs-SURV-BASE-11700.dwg

COMPARABLE LAND SALE THREE

Hyperlink:	S:\Main\Comp Database\Comps\Vacant Land\Comp-1476.doc		
Location:	(CSX Site WV-045-1078657) Along E. McDonald Avenue, Man, Logan County, West Virginia 25635		
Tax District:	Triadelphia	**Map/Parcel:**	N/A (Unmapped)
Sale Date:	10/14/2022	**Recorded:**	672/147
Grantor:	CSX Transportation, Inc.		
Grantee:	The Hatfield-McCoy Regional Recreational Authority		
Verified:	Courthouse, Assessor & Online Records		
Building Size:	N/A	**Site Size:**	59.8 Acres 2,604,888 Square Feet
Description:	This property consists of a linear tract comprising a total of 59.8 acres. It is a former railroad bed running parallel to E. McDonald Avenue in Man. It includes a long bridge and trestle that crosses the Guyandotte River. Part of the property appears to be within a high risk flood hazard area.		
Sale Price:	$53,500.00	**Unit Price:**	$894.65 Per Acre $0.02 Per Square Foot
Financing:	None		
Zoning:	None		
Utilities:	Assumed to be Available Nearby		
Topography:	Level Railroad Bed on Creek Side		
Intended Use:	Hatfield-McCoy Trail – Rockhouse Trailhead		
Prior Sale Data:	Greater Than 3 Years		
Comments:	This acquisition was used by the Hatfield-McCoy Trail system for the Rockhouse Trailhead, which travels between Man and Gilbert.		

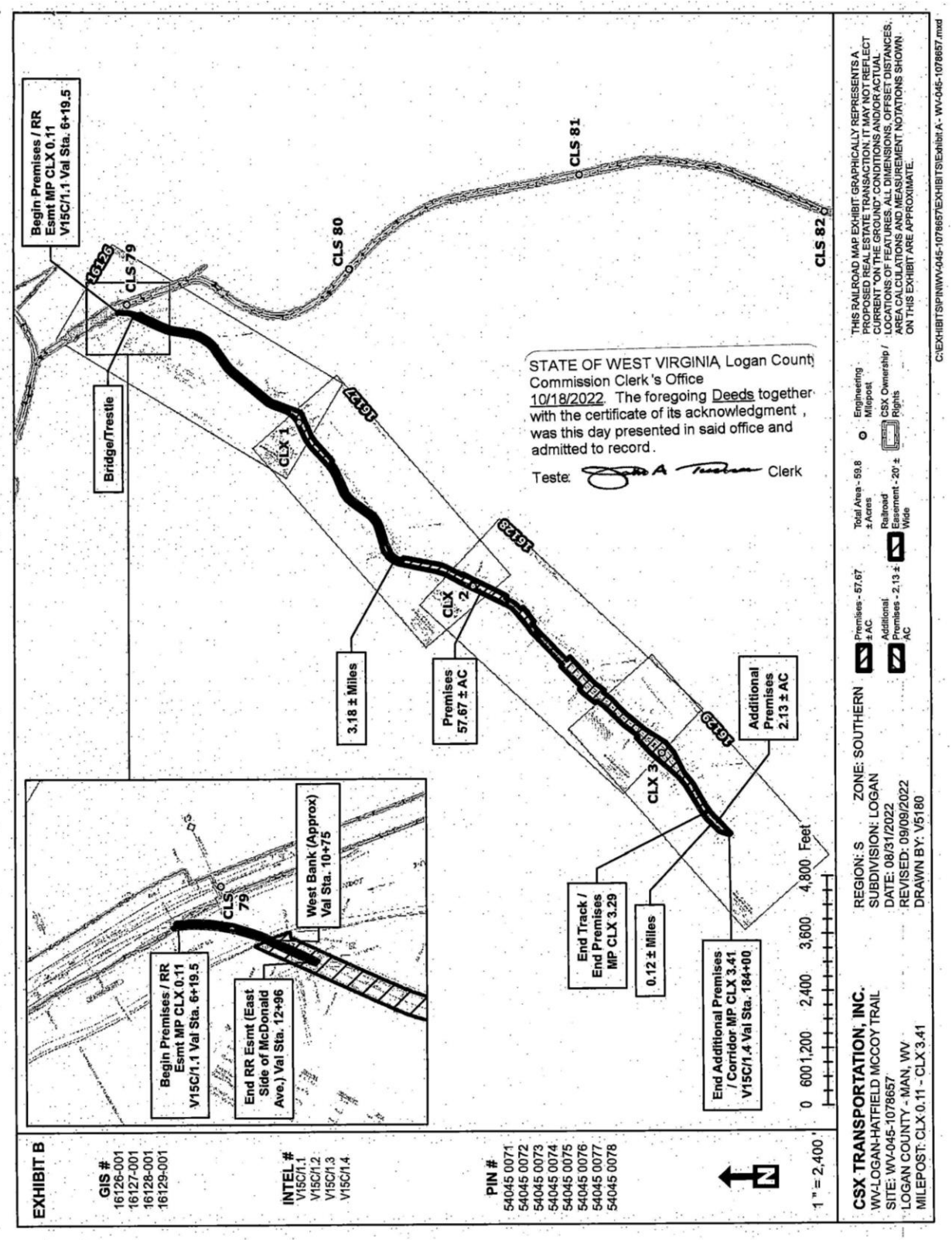
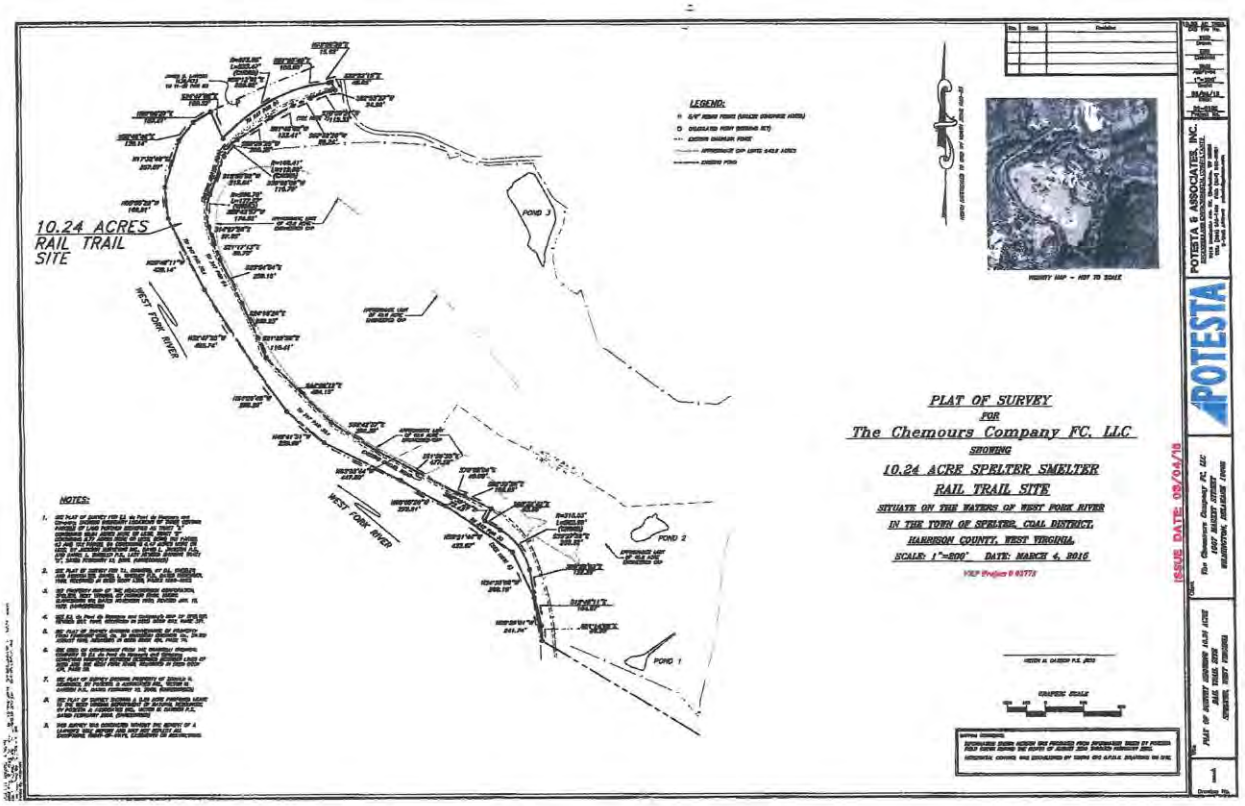


EXHIBIT B
GIS #
16126-001
16127-001
16128-001
16129-001
INTEL #
V15C/1.1
V15C/1.2
V15C/1.3
V15C/1.4
PIN #
54045 0071
54045 0072
54045 0073
54045 0074
54045 0075
54045 0076
54045 0077
54045 0078
Begin Premises / RR Esmt MP CLX 0.11 V15C/1.1 Val Sta. 6+19.5
Bridge/Trestle
CLS 79
CLS 80
CLS 81
CLS 82
16126
16127
16128
16129
CLX 1
CLX 2
CLX 3
3.18 ± Miles
Premises 57.67 ± AC
Additional Premises 2.13 ± AC
End Track / End Premises MP CLX 3.29
0.12 ± Miles
End Additional Premises / Corridor MP CLX 3.41 V15C/1.4 Val Sta. 184+00
West Bank (Approx) Val Sta. 10+75
End RR Esmt (East Side of McDonald Ave.) Val Sta. 12+96
STATE OF WEST VIRGINIA, Logan County Commission Clerk's Office
10/18/2022 The foregoing Deeds together with the certificate of its acknowledgment, was this day presented in said office and admitted to record.
Teste: Clerk
0 600 1,200 2,400 3,600 4,800 Feet
1" = 2,400'
N
CSX TRANSPORTATION, INC.
WV-LOGAN-HATFIELD MCCOY TRAIL
SITE: WV-045-1078657
LOGAN COUNTY - MAN, WV
MILEPOST: CLX 0.11 - CLX 3.41
REGION: S ZONE: SOUTHERN
SUBDIVISION: LOGAN
DATE: 08/31/2022
REVISED: 09/09/2022
DRAWN BY: V5180
Premises - 57.67 ± AC
Additional Premises - 2.13 ± AC
Total Area - 59.8 ± Acres
Railroad Easement - 20' ± Wide
Engineering Milepost
CSX Ownership / Rights
THIS RAILROAD MAP EXHIBIT GRAPHICALLY REPRESENTS A PROPOSED REAL ESTATE TRANSACTION. IT MAY NOT REFLECT CURRENT "ON THE GROUND" CONDITIONS AND/OR ACTUAL LOCATIONS OF FEATURES. ALL DIMENSIONS, OFFSET DISTANCES, AREA CALCULATIONS AND MEASUREMENT NOTATIONS SHOWN ON THIS EXHIBIT ARE APPROXIMATE.
C:\EXHIBITS\PIN\WV-045-1078657\EXHIBITS\Exhibit A - WV-045-1078657.mxd

COMPARABLE LAND SALE FOUR

Hyperlink:	S:\Main\Comp Database\Comps\Vacant Land\Comp-1152.doc		
Location:	Former Railroad Corridor, Spelter, Harrison County, West Virginia		
Tax District:	Coal	**Map/Parcel:**	247/30, 30.1 & 64 (Part) 1101/84 & 84.1
Sale Date:	7/12/2018	**Recorded:**	1619/884
Grantor:	The Chemours Company FC, LLC		
Grantee:	Harrison County Commission		
Verified:	Courthouse, Appraisal, Grantee		
Building Size:	N/A	**Site Size:**	10.24 Acres
Description:	This property is referred to as the Spelter Smelter Rail Trail Site in Harrison County, near the unincorporated community of Spelter, just north of the City of Clarksburg. It was all located on the east side of the West Fork River and was a curvature that followed the river. The property included 6.47 acres of abandoned rail line. There were no improvements on the property.		
Sale Price:	$40,000.00 (Gift)	**Unit Price:**	$3,906.00 Per Acre
Financing:	None		
Zoning:	None		
Utilities:	None		
Topography:	Level Rail Bed with River Bank; Next to Superfund Site		
Intended Use:	Rails-to-Trails		
Prior Sale Data:	Over 3 Years Except for Intra Corporate Transfer		
Comments:	There were restrictive covenants in the Deed relating to the Rails-to-Trails and environmental considerations. This sale was based on an appraisal and considered arm's length.		


19/7
West Fork River
19/33
Spelter Fire Department
Meadowbrook Rd
Simpson Creek
24/12
19
19/33
19/32
19/30
Google

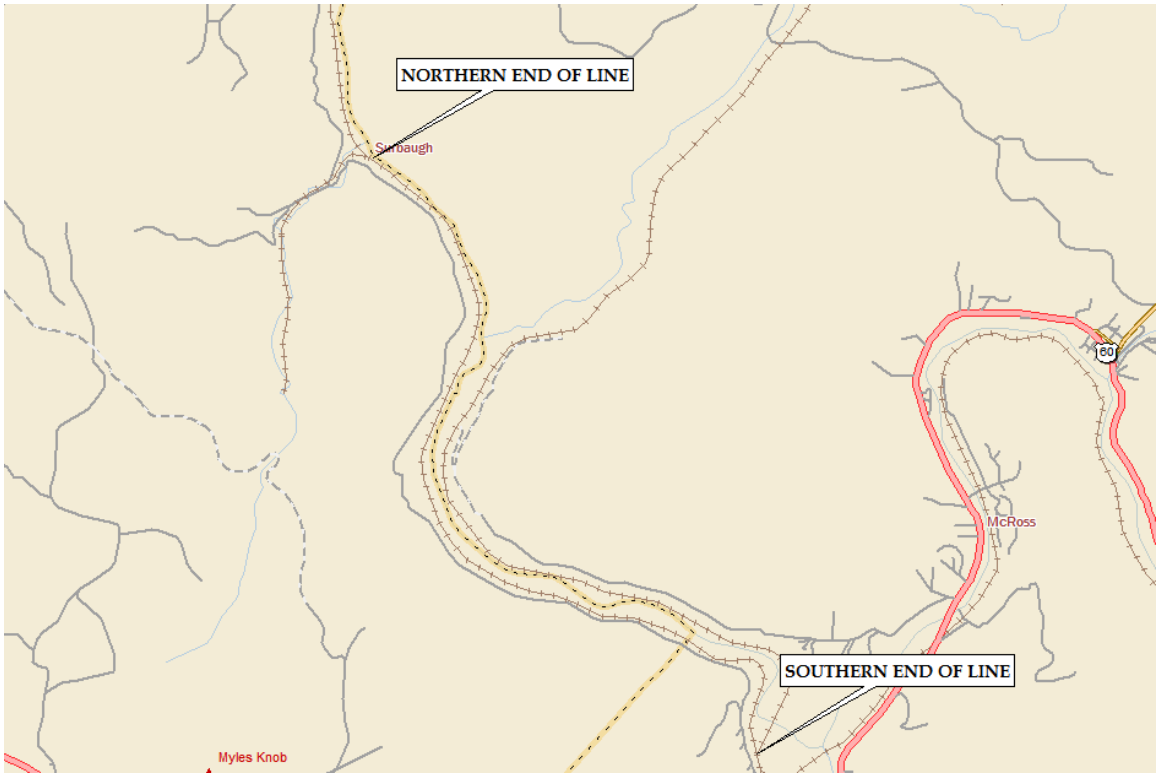

10.24 ACRES
RAIL TRAIL
SITE
WEST FORK RIVER
POND 3
POND 2
POND 1
LEGEND:
NOTES:
PLAT OF SURVEY
FOR
The Chemours Company FC, LLC
SHOWING
10.24 ACRE SPELTER SMELTER
RAIL TRAIL SITE
SITUATE ON THE WATERS OF WEST FORK RIVER
IN THE TOWN OF SPELTER, COAL DISTRICT,
HARRISON COUNTY, WEST VIRGINIA
SCALE: 1"=200' DATE: MARCH 4, 2016
ISSUE DATE: 03/04/16
POTESTA & ASSOCIATES, INC.
POTESTA

COMPARABLE LAND SALE FIVE

Hyperlink:	S:\Main\Comp Database\Comps\Vacant Land\Comp-1153.doc		
Location:	Meadow River (Sewell Valley Line), Between Rainelle & Russellville, Fayette & Greenbrier Counties, West Virginia		
Tax District:	Fayette - New Haven Greenbrier - Meadow Bluff	**Map/Parcel:**	NH - 66, 67, 76, 77 & 84 MB - 18, 19, 28, 37 & 38
Sale Date:	11/15/2018 (Deed) 4/02/2019 (Recorded)	**Recorded:**	606/294 (Quitclaim)
Grantor:	CSX Transportation, Inc.		
Grantee:	The Greenbrier County Commission & The Fayette County Commission		
Verified:	Courthouse, Seller, Appraiser		
Building Size:	N/A	**Site Size:**	52.03 Acres (6.4 Miles)
Description:	The property consists of an inactive rail line, formerly referred to as the Sewell Valley Line. This is a 6.4 mile long tract parallel to the Meadow River and consisting of 52 acres. The lack of use of the rail had allowed many portions to become overgrown and forested. The road bed was damaged by the 2016 flood.		
Sale Price:	$52,000.00	**Unit Price:**	$1,000.00 Per Acre $8,125.00 Per Mile
Financing:	Cash to Seller		
Zoning:	None		
Utilities:	Very Limited Electric in Area		
Topography:	Rail Grade Adjacent to Meadow River; Steep Valleys in Areas		
Intended Use:	Rails-to-Trails		
Prior Sale Data:	Over 3 Years; Acquired 1887		
Comments:	The seller: retained mineral rights, but will not drill; retained track and signals and ballast, but must remove in one year; and retained the utility easement. The rail use had been terminated for several years. The property will be used for a Rails-to-Trails Project.		



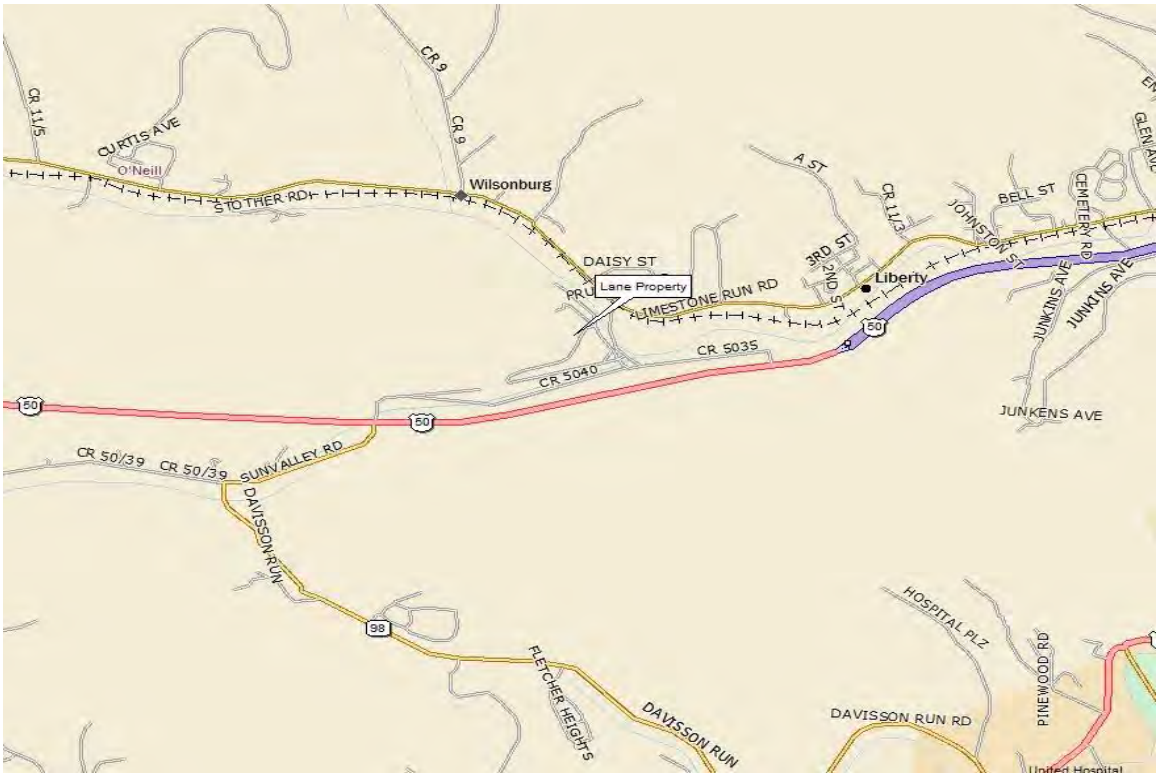
Rainelle Extension



COMPARABLE LAND SALE SIX

Hyperlink:	S:\Main\Comp Database\Comps\Vacant Land\Comp-941.doc		
Location:	Route 9, Clarksburg, Harrison County, West Virginia		
Tax District:	Coal	**Map/Parcel:**	286/84 (Residue)
Sale Date:	04/17/13	**Recorded:**	1509/1307
Grantor:	CSX Transportation, Inc.		
Grantee:	Ronald Lane		
Verified:	Courthouse and Ronald Lane		
Building Size:	None	**Site Size:**	2.65 Acres
Description:	1200′ Long and approximately 80′ Wide		
Sale Price:	$36,800.00	**Unit Price:**	$13,886.00/Per Acre
Financing:	Cash		
Zoning:	None		
Utilities:	At site		
Topography:	Level – Rail Bed		
Intended Use:	Expand Pipe Yard		
Prior Sale Data:	Over Three Years		
Comments:	This sale represented across the fence value of a usable parcel that could immediately be integrated with the purchaser's oil and gas pipe yard.		

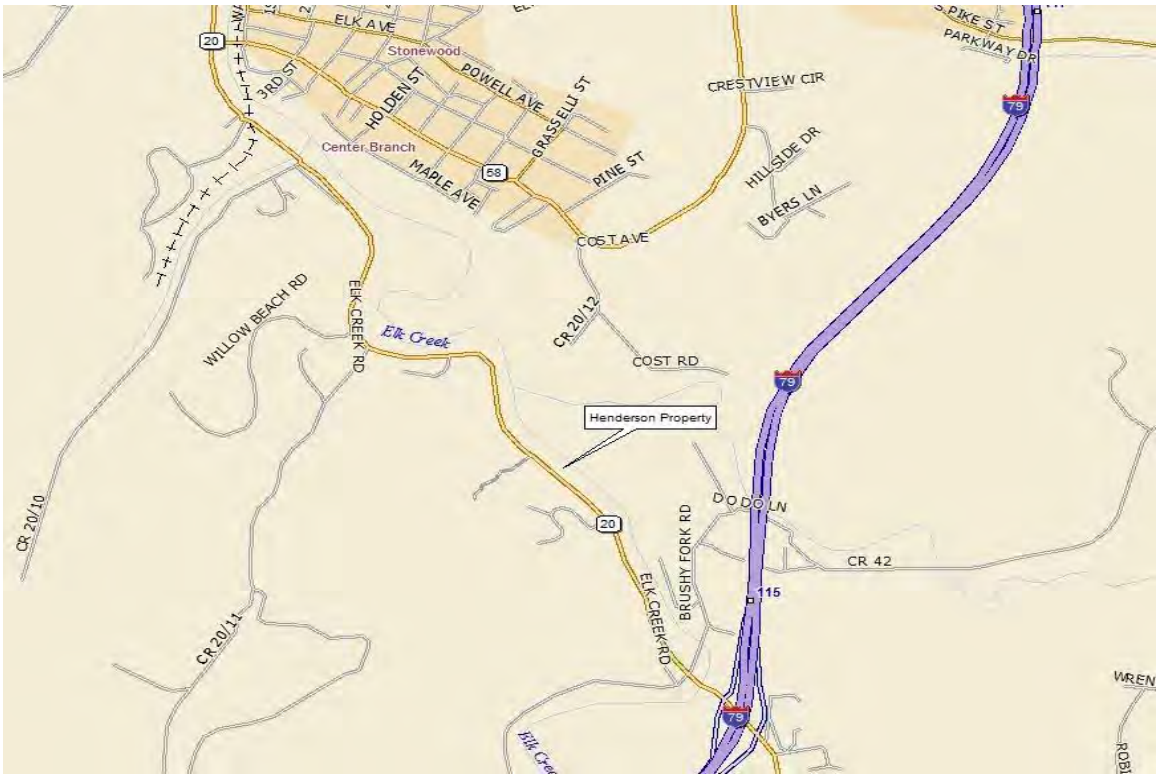



CR 9
CR 11/5
CURTIS AVE
O'Neill
STOTHER RD
Wilsonburg
A ST
CR 11/3
BELL ST
JOHNSTON ST
CEMETERY RD
DAISY ST
3RD ST
2ND ST
Liberty
Lane Property
LIMESTONE RUN RD
JUNKINS AVE
CR 5035
CR 5040
50
JUNKENS AVE
CR 50/39
SUNVALLEY RD
DAVISSON RUN
98
HOSPITAL PLZ
PINEWOOD RD
FLETCHER HEIGHTS
DAVISSON RUN
DAVISSON RUN RD

COMPARABLE LAND SALE SEVEN

Hyperlink:	S:\Main\Comp Database\Comps\Vacant Land\Comp-939.doc		
Location:	Route 20, Stonewood, Harrison County, West Virginia		
Tax District:	Clark-Stonewood	**Map/Parcel:**	348/63, 64 & 66
Sale Date:	09/02/15	**Recorded:**	1560/746
Grantor:	CSX Transportation, Inc.		
Grantee:	John Henderson and Lisa Henderson		
Verified:	Courthouse and Public Records		
Building Size:	None	**Site Size:**	12.5 Acres
Description:	Along Elk Creek		
Sale Price:	$22,000.00	**Unit Price:**	$1,800.00/Per Acre
Financing:	Cash		
Zoning:	None		
Utilities:	On Adjacent Property		
Topography:	Level Rail Bed		
Intended Use:	Operate a landscaping business. Owned adjacent property.		
Prior Sale Data:	Over Three Years		
Comments:	Quitclaim Deed- Near I-79 Stonewood Exit		


esri


ELK AVE
Stonewood
POWELL AVE
HOLDEN ST
3RD ST
GRASSELLI ST
Center Branch
MAPLE AVE
PINE ST
CRESTVIEW CIR
HILLSIDE DR
BYERS LN
COST AVE
WILLOW BEACH RD
ELK CREEK RD
Elk Creek
CR 20/12
COST RD
Henderson Property
DODD LN
CR 42
BRUSHY FORK RD
ELK CREEK RD
CR 20/10
CR 20/11
PARKWAY DR
20
58
79
115

COMPARABLE LAND SALE EIGHT

Hyperlink:	\\Rds1\s\Main\Comp Database\Comps\Vacant Land\Comp-1154.doc		
Location:	Jarrolds Valley Rail Line, Whitesville, Raleigh County, West Virginia		
Tax District:	Clear Fork	**Map:**	2, 3, 4, 6, 7, 9, 10, 12 & Various Parcels
Sale Date:	8/13/2020	**Recorded:**	5072/2905
Grantor:	CSX Transportation, Inc.		
Grantee:	The Raleigh County Commission		
Verified:	Appraiser, Courthouse, Grantor, Grantee		
Building Size:	N/A	**Site Size:**	157 Acres (Old CSX Map) 284.65 Acres (New Map)
Description:	This property included an abandoned rail line located in a very remote area of Raleigh County between Whitesville (Boone County) and near the Pax Interchange of Interstates 77/64. When an appraisal was conducted on the property, the CSX maps initially indicated a 66 foot wide and 15 mile long area, totally a gross area of approximately 157 acres. A new survey was prepared and is attached, illustrating the property actually contains 284.65 acres.		
Sale Price:	$175,000.00	**Unit Price:**	$1,114.00/Acre (CSX Map) $616.00/Acre (New Map)
Financing:	Cash		
Zoning:	None		
Utilities:	Electric		
Topography:	Level Railroad Bed on Creek Side; 30' Wide Easement; 15 Miles		
Intended Use:	Rails-to-Trails		
Prior Sale Data:	Over 100 Years		
Comments:	The property was Deed restricted by use for only Rails-to-Trails. The old rails and ties were pulled.		

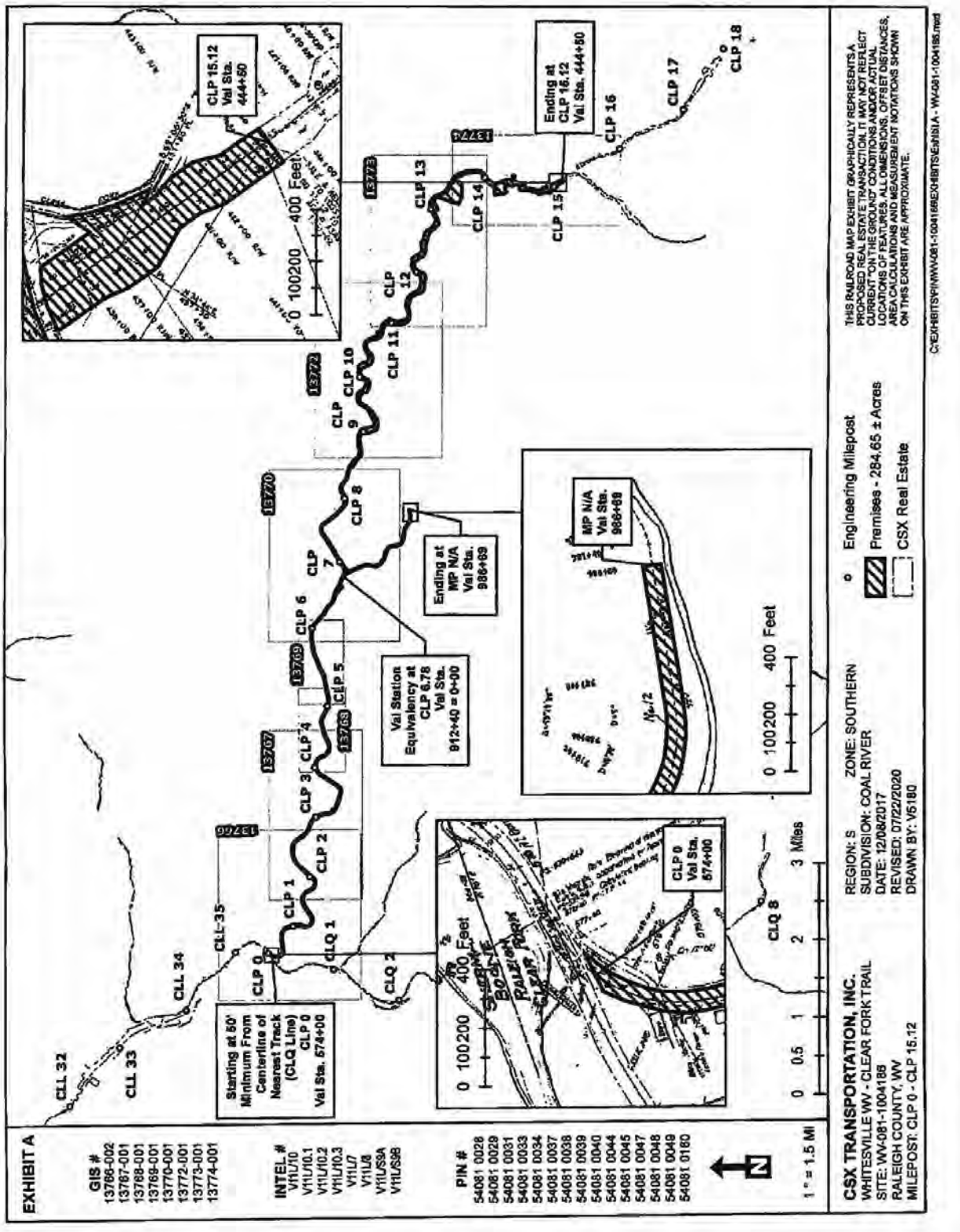


EXHIBIT A
GIS #
13766-002
13767-001
13768-001
13769-001
13770-001
13772-001
13773-001
13774-001
INTEL #
V11U10
V11U10.1
V11U10.2
V11U10.3
V11U7
V11U8
V11USSA
V11USS8
PIN #
54081 0026
54081 0029
54081 0031
54081 0033
54081 0034
54081 0037
54081 0038
54081 0039
54081 0040
54081 0044
54081 0045
54081 0047
54081 0048
54081 0049
54081 0180
CLL 32
CLL 33
CLL 34
CLL-35
CLP 0
CLP 1
CLP 2
CLP 3
CLP 4
CLP 5
CLP 6
CLP 7
CLP 8
CLP 9
CLP 10
CLP 11
CLP 12
CLP 13
CLP 14
CLP 15
CLP 16
CLP 17
CLP 18
CLQ 1
CLQ 2
CLQ 8
13774
13773
13772
13770
13769
13768
13767
Starting at 50' Minimum From Centerline of Nearest Track (CLQ Line) CLP 0 Val Sta. 674+00
Val Station Equivalency at CLP 6.78 Val Sta. 812+40 = 0+00
Ending at MP N/A Val Sta. 988+69
Ending at CLP 15.12 Val Sta. 444+80
CLP 15.12 Val Sta. 444+50
CLP 0 Val Sta. 674+00
MP N/A Val Sta. 988+69
0 100200 400 Feet
0 0.5 1 2 3 Miles
1 " = 1.5 MI
N
Engineering Milepost
Premises - 284.65 ± Acres
CSX Real Estate
CSX TRANSPORTATION, INC.
WHITESVILLE WV - CLEAR FORK TRAIL
SITE: WV-081-1004186
RALEIGH COUNTY, WV
MILEPOST: CLP 0 - CLP 15.12
REGION: S ZONE: SOUTHERN
SUBDIVISION: COAL RIVER
DATE: 12/08/2017
REVISED: 07/22/2020
DRAWN BY: V5180
THIS RAILROAD MAP EXHIBIT GRAPHICALLY REPRESENTS A PROPOSED REAL ESTATE TRANSACTION. IT MAY NOT REFLECT CURRENT "ON THE GROUND" CONDITIONS AND/OR ACTUAL LOCATIONS OF FEATURES. ALL DIMENSIONS, OFFSET DISTANCES, AREA CALCULATIONS AND MEASUREMENT NOTATIONS SHOWN ON THIS EXHIBIT ARE APPROXIMATE.
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COMPARABLE LAND SALE NINE

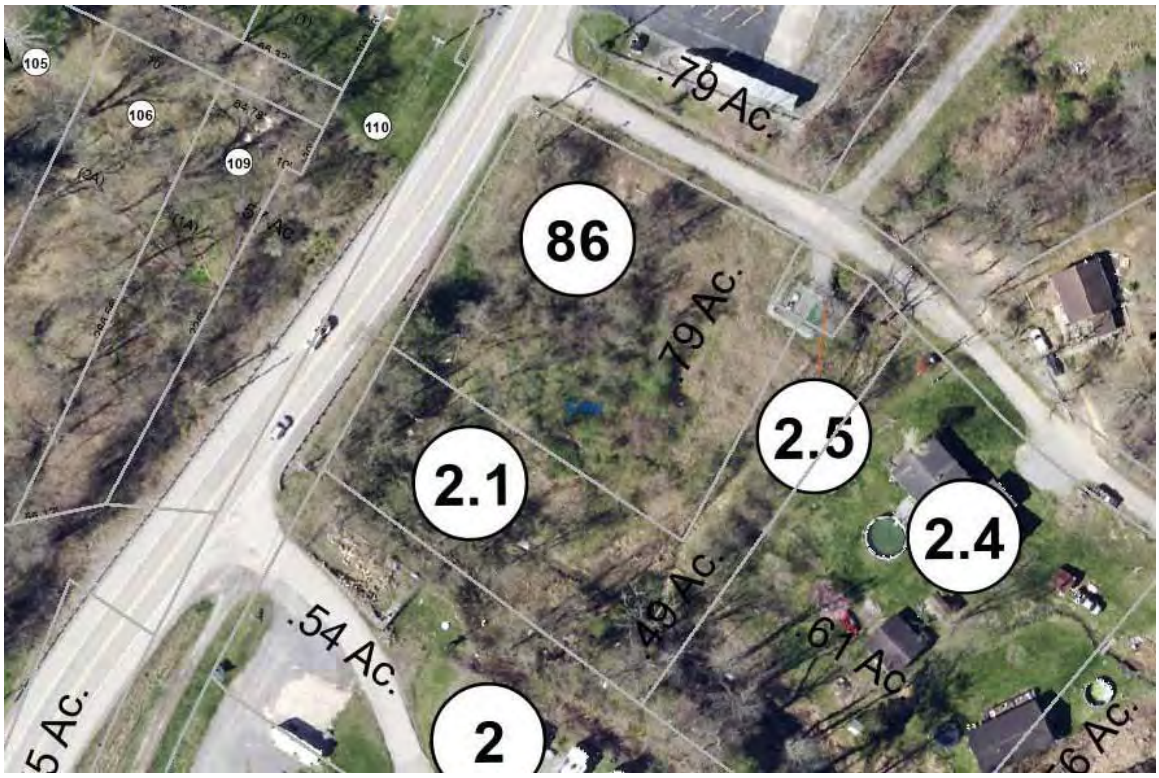
Hyperlink:	\\Rds1\s\Main\Comp Database\Comps\Vacant Land\Comp-1155.doc		
Location:	Banks of the Ohio River and 12th Street, Parkersburg, Wood County, West Virginia 26104		
Tax District:	Parkersburg Corp.	**Map/Parcel:**	75/A1 & 101
Sale Date:	4/15/2019	**Recorded:**	1293/378
Grantor:	CSX Transportation, Inc.		
Grantee:	City of Parkersburg		
Verified:	Courthouse and Public Records		
Building Size:	None	**Site Size:**	7.08 Acres 308,404 Square Feet
Description:	Two non-contiguous parcels located along the Ohio River. Both parcels are situated between the City of Parkersburg flood wall and the Ohio River. Access to both parcels would be accessed from the 12th Street flood wall gate.		
Sale Price:	$30,000.00	**Unit Price:**	$4,237.29 Per Acre $0.10 Per Square Foot
Financing:	None		
Zoning:	Recreational District		
Utilities:	At boundary		
Topography:	Level between Floodwall and Riverbank		
Intended Use:	Develop as Rails to Trails		
Prior Sale Data:	Over Three Years		
Comments:	Parcels are located in a high risk flood hazard area		


5-75-B1
5-75-B
5-75-A1
5-75-C2
CHESSIE SYSTEM RR
5-75-C
5-75-H
5-75-99
5-75-42A
5-75-101
5-75-C3
5-75-16
5-75-17
5-75-18
5-75-19
5-75-100
PARK PLACE


MEMORIAL BRG
WIRT ST
9TH ST
SHELL CREEK
COLONIAL SQ
CLEMENT AVE
DEPOT ST
BARCLAY ST
8TH ST
7TH ST
6TH ST
Snider's
4TH ST
WARREN AVE
3RD ST
Belpre
MAPLE ST
ONEAL ST
FLORENCE ST
LEE ST
STONE RD
RIDGE ST
CUNNINGHAM ST
BLENNERHASSETT AVE
MAIN ST
Sixth Street Railroad Bridge
CITY OF PARKERSBURG
Riverside
KEEVER ST
GARFIELD AVE
DIVISION ST
OHIO AVE
MURDOCH AVE
EMERSON AVE
COVERT ST
AVERY ST
SPRING ST
DUDLEY AVE
WASHINGTON AVE
ELM ST
HIGHLAND AVE
CORNWALL ST
TEFFT ST
SMITHFIELD ST
SWANN ST
LATROBE ST
GEORGE ST
DILLAWAY ST
STEPHENSON ST
PLUM ST
PEARCY AVE
LIBERTY ST
ANDREW ST
KENNER ST
Parkersburg
ANN ST
1ST ST
S 3RD ST
CLAY ST
GREEN ST
HARRIS ST
JULIUS ST
WILLIAMS ST
DEPOT ST
GEORGE ST
STAR AVE
CR 30
TINCAN ALY
1ST AVE
Nemesis Park
Marrtown

COMPARABLE LAND SALE TEN

Hyperlink:	\\Rds1\s\Main\Comp Database\Comps\Vacant Land\Comp-1156.doc		
Location:	US Route 19, Old Gypsy School Lot, Gypsy, Harrison County, West Virginia		
Tax District:	Clay-Outside	**Map/Parcel:**	228/2.1 & 86
Sale Date:	4/8/2019	**Recorded:**	1633/333
Grantor:	Beth Anne Spagnuolo Mayle		
Grantee:	Anthony Louis Spagnuolo, et ux. (304-592-0936 American Garage Door)		
Verified:	Courthouse & Grantee		
Building Size:	N/A	**Site Size:**	1.24 Acres
Description:	This property consists of two parcels located at the southeast intersection of US Route 19 (Shinnston Pike) and Gypsy Hollow Road. It has approximately 250 feet of frontage along Route 19 and 180 feet of frontage along Gypsy Hollow Road.		
Sale Price:	$7,500.00	**Unit Price:**	$6,048.00 Per Acre
Financing:	None		
Zoning:	None		
Utilities:	Water, Sewer, Electric		
Topography:	Fronts on Route 19; Slightly Below Road		
Intended Use:	Assemblage		
Prior Sale Data:	Greater Than 3 Years		
Comments:	The grantee said he paid too much. It was a usable site located outside of the flood zone. The property fronts on the highway.		


105
106
110
109
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86
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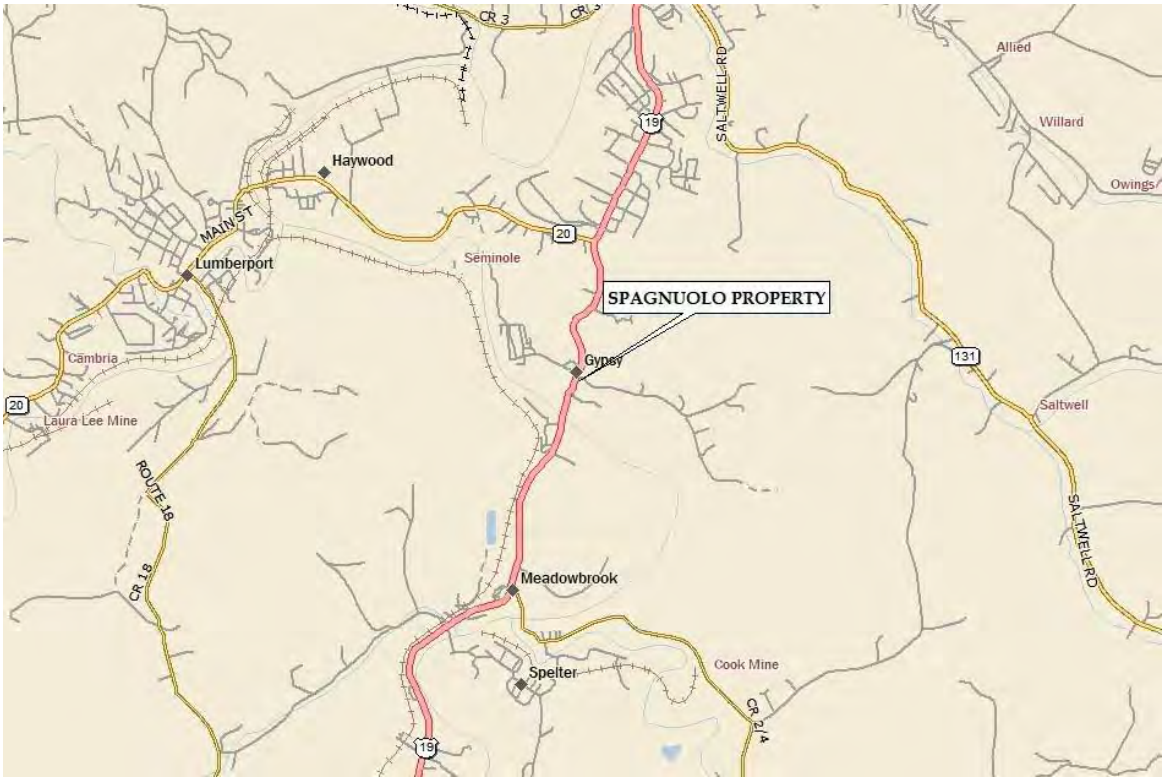
2.1
2.4
.49 Ac.
.61 Ac.
.54 Ac.
2


CR 3
Allied
SALTWELL RD
19
Willard
Owings
Haywood
MAIN ST
20
Seminole
Lumberport
SPAGNUOLO PROPERTY
Gypsy
131
Cambria
20
Laura Lee Mine
Saltwell
ROUTE 18
CR 18
SALTWELL RD
Meadowbrook
Cook Mine
Spelter
CR 2/4
19

COMPARABLE LAND SALE ELEVEN

Hyperlink:	\\Rds1\s\Main\Comp Database\Comps\Vacant Land\Comp-1035.doc		
Location:	Maple Road, Hepzibah, Harrison County, West Virginia		
Tax District:	Eagle	**Map/Parcel:**	247/49
Sale Date:	3/4/2015	**Recorded:**	1548/260
Grantor:	Howard M. Blanton & Lisa A. Blanton		
Grantee:	Eric S. Miker & Danielle K. Miker		
Verified:	Courthouse & Eric Miker		
Building Size:	None	**Site Size:**	12.86 Acres
Description:	N/A		
Sale Price:	$30,000.00	**Unit Price:**	$2,332.81 Per Acre
Financing:	None		
Zoning:	None		
Utilities:	Utilities Available		
Topography:	River Bottom and Rolling Land Above		
Intended Use:	Assemblage		
Prior Sale Data:	2004		
Comments:	The flat area is in the 100 year flood zone. The owner bought the property with an adjacent home site. Due to financing requirements on the amount of acreage, the property was separated from the house. It is the appraiser's opinion that a price allocation of $4,000.00 per acre would more accurately reflect the transaction.		


Parcels:07 247004900000000
PID 49
DIST 07
DISTMAP 07-0247
MAP 247
PARID 07 247004900000000
Acres 12.86
Owner MIKER ERIC S & DONIELLE K
SHAPE_STLe 3,086.66
JUR 17
TAXYR 2,018
CUR Y
NBHD 0700
CLASS 2
Zoom to
Coal
RIVER
WEST
FORK


Meadowbrook
HIGH ST
West Fork River
CR 24
Spelter
Cook Mine
MIKER PROPERTY
Erie
Hepzibah
CR 19/72
CR 19/37
CR 19/35
CR 19/7
CR 24/30
CR 24/13
O'FIELDS TRAILER CT
POPLAR ST
WARNER ST
ALLEN ST
DAN ST
MARTIN ST
CHESTNUT ST
CR 19/31
CR 19/64
CR 19/39
CR 19/51
CR 19/29

COMPARABLE LAND SALES SUMMARY I				
Sale	**Date**	**Size/Acre**	**Price**	**Price/Acre**
One	3/24	56.54	$245,980.00	$ 4,350.55
Two	4/23	10.59	$400,000.00	$37,771.48
Three	10/22	59.8	$ 53,500.00	$ 894.65
Four	7/18	10.24	$ 40,000.00	$ 3,906.00
Five	11/18	52.03	$ 52,000.00	$ 1,000.00
Six	4/13	2.65	$ 36,800.00	$13,886.00
Seven	9/15	12.50	$ 22,000.00	$ 1,800.00
Eight*	8/20	See Comp	$175,000.00	$ 1,114.00
Nine	4/19	7.08	$ 30,000.00	$ 4,237.29
Ten	4/19	1.24	$ 7,500.00	$ 6,048.00
Eleven	3/15	12.86	$ 30,000.00	$ 2,332.81

* *Land Sale Eight had two maps referencing 157 acres according to an old CSX map and 284.65 acres based on a new map. The unit price shown in the adjustment grid is based on the CSX Map.*

There are eleven sales that have been considered for the subject property. The first six sales relate to Rails-to-Trails property. Comparable Land Sales One and Four are in the immediate area of the subject property with Comparable Land Sale One being to the west and Comparable Land Sale Four being south of the subject property. The subject property would be a continuation of Comparable Land Sale Four extending north toward Heywood from the Spelter area. These two sales were very similar.

Comparable Land Sale Two is north of the subject property in the Fairmont Corporation area. It is a continuation of the trail system that is anticipated to extend from the Clarksburg area, north to Morgantown. As the groups have been able to acquire property, they are piecing it together.

Comparable Land Sale Three is located in southern West Virginia, in Logan County, as part of the Hatfield-McCoy Trail that is a trail system that includes ATVs, which are not included in the subject proposed area. Most of this area has been in a heavily mined area and the need for railroads is no longer important.

Comparable Land Sale Five is a new trail that is being developed between Rainelle in Greenbrier County and Nallon in Fayette County. This is the western end of Greenbrier County. There have been extensive cost overruns in the area due to replacement of trestles and other improvements.

Comparable Land Sale Six is an older industrial sale west of Clarksburg, which was acquired by a pipeline

operating company. They needed to extend a yard area and it was a very expensive piece of property due to the immediate need of the buyer.

Comparable Land Sale Seven was a much older sale in the southern part of Harrison County that was sold to an adjacent owner for part of a landscaping business. It represented a higher price at the time.

Comparable Land Sale Eight was in the Raleigh County area extending from Whitesville (Boone County) to an area near the Pax Interchange in the community of Artie. This was a dormant rail line, which is isolated but had a lot of potential due to the length of it. The railroad was anxious to sell the property since it had not been used in approximately 25 years.

Comparable Land Sale Nine was in the Town of Parkersburg and was more of an urban area, which had been isolated and was no longer needed by the railroad. It had other potential uses for commercial property.

Comparable Land Sale Ten is a sale in the community of Gypsy, which did not involve the railroad but involved individuals and it was considered since it was in the immediate area.

Comparable Land Sale Eleven is an older and it was used since it was in the community of Hepzibah, near the subject property. It had many of the same characteristics as river bottom.

These eleven sales are predominantly in the area of the subject property with the exception of Rails-to-Trails acquisitions in Wood County, Greenbrier County, Fayette County, Raleigh County, and Logan County. Most Rails-to-Trails properties are not in urban areas and if they are, they will bring a slight premium. As they become more rural because of the linear nature of the land, it is less desirable and difficult to develop. It cannot easily be divided into lots because there is a limited width and access to the lots would be difficult. Therefore, lots and across the fence line type sales are not always the best.

In this case, there appears to be an adequate number of sales, which include railroads and private individuals. The sales range from approximately $900.00 in southern West Virginia in a rural area to $37,700.00 in Fairmont, which is in a more urban area. Comparable Land Sale Six, which is an older sale, was influenced by an adjacent property owner as was Comparable Land Sale Seven. Comparable Land Sales One and Four are in the immediate area and would be the most recent, as well as Comparable Land Sale Four would be a connector to the subject property. They range in size from 10 acres to 56 acres and in sales price from $3,900.00 to $4,300.00 per acre.

While there have been several sales for Rails-to-Trails projects, some of them are skewed by gifting the property and getting tax deductions. The Elk River Rails-to-Trails Project in Braxton and Clay County has been heavily influenced by the State of West Virginia acquisition. The subject property is owned by a

private corporation and there is no apparent reason to gift it to the County.

Based on the two sales, Comparable Land Sales One and Four, it is my opinion that the price per acre would be in the range of $4,000.00. Thus, 30 acres at $4,000.00 per acre, results in a value conclusion of $120,000.00.

Another method of considering the rail corridor valuation is if a rail line or pipeline was going to acquire an easement or right-of-way through the area. What would it cost? In the case of the subject property, it is rural, subject to flooding, has had limited development in the area, and because of the low cost of property around it, it is unlikely that adjacent properties would be interested in acquiring it.

In this appraisal, it did not appear that there was any reason to make adjustments for time, location, and other variables that could be completed and justified. Normally, adjustments would be made for these variables to indicate a unit value.

To estimate the value of a corridor, the value of the across the fence method is usually used. A corridor factor for property is generally greater than 1, assuming that it could be integrated into a possible highest and best use, which would utilize an assemblage of a linear way. In the case of the subject property, while the corridor exists, it is in a relatively depressed economic area compared to the rest of Harrison County around Interstate 79. It does not appear that there is any immediate upside to the necessity of acquiring a corridor by other parties and the highest and best use would be for hiking and biking. Existing pipelines for gas have been in place and there appears to be no necessity for acquiring additional land.

Comparable Land Sales Five and Eight are the most recent sales in remote areas in the southern part of West Virginia. They are included because there are not many of these type sales. It more or less sets a floor for these rail lines.

Comparable Land Sales Eight and Nine are in the same general area and they have many of the same characteristics. Comparable Land Sale Seven is within the same geographic area, but is not in the flood zone. The information can be quantified as follows:

1. The most recent and closest sale was approximately $3,900.00 per acre.

2. The most recent sale was the largest property in a remote area and sold for approximately a third of Comparable Land Sale One.

3. A sale that was non-rail related and fronting on US Route 19 sold for more per acre than most of the others.

4. Comparable Land Sale Three sold for the highest price per acre of an abandoned rail line, but it was acquired by an adjacent property owner for an industrial purpose.

The other sales fall within this area and it is my opinion after looking at the properties and finding that it is difficult to make qualified adjustments, the subject property would be closest to Comparable Land Sale One. The subject is three times as large as Comparable Land Sale One and is in a more remote area.

It is my opinion that the subject property would be in the range of approximately $4,000.00 per acre. Based on 30 ± acres and $4,000.00 per acre, the resulting value is $120,000.00.

Correlation and Final Opinion of Value

In this appraisal, only the Sales Comparison Approach for Land was used to value the subject property. The comparable sales data was derived from properties that had been former rail sites and properties fronting on the West Fork River. The property is also subject to restrictive covenants and can only be used for a Rails-to-Trails Project. It is my conclusion that there is adequate data to support the findings.

Based on the information in this appraisal, it is the appraiser's opinion that the current market value of the subject property, as of the effective date of the appraisal of December 14, 2024, was:

One Hundred Twenty Thousand Dollars
($120,000.00)

Exposure Time

The exposure time is the length of time that the subject property would have been exposed for sale in the market and sold on the effective valuation date. It is always presumed to proceed the effective date of the appraisal. The marketing time is an estimate that it would take to sell the property immediately following the date of value.

There is information available from the North Central West Virginia Real Estate Multiple Listing Service, which is predominantly residentially oriented. The subject property would not fit within the classification due to the restrictive Deed covenants and it is my opinion that if the property were placed on the market, the exposure time would be strictly governed by when Rails-to-Trails funding would occur in order to acquire the property. There is no other market for the property.

Jay Goldman, President
GOLDMAN ASSOCIATES, INC.
1014 Bridge Road
Charleston, WV 25314
(304) 343-5695

CURRICULUM VITAE

Education

- B. S. Real Estate – University of Charleston
- B. S. Business Administration – Morris Harvey College
- J. D. West Virginia University College of Law

Professional Designations

SIOR	Member, Society of Industrial and Office REALTORS
CCIM	Certified Commercial Investment Member, REALTORS National Marketing Institute
CRE	Counselor of Real Estate, American Society of Real Estate Counselors
MAI/SRA	Member, Appraisal Institute
	Program Registry: Litigation
	Program Registry: Valuation of the Components of a Business Enterprise
	Program Registry: Valuation of Sustainable Buildings: Residential
American Society of Farm Management & Rural Appraisers	
	Completion of Valuation of Conservation Easements & Other Partial Interests; Listed with the Land Trust Alliance (LTA) Registry.

License

West Virginia #CG023	State Certified General Real Estate Appraiser
West Virginia #1291	West Virginia Auctioneer
West Virginia #WV 0013744	West Virginia Real Estate Broker
West Virginia #1415	West Virginia State Bar
Virginia #0228004411	Real Estate Broker
Virginia #2907003828	Virginia Auctioneer
Virginia #017255	State Certified General Real Estate Appraiser
North Carolina #129651	North Carolina Real Estate Broker

Teaching Experience

Past instructor of real estate, real estate appraising, and real estate law at Morris Harvey College and the University of Charleston. Conducted classes approved by the WV Real Estate Commission; WV Department of Agriculture – Auctioneer; WV State Bar – Continuing Legal Education.

Professional Memberships

- Member of local, state, and national Board of REALTORS – Past Director and Committee Chairman; REALTOR Emeritus
- Member of REALTORS National Marketing Institute
- Member of the Kanawha Valley Multiple Listing Service – Past Director
- Member of West Virginia Bar Association

- Member of West Virginia State Bar
- Member of West Virginia Chapter, Appraisal Institute – Past President and Director
- Member of West Virginia Auctioneers Association – Past Director
- Member of National Auctioneers Association

Other Organizations Past and Present

- Charleston Regional Chamber of Commerce –Past Director and Chairman
- West Virginia Chamber of Commerce – Director
- Business and Industrial Development Corporation – Director
- University of Charleston Graduate School of Business – Advisory Board Member
- University of Charleston – Board of Trustees
- Member – Charleston Rotary Club since 1983
- City Holding Company and City National Bank – Former Director, Chairman of Governance Committee and Member of the Executive Committee
- Past Member, University of Charleston Board of Trustees
- Served on Many Boards

Clients

Banks, Corporations, Utility Law Firms, Governmental Agencies and Individuals

Experience

- Admitted to practice law in the State Supreme Court of Appeals of West Virginia and United States District Court, Southern District of West Virginia.
- Licensed real estate salesman and broker in West Virginia since 1964 and owner of own firm since 1972. Licensed real estate broker in Virginia and North Carolina.
- Previous testimony given in Kanawha County Circuit Court, Harrison County Circuit Court, Boone County Circuit Court, Wood County Circuit Court, Mason County Circuit Court, Jefferson County Circuit Court, Putnam County Circuit Court, Braxton County Circuit Court, Greenbrier County Circuit Court, Mercer County Circuit Court, Monongalia County Circuit Court, Fayette County Circuit Court, Monroe County Circuit Court, Marion County Circuit Court, Raleigh County Circuit Court, Federal District Court, and Bankruptcy Court. Testified as an expert witness before the West Virginia Public Service Commission.
- Cited as an expert witness by the West Virginia Supreme Court of Appeals per curium opinion.
- Brokerage, auction, consulting, and appraisal work in business and real estate.

Public Service

- Municipal Judge, City of Charleston, West Virginia from 1975 to 1998
- Mayor, City of Charleston, West Virginia from 1999 to 2003
- Chairman, City of Charleston Sanitary Board from 1999 to 2003

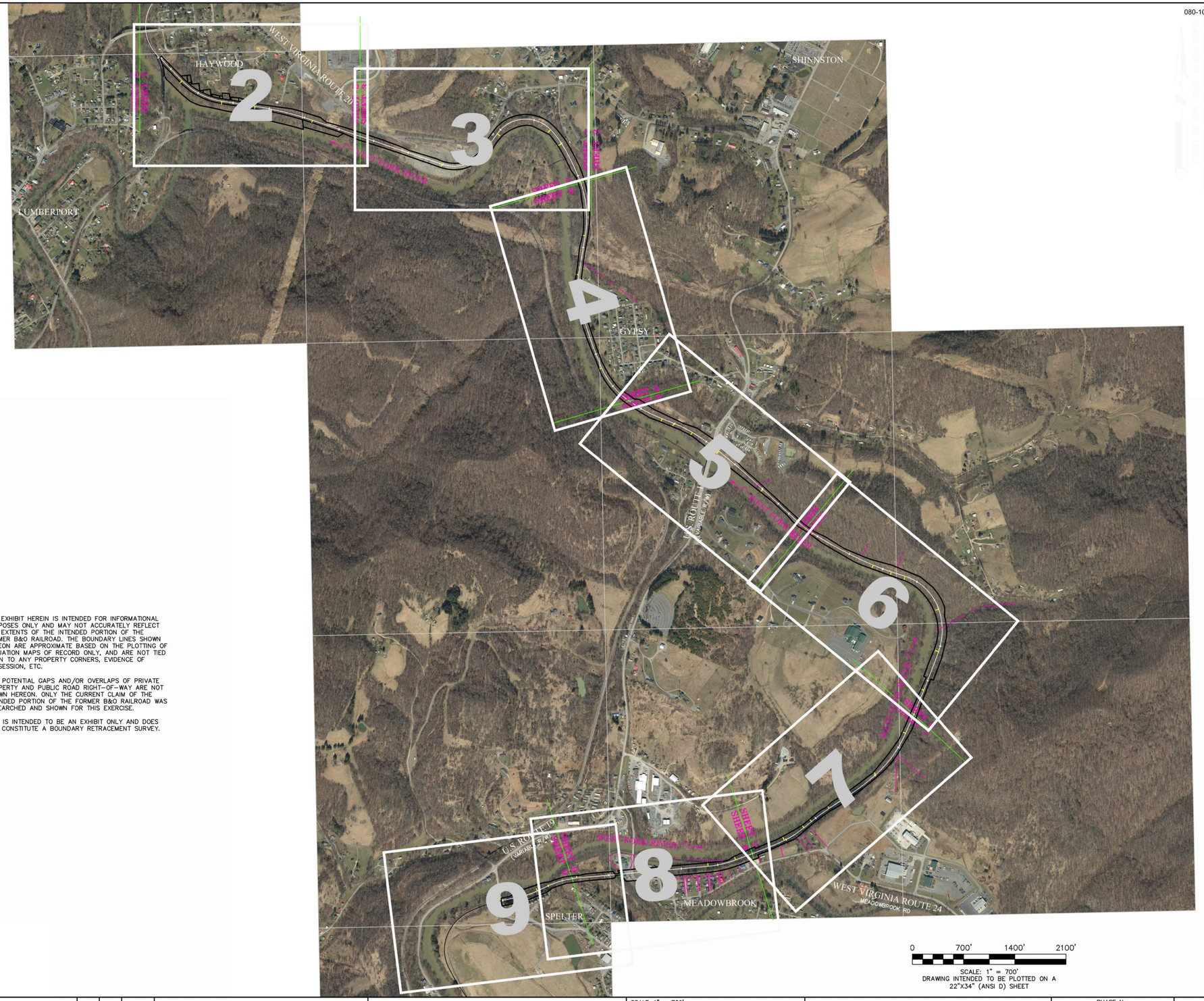
State of West Virginia
WV Real Estate Appraiser Licensing & Certification Board
This is to certify that

Certified General CG023
Expiration: 9/30/2025
Jay Goldman
1014 Bridge Road
CHARLESTON, WV 25314

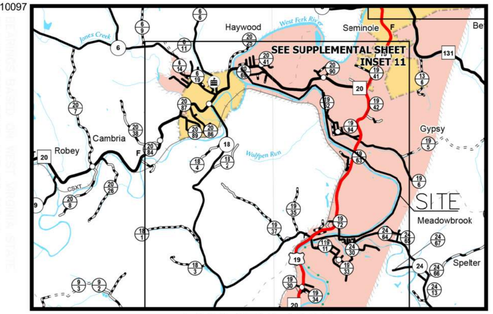
has met the requirements of the law, and is authorized to appraise real estate and real property in the State of West Virginia.

Executive Director

CAD FILE: R:\080\080-10097-HARRISON COUNTY RAIL TRAIL ENGINEER OF RECORD-HARRISON COUNTY COMMISSION-\Survey\Haywood To Spelter Railroad.dwg PLOT DATE/TIME: 2/3/2025 10:49 AM LAYOUT: Sheet 1 USER: garrett a. devericks



080-10097



VICINITY MAP
NOT TO SCALE

NOTES:

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2. ANY POTENTIAL GAPS AND/OR OVERLAPS OF PRIVATE PROPERTY AND PUBLIC ROAD RIGHT-OF-WAY ARE NOT SHOWN HEREON. ONLY THE CURRENT CLAIM OF THE INTENDED PORTION OF THE FORMER B&O RAILROAD WAS RESEARCHED AND SHOWN FOR THIS EXERCISE.
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0 700' 1400' 2100'

SCALE: 1" = 700'
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SCALE: 1" = 700'	
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CHECKED:	DATE:
APPROVED: GD	DATE:
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SURVEY BY:	
FIELD BOOK No.:	

THRASHER
600 WHITE OAKS BLVD. P.O. BOX 940
BRIDGEPORT WV 26330
www.thethrashergroup.com
PHONE (800)-273-6541 FAX (304) 624-7831

PHASE No.	
CONTRACT No.	
PROJECT No.	080-10097

EXHIBIT FOR THE
HARRISON COUNTY COMMISSION
SHOWING PROPOSED CONVEYANCE OF
CSX PROPERTY
HARRISON COUNTY, WEST VIRGINIA

SHEET No.
1 of 9

CAD FILE: R:\080\080-10097-HARRISON COUNTY RAIL TRAIL ENGINEER OF RECORD-HARRISON COUNTY COMMISSION-\Survey\Haywood To Spelter\Haywood To Spelter Railroad.dwg
PLOT DATE/TIME: 2/3/2025 7:42 AM
LAYOUT: Sheet 2
USER: garrett a. devericks

WEST VIRGINIA ROUTE 20
(30' R/W)

OVERHILL RD

HAYWOOD FIRST ADD

HAYWOOD SECOND ADD

HAYWOOD THIRD ADD

HAYWOOD FOURTH ADD

HAYWOOD SIXTH ADD

PARK AV

WEST FORK RIVER

N/F
MONONGAHELA POWER COMPANY
TM 1702 PAR 281.1
DB 1523 PG 98

N/F
UNITED INTERNATIONAL, INC.
TM 1702 PAR 281.2
DB 1124 PG 321

N/F
CSX TRANSPORTATION
TM 1702 PAR 281
DB 1231 PG 242

N/F
UNITED INTERNATIONAL, INC.
TM 1702 PAR 281.3
DB 1124 PG 321

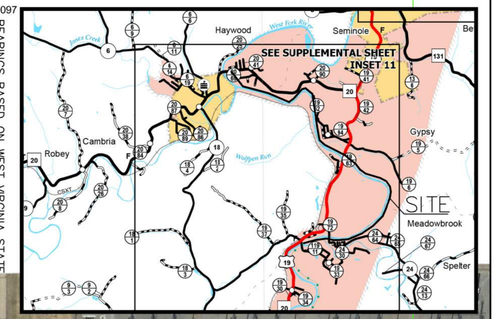
SHEET 6

SHEET 7

SHEET 2

SHEET 3

080-10097
BEARINGS BASED ON WEST VIRGINIA STATE PLANE NORTH ZONE, NAD 83 (2011)



VICINITY MAP
NOT TO SCALE

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SCALE: 1" = 100'
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SCALE: 1" = 100'	
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SHEET No.
2 of 9

080-10097

BEARINGS BASED ON WEST VIRGINIA STATE PLANE NORTH ZONE, NAD 83 (2011)

SHEET 2

SHEET 3

SHEET 5

SHEET 4

SEE SUPPLEMENTAL SHEET INSET 11

SITE

VICINITY MAP
NOT TO SCALE

WEST VIRGINIA ROUTE 20
(50' R/W)

WEST FORK RIVER

N/F
JACOB L. & SHAWNA K. HARRISON
TM 207 PAR 57.2
DB 1503 PG 237

N/F
ROGER D. & DEBRA L. HUDKINS
TM 207 PAR 57
DB 1307 PG 709

N/F
CLIFFORD A. & SHIRLEY A. ROGERS
TM 207 PAR 62
DB 1258 PG 204

N/F
A.F. ENTERPRISES, LLC
TM 207 PAR 57.1
DB 1415 PG 868

N/F
UNITED INTERNATIONAL, INC.
TM 207 PAR 59.1
DB 1239 PG 320

N/F
UNITED COALS, INC.
TM 207 PAR 59
DB 1401 PG 923

N/F
UNITED INTERNATIONAL, INC.
TM 207 PAR 59.2
DB 1239 PG 320

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SCALE: 1" = 100'
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CHECKED:	DATE:
APPROVED: JL	DATE:
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SURVEY BY:	
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EXHIBIT FOR THE
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SHEET No.
3 of 9



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CSX VALUATION MAPS:
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SCALE: 1" = 100'	
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CHECKED:	DATE:
APPROVED: GD	DATE:
SURVEY DATE: N/A	
SURVEY BY:	
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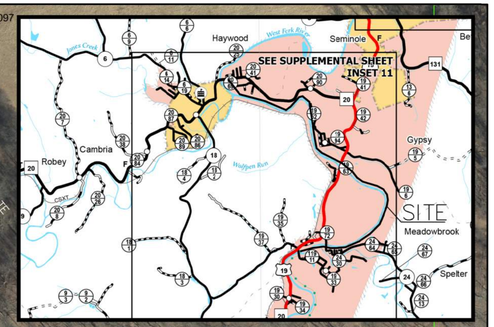
EXHIBIT FOR THE
HARRISON COUNTY COMMISSION
SHOWING PROPOSED CONVEYANCE OF
CSX PROPERTY
HARRISON COUNTY, WEST VIRGINIA

SHEET No.
4 of 9

080-10097

BEARINGS BASED ON WEST VIRGINIA STATE PLANE NORTH ZONE, NAD 83 (2011)



VICINITY MAP
NOT TO SCALE

CAIN'S TRAILER CT

U.S. ROUTE 19
(GOTHARD RAN)

WEST FORK RIVER

HUGHES CAMP RD

JEWEL CITY BLVD

SHEET 4

SHEET 6

0 100' 200' 300'

SCALE: 1" = 100'
DRAWING INTENDED TO BE PLOTTED ON A
22"X34" (ANSI D) SHEET

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NO.	BY	DATE	DESCRIPTION

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SCALE: 1" = 100'	
DRAWN: CI	DATE:
CHECKED:	DATE:
APPROVED: GD	DATE:
SURVEY DATE: N/A	
SURVEY BY:	
FIELD BOOK No.:	

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PHONE (800)-273-6541
FAX (304) 624-7831

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PROJECT No.	080-10097

EXHIBIT FOR THE
HARRISON COUNTY COMMISSION
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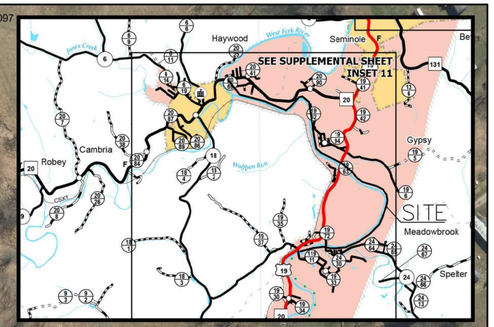
CSX PROPERTY
HARRISON COUNTY, WEST VIRGINIA

SHEET No.
5 of 9

080-10097



VICINITY MAP
NOT TO SCALE

BEARINGS BASED ON WEST VIRGINIA STATE PLANE NORTH ZONE, NAD 83 (2011)

N/F
STEVE A. DUMMOND
TM 228 PAR 23
DB 1301 PG 231

N/F
MICHAEL LOCKE
TM 228 PAR 21
DB 1287 PG 414

N/F
RALPH J. & ZOLA IRENE DRUMMOND
TM 228 PAR 74
DB 712 PG 4

N/F
ZOLA IRENE DRUMMOND
TM 228 PAR 75
DB 1131 PG 308

N/F
RALPH J. DRUMMOND JR
TM 228 PAR 75
DB 813 PG 404

N/F
RALPH J. DRUMMOND
TM 228 PAR 73
DB 1002 PG 659

N/F
ALVAREZ TIMBER, LLC
TM 228 PAR 22
DB 1368 PG 110

WEST FORK RIVER

0 100' 200' 300'

SCALE: 1" = 100'
DRAWING INTENDED TO BE PLOTTED ON A 22"X34" (ANSI D) SHEET

CAD FILE: R:\080\080-10097-HARRISON COUNTY RAIL TRAIL ENGINEER OF RECORD-HARRISON COUNTY COMMISSION-\Survey\Haywood To Spelter\Haywood To Spelter Railroad.dwg
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USER: garrett a. devericks

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CONTRACT No.	
PROJECT No.	080-10097

EXHIBIT FOR THE
HARRISON COUNTY COMMISSION
SHOWING PROPOSED CONVEYANCE OF
CSX PROPERTY
HARRISON COUNTY, WEST VIRGINIA

SHEET No.
7 of 9



VICINITY MAP
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EXHIBIT FOR THE
HARRISON COUNTY COMMISSION
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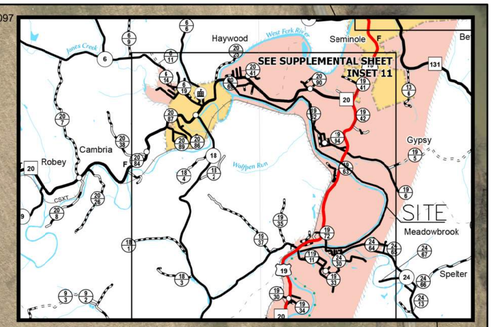
CSX PROPERTY
HARRISON COUNTY, WEST VIRGINIA

SHEET No.
8 of 9

080-10097



VICINITY MAP
NOT TO SCALE

BEARINGS BASED ON WEST VIRGINIA STATE PLANE NORTH ZONE, NAD 83 (2011)

HARRISON CTY RTE 119/11
SPELTER RD
(50' R/W)

WEST VIRGINIA ROUTE 19
MEADOWBROOK RD
(50' R/W)

U.S. ROUTE 19
(VARIABLE R/W)

N/F
MARIANNE A. STRUGAREK
TM 1101 PAR 91
DB 1358 PG 786

N/F
BRENDA K. HICKSON
TM 1101 PAR 90
DB 1373 PG 1184

N/F
THOMAS E. &
CHARLENE SHINGLETON
TM 1101 PAR 89
DB 994 PG 330

N/F
ELMER L. COX
TM 1127 PAR 68
DB 1208 PG 33

N/F
ERIKA STIRE
TM 1195 PAR 97
DB 1737 PG 459

N/F
STATE OF WEST VIRGINIA DEPT OF HIGHWAYS
TM 1101 PAR 84
DB PG

N/F
ROBERT BELL
TM 1101 PAR 2
DB 1504 PG 18

N/F
RALPH BELL
TM 1101 PAR 3
DB 1504 PG 542

N/F
MIKE ROSS, INC
TM 1101 PAR 1
DB PG

N/F
MIKE ROSS, INC
TM 1101 PAR 1
DB PG

N/F
MIKE ROSS, INC
TM 1101 PAR 1
DB PG

N/F
MIKE ROSS, INC
TM 1101 PAR 1
DB PG

N/F
MIKE ROSS, INC
TM 1101 PAR 1
DB PG

N/F
WHITE OIL & GAS
TM 1101 PAR 1.1
DB PG

N/F
SPELTER VOLUNTEER FIRE DEPARTMENT, INC
TM 1101 PAR 92
DB 1559 PG 326

N/F
SPELTER VOLUNTEER FIRE DEPARTMENT, INC
TM 1101 PAR 92
DB 1559 PG 326

N/F
CHRISTOPHER W. MAY
TM 1101 PAR 4
DB 1202 PG 171

N/F
ROBERT L. & KAREN A. CUMBERLEDGE
TM 1101 PAR 87
DB 1526 PG 45

N/F
FRANK J. CURIA III &
RACHEL STUMPHOFF
TM 1101 PAR 86
DB 1393 PG 336

N/F
DAVID A. & JANE
TM 1101 PAR 40
DB 1295 PG 1404

N/F
SUE SWIGER
TM 1101 PAR 40
DB 1119 PG 1404

N/F
MIKE ROSS, INC
TM 1101 PAR 1
DB PG

N/F
MIKE ROSS, INC
TM 1101 PAR 1
DB PG

N/F
ROBERT BELL
TM 1101 PAR 2
DB 1504 PG 18

N/F
MIKE ROSS, INC
TM 1101 PAR 1
DB PG

N/F
MIKE ROSS, INC
TM 1101 PAR 1
DB PG

N/F
MIKE ROSS, INC
TM 1101 PAR 1
DB PG

N/F
MIKE ROSS, INC
TM 1101 PAR 1
DB PG

0 100' 200' 300'

SCALE: 1" = 100'
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PROJECT No.
080-10097

EXHIBIT FOR THE
HARRISON COUNTY COMMISSION
SHOWING PROPOSED CONVEYANCE OF
CSX PROPERTY
HARRISON COUNTY, WEST VIRGINIA

SHEET No.
9 of 9

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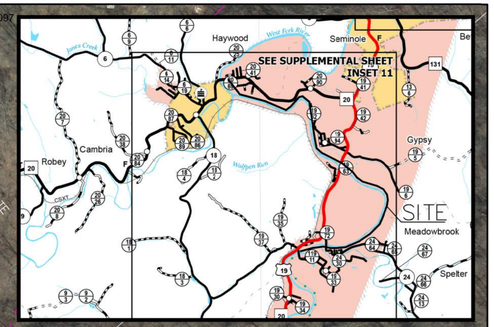
USER: garrett a. devericks

080-10097

BEARINGS BASED ON WEST VIRGINIA STATE PLANE NORTH ZONE, NAD 83 (2011)



VICINITY MAP
NOT TO SCALE

N/F
MELISSA CHRISTINE MONTGOMERY
DB 228 PAR 24
DB 1049 PG 302

N/F
ANGELINE C. KENDALL ET AL
DB 228 PAR 24
DB 1402 PG 423

N/F
DAVID WOODMONT, MD
DB 228 PAR 24
DB 1323 PG 441

N/F
STATE & DORIANE PRICE
DB 228 PAR 24
DB 1201 PG 203

WEST FORK RIVER

OPAL LN

JEWEL CITY CHURCH

JEWEL CITY BLVD

0 100' 200' 300'
SCALE: 1" = 100'
DRAWING INTENDED TO BE PLOTTED ON A 22"X34" (ANSI D) SHEET

SHEET 8
SHEET 7

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EXHIBIT FOR THE
HARRISON COUNTY COMMISSION
SHOWING PROPOSED CONVEYANCE OF
CSX PROPERTY
HARRISON COUNTY, WEST VIRGINIA

SHEET No.
6 of 9

Advisory Opinion 2025-01

Issued on February 6, 2025, by

The West Virginia Ethics Commission

Opinion Sought

A **County Commission** asks whether it may approve the hire of the former sheriff as a chief deputy sheriff given that he participated in creating the chief deputy position and the current Sheriff is the former sheriff's son.

Facts Relied Upon by the Commission

The current Sheriff has asked the County Commission, the Requester, to approve the hire of the Sheriff's father into a newly created position - chief administrative deputy. The Requester states that the County Commission and the Sheriff's Department are co-employers of the sheriff deputies and that the County Commission must approve payroll changes, such as the new employment or change in employment of a deputy.

The Requester asserts that an internal flowchart created by the Sheriff shows that the Sheriff intends to have six chief deputy positions in the Sheriff's Department, each overseeing distinct areas of the Sheriff's Department, such as law enforcement, administration, tax, and security. The Requester believes the Sheriff intends to have the other five chief deputies report directly to the chief administrative deputy, having only the chief administrative deputy report directly to the Sheriff – as demonstrated on the flowchart(s) prepared by the Sheriff.

The Requester asserts that the former sheriff developed the job description for the new position of chief administrative deputy while he was serving as sheriff. The Requester also asserts the former sheriff created the position and applied for the position while he was still the sheriff. After the current Sheriff won the election in November (and before he took Office), he directed that the position of chief administrative deputy be posted and advertised. The Sheriff asked the county prosecutor to form an independent interview committee to conduct the interviews of the (two) applicants, since the Sheriff's father was one of the applicants. After the interviews, the hiring committee recommended the Sheriff's father for the job, and the Sheriff has asked the County Commission to approve a payroll change making the former sheriff the chief administrative deputy. The Requester does not believe the Sheriff lives with or is financially dependent on his father.

Provisions Relied Upon by the Commission

W. Va. Code § 6B-2-3 states, in relevant part:

> (a) A person subject to the provisions of this chapter may make application in writing to the Ethics Commission for an advisory opinion on whether an action or proposed action violates the provisions of this chapter or the provisions of section fifteen, article ten, chapter sixty-one of this code and would thereby expose the person to sanctions by the commission or criminal prosecution. The commission shall respond within thirty days from the receipt of the request by issuing an advisory opinion on the matter raised in the request. . . .

W. Va. Code § 6B-2-5(b) states, in relevant part:

> (1) A public official or public employee may not knowingly and intentionally use his or her office or the prestige of his or her office for his or her own private gain or that of another person. Incidental use of equipment or resources available to a public official or public employee by virtue of his or her position for personal or business purposes resulting in de minimis private gain does not constitute use of public office for private gain under this subsection. . . .
>
> (4) A public official or public employee may not show favoritism or grant patronage in the employment or working conditions of his or her relative or a person with whom he or she resides. . . .

W. Va. Code R. § 158-6-3 (2022) states:

> 3.1. As used in this section, the term "nepotism" means favoritism shown or patronage granted in employment or working conditions by a public official or public employee to a relative or person with whom the public official or public employee resides.
>
> 3.2. As used in this section, the term "relative" means spouse, mother, father, sister, brother, son, daughter, grandmother, grandfather, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, or daughter-in-law.
>
> 3.3. As used in this section, the term "supervise" or "supervision" means reviewing, auditing or evaluating work, or taking part in discussions or making recommendations concerning employment, assignments, compensation, bonuses, benefits, discipline, or related matters.
>
> 3.4. Nepotism constitutes improper use of office for private gain.
>
> 3.5. A public official or employee may not influence or attempt to influence the employment or working conditions of his or her relative or a person with whom he or she resides.

3.6. A public agency, including its officials and employees, must administer the employment and working conditions of a relative of a public employee or a public official or a person with whom the public official or employee resides in an impartial manner.

3.6.1. A public official or public employee may not participate in decisions affecting the employment and working conditions of his or her relative or a person with whom he or she resides unless required by law and an independent third party is involved in the process.

3.6.2. A public official or public employee may not directly supervise a relative or a person with whom he or she resides. This prohibition does not extend to matters affecting a class of five or more similarly situated employees.

3.6.3. A public official or public employee may not use a subordinate as an independent third party required by subdivision 3.6.1 of this section. This prohibition does not apply to an elected public official who may not lawfully delegate powers of his or her office (for example, a sheriff, county assessor, or county clerk).

3.7. A public official may not vote on matters affecting the employment or working conditions of a relative or person with whom the public official resides unless such relative or person is a member of a class of five or more similarly situated persons affected. For a public official's recusal to be effective, he or she must excuse himself or herself from participating in the discussion and decision-making process by physically removing himself or herself from the room during the period in which the matter is under consideration, fully disclosing his or her interests, and recusing himself or herself from voting on the issue.

3.8. Certain county public officials and local board of education officials and employees are subject to the stricter limitations in W. Va. Code § 61-10-15. Other provisions in the Code or a public agency's own policies, rules, regulations, ordinances, or charters may further limit or prohibit the hiring of a relative or a person with whom a public official or employee resides.

W. Va. Code § 6B-2-5(d)(1) states, in relevant part:

In addition to the provisions of § 61-10-15 of this code, no elected or appointed public official or public employee or member of his or her immediate family or business with which he or she is associated may be a party to or have an interest in the profits or benefits of a contract which the official or employee may have direct authority to enter into, or over which he or she may have control. . . *Provided,* That nothing herein shall be construed to prevent or make unlawful the employment of any person with

any governmental body. . . .

W. Va. Code§ 61-10-15(a) states, in relevant part:

> It is unlawful for any. . . county or district officer to be or become pecuniarily interested, directly or indirectly, in the proceeds of any contract or service or in the furnishing of any supplies in the contract for or the awarding or letting of a contract if, as a member, officer, secretary, supervisor, superintendent, principal or teacher, he or she may have any voice, influence or control. . . .

Advisory Opinion

The Ethics Commission acknowledges that, in order to respond to this request by the County Commission, an analysis of the conduct of another public official, the former sheriff, is required. Therefore, the Commission will first address whether it has the authority to issue an advisory opinion in this instance. W. Va. Code § 6B-2-3(a) provides:

> A person subject to the provisions of this chapter may make application in writing to the Ethics Commission for an advisory opinion on whether an action or proposed action violates the provisions of this chapter or the provisions. . . [61-10-15] of this code and would thereby expose the person to sanctions by the commission or criminal prosecution.

County Commissioners are subject to the Ethics Act and W. Va. Code § 61-10-15, and the Ethics Commission has sanctioned public officials in the past for participating in or ratifying another public official's violation of the Ethics Act. See, for example, Advisory Opinion 1997-30, in which the Commission held that a town recorder was prohibit from issuing payment for services under a contract that she knew to have been consummated in violation of the Ethics Act. Also, the Ethics Commission found that council members who vote to approve knowingly illegal payments may also violate the Act. *Id.* In Advisory Opinion 2019-24, the Commission held that a town council may not approve and pay an invoice submitted by the previous mayor's wife if the previous mayor made, participated in making, or in any way attempted to use his office to influence the town's decision with respect to his wife's work.[1]

Accordingly, the Ethics Commission finds that the County Commission members' actions of approving the hire of the former sheriff "is an action or proposed action" that may violate the Ethics Act and W. Va. Code § 61-10-15, and "expose them to sanctions under the Ethics Act or W. Va. Code § 61-10-15." *Id.*

---

[1] Further in Advisory Opinion 1995-44, the Commission noted that the West Virginia Supreme Court of Appeals held, in *Hunt v. Allen*, 53 S.E.2d 509 (1948), that county officials who voted to pay for goods known to have been sold to the board by another member in violation of 61-10-15, were guilty of official misconduct and subject to removal from office, even though they had no personal financial interest in the purchases voted upon. In that opinion, the Ethics Commission had to determine whether a fellow Commissioner's private employer may be hired as a contractor or subcontractor for a commission project.

Therefore, the Ethics Commission holds that it has the authority to issue this advisory opinion to the County Commission. The Ethics Commission does not have the authority under W. Va. Code § 6B-2-3(a) to determine as a matter of fact or law in an advisory opinion whether the former sheriff violated the Ethics Act or W. Va. Code § 61-10-15. Such an adjudication can only be made through the Ethics Act's complaint process found in W. Va. Code § 6B-2-3 and 4.

Private Gain

The Commission will now consider whether the alleged conduct of the former sheriff as asserted by the would have violated the Ethics Act's private gain provision. In Advisory Opinion 2016-18, the Commission held that a prosecutor may not hire the outgoing former prosecutor to serve as a special prosecutor in a position that was funded by a grant that the former prosecutor assisted the county in obtaining. This holding was due to the outgoing prosecutor's involvement in the grant application process. The former prosecutor was the co-sponsor, along with a local nonprofit organization, of the application for a United States Department of Justice grant. The job position was prepared by the chief deputy in his office that was part of the grant application. The Ethic Commission found that the former prosecutor's employment in the position would constitute the knowing and intentional use of public office for his or her own private gain in violation of W. Va. Code § 6B-2-5(b).

The asserted facts in this case are similar to those in Advisory Opinion 2016-18. The Requester here asserts that the former sheriff developed the job description and position of chief administrative deputy while he was serving as sheriff. The Requester asserts the former sheriff created the position knowing that he would apply for the position after his term as sheriff expired. **Based on the Requester's asserted facts, the Commission finds that the County Commission members would violate the Act's private gain provision if they approve the hire of the former sheriff.**

Prohibited Contract

The Ethics Act, at W. Va. Code § 6B-2-5(d)(1), and W. Va. Code § 61-10-15 prohibit certain county public officials and employees from having a pecuniary interest in public contracts over which they exercise control. The Ethic Act, however, has an exception for governmental employment. Advisory Opinion 2005-13.

W. Va. Code § 61-10-15 imposes criminal penalties against certain county officials, including sheriffs, who become pecuniarily interested in the proceeds of a contract over which the official may exercise voice, influence, or control. Unlike the Ethics Act, W. Va. Code § 61-10-15 does not contain an exception for governmental employment. In Advisory Opinion 2013-15, the Ethics Commission held that a county commission could not provide additional compensation to the sheriff's chief deputy for performing additional job duties as the county's 911 director. The chief deputy was the former sheriff. The Ethics Commission concluded that W. Va. Code § 61-10-15 prohibited the former Sheriff from receiving additional compensation as he exercised voice, influence,

and control over the memorandum of understanding which formed the basis, in part, for his dual service as chief deputy and 911 director. In Advisory Opinion 2005-13, the Commission ruled that a prosecutor may not receive additional compensation under a grant awarded to the county because the prosecutor exercised voice, influence, or control over the decision of the county relating to the additional compensation.[2]

Hence, the Ethics Commission holds that, based on the facts asserted by the Requester, W. Va. Code § 61-10-15 prohibits the County Commission from hiring the former sheriff as a chief deputy sheriff given the former sheriff's participation in creating the chief deputy position.

Nepotism

The nepotism restrictions, in W. Va. Code § 6B-2-5(b)(4) and W. Va. Code R. § 158-6-3 (2022), do not bar a public official's relative from being employed with the public agency so long as the nepotism provision in the Ethics Act and the Legislative Rule above are followed.[3] The Commission has recently rendered three advisory opinions that deal with elected public officials hiring an adult son or daughter. The Commission held in Advisory Opinion 2021-20 that a sheriff's son may be employed as the director of courthouse security when the sheriff delegated the responsibility for the hiring and supervision to his chief deputy. In Advisory Opinion 2022-03, the Ethics Commission held that a city council member's son may serve as the city's municipal judge, but that the council member may not participate in or vote on matters affecting his son's employment or working conditions, unless the matter would affect the son as a member of a class of five or more similarly situated individuals. In Advisory Opinion 2023-11, the Commission found that an elected prosecutor may employ spouses as assistant prosecutors as long as the Act's nepotism provision and the applicable Legislative Rule are followed. In that opinion, the assistants would have worked independently of each other.

The instant situation is different from the above opinions because the Requester asserts that the current Sheriff has been involved in the hiring process of his father and would directly supervise his father if he is hired. The nepotism rule offers some leeway to elected public officials, including sheriffs, in W. Va. Code R. § 158-6-3.6.1 (2022), which states: "A public official or public employee may not participate in decisions affecting the employment and working conditions of his or her relative or a person with whom he or she resides unless required by law and an independent third party is involved in the process." The Rule expressly allows a sheriff to use a subordinate as the independent third-party. *Id.* at 3.6.3. **Therefore, if the former sheriff is hired in this position, the Sheriff would have to involve a third party in all of his decisions concerning the employment and working conditions of his father.**

This Advisory Opinion is *based upon the facts provided. If all material facts have not*

[2] In Advisory Opinion 2016-18, discussed above, the Commission also found a violation of 61-10-15.

[3] As the Commission pointed out in Advisory Opinion 2022-08: "It is the duty of the Commission to apply the provisions of the Act and Rule. Neither the Act nor the Rule prohibits voting based on a fiduciary duty, the appearance of impropriety, the mere possibility of a breach of the confidentiality provision. . . or a potential violation of the private gain provision."

been provided, or if new facts *arise, the Requester must contact the Ethics Commission for further advice* as *it may alter the analysis and render this Opinion invalid. This Advisory Opinion* is *limited to questions arising under the Ethics Act, W. Va. Code §§ 6B-1-1 through 6B-3-11, and W. Va. Code § 61-10-15, and does not purport to interpret other laws or rules.*

In accordance with W. Va. Code § 6B-2-3, this Opinion has precedential effect and may be relied upon in good faith by public servants and other persons unless and until it is *amended or revoked or the law is changed.*

Robert J. Wolfe, Chairperson
West Virginia Ethics Commission

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EMAIL: LAW@WESTANDJONES.COM

JAMES C. WEST, JR.
1932-2016
JERALD E. JONES
1932-2017

February 6, 2025

VIA Email: trey@simmermanlaw.com

Frank E. Simmerman, III
Simmerman Law Office, PLLC
254 East Main Street
Clarksburg, WV 26301-2170

Re: City of Bridgeport, West Virginia
Freedom of Information Act Request
Supplemental Response

Dear Mr. Simmerman:

As you know, represent the City of Bridgeport, West Virginia, a municipal corporation. Our client received your Freedom Of Information Act Request and your Supplemental Information, requesting an opportunity, pursuant to the West Virginia Freedom Of Information Act set forth in West Virginia Code §29B-1-1 et seq. (the "Act"), to inspect or copy public records designated in your said Freedom Of Information Act Request as follows:

"Any and all documents and files which evidence or relate to revenues received by the City from all entities within (a) the Charles Pointe Development District and (b) the White Oaks Development District by year for the period from 2005 (with respect to Charles Pointe) and 2007 (with respect to White Oaks) through current, including but not limited to:

1) Property Taxes
2) Municipal Sales Tax (1%)
3) Municipal Excess Property Tax
4) Building Permit Fees
5) Business & Occupation Tax (All)
6) Business & Occupation Tax (Construction Only)
7) Fire Protection Fees
8) Hotel Occupancy Tax
9) Ambulance Fees
10) Excise Tax on Utilities

12) All Utility related Taxes and Fees
13) Franchise Fees
14) Licenses
15) Interstate Registration Plan Fees
16) Parks and Recreation Revenues
17) The Bridge Sports Complex Revenues
18) Other revenues"

"Public record" includes any writing containing information prepared or received by a public body, the content or context of which, judged either by content or context, relates to the conduct of the public's business. "Writing" includes any books, papers, maps, photographs, cards, tapes, recordings or other documentary materials regardless of physical form or characteristics. West Virginia Code §29B-1-2(4),(5).

The Act, with certain exceptions, requires a custodian of public records, upon request for such records, to furnish copies of the requested information; to advise the person making the request of the time and place at which he or she may inspect and copy the materials; or, to deny the request stating in writing the reasons for such denial. Your Request has been granted in part and denied in part by the City of Bridgeport. The City of Bridgeport has located certain "public records" which are believed to be responsive to your Request under the Act. However, the City of Bridgeport does not maintain "public records" in regard to certain other requests under the Act and certain other information is maintained only in the aggregate and is not maintained according to specific entities or specific areas. Furthermore, certain other records which you request are exempt from disclosure pursuant to the law in West Virginia or Ordinances of the City of Bridgeport.

Pursuant to your Request under the Act, the City of Bridgeport hereby responds to your Request as follows:

1) Property Taxes

Response 1: The City of Bridgeport has located "public records" which are believed to be responsive to your Request under the Act. The City of Bridgeport does not maintain any "public records" with details regarding specific areas. Upon information and belief, such records would be maintained by the Assessor of Harrison County, West Virginia, the Sheriff of Harrison County, West Virginia, or the West Virginia State Tax Department.

2) Municipal Sales Tax (1%)

Response 2: The "public records" you have requested are exempt from disclosure pursuant to the provisions of West Virginia Code §29B-1-4(a)(5), West Virginia Code §11-10-5d, and Section 737.32 of the Codified Ordinances of the City of Bridgeport. Certain "public records" that may be responsive to your Request under the Act can be located on the website of the West Virginia State Treasurer under Revenue Distributions.

3) Municipal Excess Property Tax

Response 3: The City of Bridgeport has located "public records" which are believed to be responsive to your Request under the Act. The City of Bridgeport does not maintain any "public records" with details regarding specific areas. Upon information and belief, such records would be maintained by the Assessor of Harrison County, West Virginia, the Sheriff of Harrison County, West Virginia, or the West Virginia State Tax Department.

4) Building Permit Fees

Response 4: The City of Bridgeport has located "public records" which are believed to be responsive to your Request under the Act.

5) Business & Occupation Tax (All)

Response 5: The City of Bridgeport has located "public records" which are believed to be responsive to your Request under the Act. Any information regarding specific entities, businesses, or properties are exempt from disclosure pursuant to the provisions of West Virginia Code §29B-1-4(a)(5), West Virginia Code §11-10-5(d), and Section 737.32 of the Codified Ordinances of the City of Bridgeport.

6) Business & Occupation Tax (Construction Only)

Response 6: The City of Bridgeport has located "public records" which are believed to be responsive to your Request under the Act. Any information regarding specific entities, businesses, or properties are exempt from disclosure pursuant to the provisions of West Virginia Code §29B-1-4(a)(5), West Virginia Code §11-10-5(d), and Section 737.32 of the Codified Ordinances of the City of Bridgeport.

7) Fire Protection Fees

Response 7: The City of Bridgeport has located "public records" which are believed to be responsive to your Request under the Act.

8) Hotel Occupancy Tax

Response 8: The City of Bridgeport has located "public records" which are believed to be responsive to your Request under the Act.

9) Ambulance Fees

Response 9: The City of Bridgeport has located "public records" which are believed to be responsive to your Request under the Act.

10) Excise Tax on Utilities

Response 10: The City of Bridgeport has located "public records" which are believed to be responsive to your Request under the Act.

11) Water and Sewer Tap Fees

Response 11: The City of Bridgeport has located "public records" which are believed to be responsive to your Request under the Act.

12) All Utility related Taxes and Fees

Response 12: Your Request for information is vague and ambiguous and is not stated with reasonable specificity as to subject matter to allow the City of Bridgeport to determine the "public records", if any, which may be covered by your Request. However, any individually identifiable customer information created or maintained by the City of Bridgeport providing utility services in connection with the operation of a publicly-administered utility enterprise, including, but not limited to, customer names, addresses, and billing and usage records is exempt from disclosure, pursuant to the provisions of West Virginia Code §29B-1-4(a)(23).

13) Franchise Fees

Response 13: The City of Bridgeport has located "public records" which are believed to be responsive to your Request under the Act.

14) Licenses

Response 14: The City of Bridgeport has located "public records" which are believed to be responsive to your Request under the Act.

15) Interstate Registration Plan Fees

Response 15: The City of Bridgeport has located "public records" which are believed to be responsive to your Request under the Act.

16) Parks and Recreation Revenues

Response 16: The City of Bridgeport has located "public records" which are believed to be responsive to your Request under the Act.

17) The Bridge Sports Complex Revenues

Response 17: The City of Bridgeport has located "public records" which are believed to be responsive to your Request under the Act.

18) Other revenues

Response 18: Your request for information is vague and ambiguous and is not stated with reasonable specificity as to subject matter to allow the City of Bridgeport to determine the "public records" which may be covered by your Request. However, it is the information and belief of the City of Bridgeport that it has no "public records" believed to be responsive to your Request under the Act.

The "public records" which are believed to be responsive to your Request under the Act are available as hard copies. You should contact Lauren Rogers, City Clerk, at 304-842-8235 during usual working hours so that you can make arrangements to pick up said hard copies at the offices of the City of Bridgeport, located at 515 West Main Street, Bridgeport, West Virginia. The requested "public records" will be provided with appropriate redaction for protection of any confidential information or any "public records" exempt from disclosure under the Act or upon other grounds as provided by the law in West Virginia or by Ordinances of the City of Bridgeport.

Under West Virginia Code §29B-1-3(e), the City of Bridgeport may establish fees reasonably calculated to reimburse it for its actual costs in making reproductions of "public records". However, I am advised that the City Manager of the City of Bridgeport has waived payment of such fees for making reproductions of any such "public records".

In the event that access to any requested "public records" was denied, the responsibility of the City of Bridgeport to produce the requested records or documents is at an end, and pursuant to West Virginia Code §29B-1-3(d), you may institute proceedings for injunctive or declaratory relief in the Circuit Court of Harrison County, West Virginia.

Until further notice, any further contacts or communications concerning this FOIA Request must be made with the undersigned as legal counsel for the City of Bridgeport.

Sincerely yours,

WEST & JONES

By: _____
Norman T. Farley

NTF:tdh
pc: City of Bridgeport (By email)

RETAINER AGREEMENT

THIS RETAINER AGREEMENT ("Agreement") is between the West Virginia University College of Law Land Use and Sustainable Development Clinic ("LUSDC"), 101 Law School Drive, Morgantown West Virginia ("Law Clinic") and Harrison County, West Virginia, 229 S. 3rd Street, Suite 504, Clarksburg, West Virginia, ("Client"). This Agreement establishes an attorney-client relationship solely between the Law Clinic and Client.

BACKGROUND/SCOPE OF THE AGREEMENT

1. If Client is a business or governmental entity, this Agreement does not establish any attorney-client relationship between the Law Clinic and any of the owners, directors, officers, employees, or agents of Client.

2. Any legal services to be performed by the LUSDC on behalf of any owners, directors, officers, employees, or agents of Client, must be the subject of a separate retainer agreement. Representation can only occur if:

   a. The representation is not adverse to the interests of Client as a business entity; and
   b. Client consents to the representation. Consent must be given by:
      i. An appropriate official of Client other than the individual who is to be represented, or
      ii. The unanimous vote of the shareholders, members, directors or owners of Client.

AUTHORITY TO REPRESENT/SCOPE OF SERVICES

3. Client seeks representation and legal services and agrees to representation and legal services by the Law Clinic, and the Law Clinic agrees to represent and provide legal services ("Representation and Services") for Client in connection with updating the comprehensive plan for Harrison County, West Virginia.

4. The total fee for drafting the comprehensive plan shall not exceed sixty thousand dollars ($60,000). The total fee includes and base fee of $34,000 and the following optional services:

Participation of seven municipalities within the County in the plan (Anmoore, Nutterfort, Lost Creek, Salem, Lumberport, Stonewood, and West Milford)	$21,000
Youth workshops at 4 high schools	$ 4,000
Youth survey	$ 1,000

The client will hold three additional open houses themselves and the Law Clinic will provide materials for those open houses.

5. Client authorizes the Law Clinic to take any steps which, in its discretion, are reasonably necessary or appropriate to protect Client's interests in this Matter.

6. Client authorizes student clinicians to work on and take the lead in investigating factual and legal issues, drafting documents, communicating with Client, and all tasks, as well as any other students of the Law Clinic or faculty members of the West Virginia University College of Law, to assist in this Matter. A licensed attorney or attorneys shall at all times supervise the law student or students working on this Matter. The licensed attorney's or attorneys' supervision shall be consistent with applicable law and rules of professional conduct.

7. The Law Clinic agrees to take action as may be necessary, in the Law Clinic's professional judgment, to further the interests of Client in connection with this Matter. These actions include, but are not limited to, legal advice, research, drafting documents for a transactional matter, on-site visits, and recording documents with the appropriate government agency. **At no point may the Law Clinic represent the Client in litigation or take any action or participate in any action that moves this Matter, or any other matters that arise within the scope of representation, toward litigation.** The Law Clinic's services to Client under this Agreement are limited to those that the Law Clinic agrees to in paragraph four (4), or in a subsequent written amendment to this Agreement signed by both parties.

8. The Law Clinic shall terminate the Representation and Services upon completion of this Matter or upon the failure to consummate this Agreement. Any further representation must be the subject of a new retainer agreement. If, in the absence of a new retainer agreement, the Law Clinic provides further services, the terms of this Agreement will continue in effect.

CLIENT INFORMATION

9. Client agrees to promptly provide all information and documents, which are either requested or helpful to assisting with the Representation and Services, and to attend all scheduled meetings.

10. Client consents to the release of all information regarding its legal issue(s) or legal matter(s), as related to the Representation and Services and this Matter, to all student clinicians and clinical supervisors of the Law Clinic.

TERMS OF PROPOSED REPRESENTATION

11. Client may terminate the Law Clinic's Representation and Services in this Matter for any reason by providing the Law School with written notice of termination.

12. Client understands that the law allows the Law Clinic to decline Representation and Services or to withdraw as counsel for Client and terminate Representation and Services in this Matter for any reason consistent with the West Virginia Rules of Professional Conduct by providing Client with written notice of termination. Some examples of appropriate reasons for declining or terminating Representation and Services by the Law Clinic include:

a. The representation will result in violation of the West Virginia Rules of Professional Conduct or other law;
b. Withdrawal can be accomplished without material adverse effect on the interests of Client;
c. Client persists in a course of action involving the Law Clinic's Representation and Services that the Law Clinic reasonably believes is criminal or fraudulent;
d. Client has used the Law Clinic's Representation and Services to perpetrate a crime or fraud;
e. Client insists upon taking action that the Law Clinic considers repugnant or with which the Law Clinic has a fundamental disagreement;
f. Client fails substantially to fulfill an obligation to or renders Representation and Services unreasonably difficult for the Law Clinic and has been given reasonable warning that the Law Clinic will withdraw unless the obligation is fulfilled;
g. The Representation and Services will result in an unreasonable financial burden on the Law Clinic or, the Law Clinic experiences a loss of funding, which jeopardizes continued operation of the Law Clinic.

13. Client understands that if this Matter is not closed by the time the student clinicians complete their Law Clinic course, the Law Clinic may transfer this Matter to another student clinician or lawyer.

14. Client further understands that some delay in processing this Matter may occur during the summer months, or during times of academic recess.

15. Client further understands that the Law Clinic staff will have to drive considerable distances pursuant to this representation. In cases of inclement weather or potential inclement weather, Client understands that the Law Clinic will err on the side of safety and will cancel meetings whenever travel may pose a safety risk to staff and/or students.

16. Client further understands that the Law Clinic cannot guarantee that the comprehensive plan will be completed by a particular date. The Law Clinic will proceed in this matter with due diligence, but factors out of the control of the Law Clinic may delay delivery of the final product(s), including, but not limited to, weather, client cooperation, the academic calendar, and the Law Clinic workload.

17. Client authorizes the student clinicians and faculty of the Law Clinic to investigate all facts relating to this Matter. Client specifically consents to the release by any person or agency of information or records relating to it or its history.

JOINT REPRESENTATION

18. The Client understands that the Law Clinic will also be executing retainer agreements with seven municipalities within Harrison County with respect to drafting the Harrison County Comprehensive Plan: Anmoore, Nutterfort, Lost Creek, Salem, Lumberport, Stonewood, and West Milford (hereinafter the "other local governments"). These other local governments intend to consent to the Harrison County Comprehensive Plan. Each of these other local governments and the Client have a separate retainer agreement and for purposes of representation by the Law Clinic is a separate entity. The Client is informed of and consents to Law Clinic's representation of these other local governments.

19. The Client understands that whenever a lawyer or law firm undertakes to represent more than one client in related matters, there is the potential for a conflict of interest between the lawyer's clients. Under the ethical rules that govern the Law Clinic, the Law Clinic can undertake such joint representation only if, after review of the relevant facts, it reasonably determines that there is no disqualifying conflict of interest between its clients and only if it obtains the consent of each client to the joint representation. In seeking the consent of each client, the Law clinic is required to discuss with the Client and the other local governments the advantages and disadvantages of joint representation.

20. The Law Clinic has reviewed the subject matter of all engagements and has discussed with the other local governments the desire to have joint representation. The Law Clinic has also interviewed the Client and has confirmed with the Client that neither Law Clinic nor Client are aware of any facts that would give rise to a conflict between Client and the other local governments. The Law Clinic does not reasonably believe, based on this information, and the limited scope of the engagement with the Client, that a conflict of interest currently exists or in the future will arise which would prevent the Law Clinic from undertaking jointly to represent the Client and the other local governments.

21. As the Client considers whether to consent to the joint representation, the Client should consult with the Law Clinic, the local government attorney, and/or with separate counsel of its own choosing if it has any questions or concerns. In addition, the Client should consider the following advantages and disadvantages of the Law Clinic's joint representation of Client and the other local governments.

The principal advantage of a joint representation is that by working together, the Client and the other local governments can more effectively and efficiently complete the scope of each representation. Information gained in one matter can be used to help move the other matter forward, and vice versa.

However, joint representation of more than one client may affect confidentiality. The Client understands that all communications between the other local governments and legal counsel are treated as strictly confidential under the attorney-client privilege and those communications cannot be disclosed to any third parties without the consent of the other local governments. If the Client agrees to the joint representation, it would, of course, enjoy the same privilege with respect to its communications with the Law Clinic. The Client should be aware, however, that if the Law Clinic jointly represents the other local governments as well as the Client, any information the Client provides to the Law Clinic during the course of the representation may be communicated to representatives of the other local governments, but will be limited to information that is deemed by the Law Clinic as necessary for competent representation of the other local governments. Thus, the Client waives, as to the other local governments, its attorney-client privilege concerning communications with the Law Clinic during the joint representation. This does not mean that the Law Clinic would automatically disclose to the other local governments everything that Client confides to the Law Clinic. But it does mean that the tother local governments may learn what the Client has disclosed to the Law Clinic and what the Clinic has advised the Client.

OTHER PROVISIONS

23. The LUSDC shall represent Client diligently, faithfully, and competently.

24. In order to minimize out-of-pocket costs, it may be necessary for Client to assist the Law Clinic in gathering and sorting information for use in the Law Clinic's Representation and Services for Client. In each instance, Client agrees to provide such assistance, on such schedule, as may be necessary.

25. This Agreement constitutes the entire agreement between the parties for legal Representation and Services relating to the above-described Matter, and it supersedes any and all prior or contemporaneous understandings or agreements, except as to that Contribution Agreement referenced in Paragraph three (3) above.

26. This Agreement may be supplemented, modified, or amended only by mutual agreement of the parties. No supplement, modification, and/or amendment of this Agreement shall be binding unless it is in writing and signed by all parties.

27. If any provision of this Agreement is held invalid or unenforceable, its invalidity or unenforceability will not affect any other provisions of this Agreement, and this Agreement will be construed and enforced as if such provision had not been included.

28. This Agreement may be executed in several counterparts, each constituting a duplicate original, but all such counterparts constituting one and the same agreement.

Harrison County, West Virginia

By:_____

Its:_____

Date:_____

Land Use and Sustainable Development Law Clinic, WVU College of Law

By:_____

Its:_____

Date:_____

Harrison County Commission

Request to Attend Meeting

Name: Gary Keith

Department: 911

Destination: Gaylord Palms Resort, Orlando, FL

Travel Dates: April 27-May 1, 2025

Reason: CentralSquare Engage Conference

Total Estimated Cost			$ 3,180.00
Transportation			$ $400.00
Air		$ 400.00	
Private Vehicle:			
Mileage	X .655	$ 0.00	
Rental Car		$	
Lodging			$ 1,300.00
Registration			$ 1,200.00
Meals (Estimated)			$ 200.00
Incidentals			$ 80.00

Employee Signature: _____ Date: 2-7-25

Approving Authority: _____ Date: _____
(County Commission or Constitutional Official)

County Commission Action ( ) Approve ( ) Disapprove

Authorized travel within the approved budget by and for other constitutional offices does not require County Commission approval

Date: _____

A8 Form Revised: May 1, 2014

Harrison County Commission

Request to Attend Meeting

Name	Travis Miller
Department	911
Destination	Gaylord Palms Resort, Orlando, FL
Travel Dates	April 27-May 1, 2025
Reason	CentralSquare Engage Conference

Total Estimated Cost			$ 3,180.00
Transportation			$ $400.00
Air		$ 400.00	
Private Vehicle:			
Mileage _____	X .655	$ 0.00	
Rental Car		$ _____	
Lodging			$ 1,300.00
Registration			$ 1,200.00
Meals (Estimated)			$ 200.00
Incidentals			$ 80.00

Employee Signature: _____ Date: 2/3/25

Approving Authority: _____ Date: _____
(County Commission or Constitutional Official)

County Commission Action ( ) Approve ( ) Disapprove
Authorized travel within the approved budget by and for other constitutional offices does not require County Commission approval

Date: _____

A8 Form Revised: May 1, 2014

Harrison County Commission

Request to Attend Meeting

Name	Paul Bump
Department	911
Destination	Gaylord Palms Resort, Orlando, FL
Travel Dates	April 27-May 1, 2025
Reason	CentralSquare Engage Conference

Total Estimated Cost			$ 3,180.00
Transportation			$ $400.00
Air		$ 400.00	
Private Vehicle:			
Mileage	X .655	$ 0.00	
Rental Car		$	
Lodging			$ 1,300.00
Registration			$ 1,200.00
Meals (Estimated)			$ 200.00
Incidentals			$ 80.00

Employee Signature: _____ Date: 2/5/2025

Approving Authority: _____ Date: _____
(County Commission or Constitutional Official)

County Commission Action ( ) Approve ( ) Disapprove
Authorized travel within the approved budget by and for other constitutional offices does not require County Commission approval

Date: _____

A8 Form Revised: May 1, 2014

Harrison County Commission

Approval to Travel

20

Travelers Name: Wayne Worth
Department: Harrison County Community Corrections
Destination: Charleston Coliseum & Convention Center
Travel Dates: April 23-25, 2025
Reason: NASW 2025 Spring CE Conference for Social Workers

Estimated Cost $963.65

Transportation

Air	$				
County Vehicle	$				
Private Vehicle	$ $174.65	249.5	miles @	$0.70	per mile
Rental Car	$		days @		per day

Lodging 3 nights @ $115.00 /night $345.00

Registration $240.00

Meals $204.00

Airport Parking

Approving Authority (Elected Official/Departmental Head) _____ Date _____

County Commission Action ( ) Approve ( ) Disapprove

Date _____

EMPOWERING SOCIAL WORKERS!
Inspiring Action, Leading Change

Registration Request
2025 Spring CE Conference for Social Workers
Wednesday, Thursday, Friday - April 23-25, 2025

Send by **April 13th** to: LRatliff.naswwv@socialworkers.org or Fax: (304) 720-3766

Please Print Clearly - See Registration Instructions for Additional Information

First Name Wayne MI B Last Worth

Job Title Deputy Director Employer Harrison County Community Corrections NASW Member #* (if applicable) _____
Note: Not same as social work license #

Mailing Address (check: ☐ work ☒ home) 322 Point Street City Clarksburg State WV Zip Code 26301

Email wworth@harrisoncountywv.gov

Daytime Phone ( ) _____ - _____ ext _____ Cell Phone (304) 476-1710 Evening Phone ( ) _____ - _____

PROFESSIONAL INFORMATION:
Degree/s BSW
License #: AP009430 State: WV
License #: _____ State: _____

LICENSE TYPE:
☐ LICSW ☐ LCSW ☐ LGSW ☑ LSW
☐ Provisional/Temp/Restricted
☐ LPC
☐ MFT
☐ NHA
☐ NSG
Other: _____

DEMOGRAPHICS:
Ethnic/Racial Origin (Check one)
☐ African American/Black (not Hispanic/Latino in origin)
☐ American Indian or Alaskan Native
☐ Asian American or Pacific Islander
☐ Chicano/Mexican American
☐ Puerto Rican
☐ Other Hispanic/Latino
☒ White/Caucasian (not Hispanic/Latino in origin)
☐ Other (specify)_____

DEMOGRAPHICS: *Continued*
Pronouns: _____ Age: 46
Work Address *(if not same as above)*: 220 Washington Ave, Clarksburg, WV 26301
# of years at this work location: 5 1/2
Name of College/University attended: Marshall Univ. Year graduated: 2007
Health Profession Discipline: Social Work

Conference Speakers receive a registration discount as a token of our appreciation! List your session session number/s here: _____
You pay NO fee for the day/s you speak. Pay the applicable Student rate (member/nonmember) for other days you wish to attend. Be sure to add any optional fees.

Fees: *(check category & circle amount)*

Early Bird Rates end 1/31/25

Please Check Appropriate Box & Circle the fee amount

	FULL CONFERENCE		TWO DAYS *Check which days* ☐W ☑Th ☐Fri		ONE DAY *Check which day* ☐ W Th Fri	
	Early Bird	Full Price	E.B.	Full	E.B.	Full
☐ NASW Member *enter membership # above*	$150	$185	$125	$160	$100	$135
☑ Non-Member * *Join now & save! See below.*	$210	$260	$185	(**$225**)	$150	$185
☐ Student Member *enter member # above*	$80	$105	$70	$90	$60	$75
☐ Non-Member-Full-Time Student	$135	$160	$120	$145	$105	$135
☐ Fully Unemployed/Retired Member *enter #*	$105	$130	$95	$115	$85	$105
☐ Fully Unemployed or Retired Non-Member	$165	$185	$145	$165	$125	$145

Payment Calculation

Registration Fee: $225.00

Optional Fees: *Circle option & add fee in Total*

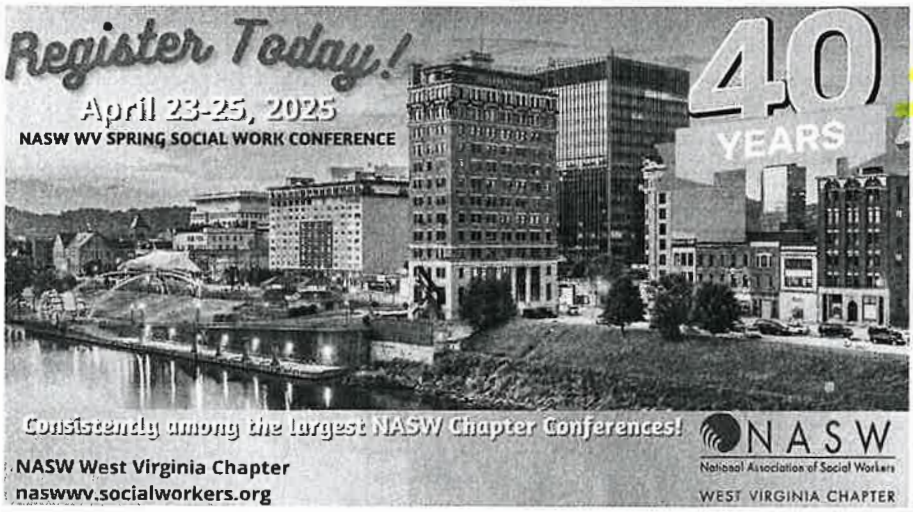
Printed CE Certificate $15.00

Note: this is optional. All attendees receive a free, electronic CE Certificate

NASW Foundation **$20.00**

Suggested donation to WV Chapter Fund - For tax deduction write a separate check to: NASW Foundation - West Virginia Chapter Fund

Total Enclosed: $240.00



For online registration and additional conference information, visit: https://bit.ly/naswwv2025

Note: If you register at the member rate and are not an active NASW member, you will be charged the Non-Member rate or have your registration cancelled.

Payment Method:

Make checks payable to: ***NASW WV Chapter***

Mail to: **NASW Spring Conference** **Fax:** (304) 720-3766
400 Patterson Lane
Charleston, WV 25311

Payment method *(check one):*

☐ Personal check/money order ☑ Agency check

☐ Agency purchase order *attach authorized PO form*

☐ Credit Card: *VISA, MasterCard, Discover*
Complete all sections below for credit card payment:

Card # _____

Exp. Date ____/____ CVV# _____ *3 digits on back of card*

Print Cardholder Name _____

Billing Address & Zip Code _____

Email Receipt to _____
(if different from above)

Authorized Signature _____

220 Washington Ave
to 200 Civic Center Dr

1 hr 46 min IRS reimbursement: ~~$83.42~~ $87.15
124.5 mi x .70

↑ Head toward S 3rd St on Washington Ave. Go for 105 ft.

Then 0.02 mi

↱ Turn right onto S 3rd St. Go for 0.2 mi.

Then 0.2 mi

↑ Take ramp onto US-50 E. Go for 2.9 mi.

Then 2.9 mi

RAMP Take ramp onto I-79 S. Go for 118 mi.

Then 118.2 mi

EXIT Take the exit toward I-64/Charleston onto I-77 S. Go for 2.2 mi.

Then 2.2 mi

Keep right toward I-64 W/US-119 S/Huntington. Go for 0.2 mi.

Then 0.2 mi

EXIT Take exit 58C toward Washington St/US-60/Civic Center onto US-119 S (Bigley Ave). Go for 0.4 mi.

Then 0.4 mi

↑ Continue on Pennsylvania Ave S (US-119 S). Go for 0.2 mi.

Then 0.2 mi

↰ Turn left onto Lee St W (US-60 E). Go for 0.2 mi.

Then 0.2 mi

200 Civic Center Dr
Charleston, West Virginia 25301-2016

200 Civic Center Dr
to 220 Washington Ave

1 hr 47 min **IRS reimbursement: ~~$83.75~~ $87.50**
125.0 mi x .70

↑ Head toward Clendenin St on Lee St E (US-60 E). Go for 305 ft.

Then 0.06 mi

↰ Turn left onto Clendenin St. Go for 213 ft.

Then 0.04 mi

↰ Turn left onto Washington St E (US-60 W). Go for 0.2 mi.

Then 0.2 mi

RAMP ↗ Turn slightly right and take ramp onto I-64 E toward I-77/I-79/Beckley/US-119 N. Go for 0.3 mi.

Then 0.3 mi

EXIT ↖ Take left exit 59 toward Parkersburg/I-79 onto I-77 N. Go for 1.9 mi.

Then 1.9 mi

EXIT ↗ Take exit 104 toward Clarksburg onto I-79 N. Go for 118 mi.

Then 118.4 mi

EXIT ↗ Take exit 119 toward US-50/Clarksburg/Bridgeport. Go for 0.6 mi.

Then 0.6 mi

↰ Turn left onto US-50 W. Go for 3.0 mi.

Then 3.0 mi

EXIT ↗ Take the exit toward Downtown/2nd St. Go for 0.2 mi.

Then 0.2 mi

↑ Continue on N 2nd St. Go for 0.2 mi.

Then 0.2 mi

↱ Turn right onto Washington Ave. Go for 171 ft.

Then 0.03 mi

220 Washington Ave
Clarksburg, West Virginia 26301

Harrison County Commission

Approval to Travel

Travelers Name: Emily Rebelo
Department: Harrison County Community Corrections
Destination: Charleston Coliseum & Convention Center
Travel Dates: April 23-25, 2025
Reason: NASW 2025 Spring CE Conference for Social Workers

Estimated Cost $240.00

Transportation

Air $
County Vehicle $
Private Vehicle $ ____ miles @ $0.70 per mile
Rental Car $ ____ days @ ____ per day

Lodging ____ nights @ ____ /night

Registration $240.00

Meals

Airport Parking

Approving Authority (Elected Official/Departmental Head) Date

County Commission Action ( ) Approve ( ) Disapprove

Date

Registration Request
2025 Spring CE Conference for Social Workers
Wednesday, Thursday, Friday - April 23-25, 2025

Send by **April 13th** to: LRatliff.naswwv@socialworkers.org or Fax: (304) 720-3766

Please Print Clearly - See Registration Instructions for Additional Information

First Name Emily MI G Last Rebelo

Job Title Counselor Employer Harrison Co. Day Report Center NASW Member #* (if applicable) _____
Note: Not same as social work license #

Mailing Address (*check:* ☐ *work* ☒ *home*) 1014 McCoy St., Apt 10 City Fairmont State WV Zip Code 26554

Email

Daytime Phone ( ) _____ - _____ ext _____ Cell Phone (423) 509 - 2598 Evening Phone ( ) _____ - _____

PROFESSIONAL INFORMATION:
Degree/s MSW
License #: CP009946772 State: WV
License #: SW139019 State: PA

LICENSE TYPE:
☐ LICSW ☒ LCSW ☐ LGSW ☐ LSW
☐ Provisional/Temp/Restricted
☐ LPC
☐ MFT
☐ NHA
☐ NSG
Other: _____

DEMOGRAPHICS:
Ethnic/Racial Origin (Check one)
☐ African American/Black (not Hispanic/Latino in origin)
☐ American Indian or Alaskan Native
☐ Asian American or Pacific Islander
☐ Chicano/Mexican American
☐ Puerto Rican
☐ Other Hispanic/Latino
☒ White/Caucasian (not Hispanic/Latino in origin)
☐ Other (specify)_____

DEMOGRAPHICS: *Continued*
Pronouns: She/her Age: 27
Work Address *(if not same as above):* 220 Washington Ave, Clarksburg, WV 26301
# of years at this work location: 1
Name of College/University attended: University of Pitt Year graduated: 2022
Health Profession Discipline: Counselor / Social Worker

Conference Speakers receive a registration discount as a token of our appreciation! List your session session number/s here: _____
You pay NO fee for the day/s you speak. Pay the applicable Student rate (member/nonmember) for other days you wish to attend. Be sure to add any optional fees.

Fees: *(check category & circle amount)*	FULL CONFERENCE		TWO DAYS *Check which days* ☐ W ☐ Th ☐ Fri		ONE DAY *Check which day* ☐ W ☐ Th ☐ Fri	
Early Bird Rates end 1/31/25 *Please Check Appropriate Box & Circle the fee amount*	**Early Bird**	**Full Price**	**E.B.**	**Full**	**E.B.**	**Full**
☐ NASW Member *enter membership # above*	$150	$185	$125	$160	$100	$135
☑ Non-Member * *Join now & save! See below.*	$210	$260	$185	$225	$150	$185
☐ Student Member *enter member # above*	$80	$105	$70	$90	$60	$75
☐ Non-Member-Full-Time Student	$135	$160	$120	$145	$105	$135
☐ Fully Unemployed/Retired Member *enter #*	$105	$130	$95	$115	$85	$105
☐ Fully Unemployed or Retired Non-Member	$165	$185	$145	$165	$125	$145

Payment Calculation

Registration Fee: $260.00

Optional Fees: *Circle option & add fee in Total*

Printed CE Certificate $15.00

Note: this is optional. All attendees receive a free, electronic CE Certificate

NASW Foundation $20.00

Suggested donation to WV Chapter Fund - For tax deduction write a separate check to: NASW Foundation - West Virginia Chapter Fund

Total Enclosed: $275.00



For online registration and additional conference information, visit: https://bit.ly/naswwv2025

Note: If you register at the member rate and are not an active NASW member, you will be charged the Non-Member rate or have your registration cancelled.

Payment Method:

Make checks payable to: ***NASW WV Chapter***

Mail to: **NASW Spring Conference** **Fax:** (304) 720-3766
400 Patterson Lane
Charleston, WV 25311

Payment method *(check one):*

☐ Personal check/money order ☑ Agency check

☐ Agency purchase order *attach authorized PO form*

☐ Credit Card: *VISA, MasterCard, Discover*
Complete all sections below for credit card payment:

Card # _____

Exp. Date _____/_____ CVV# _____ *3 digits on back of card*

Print Cardholder Name _____

Billing Address & Zip Code _____

Email Receipt to _____
(if different from above)

Authorized Signature _____

Harrison County Commission

Approval to Travel

Travelers Name: Carol Moscar
Department: Harrison County Community Corrections
Destination: Charleston Coliseum & Convention Center
Travel Dates: April 23-25, 2025
Reason: NASW 2025 Spring CE Conference for Social Workers

Estimated Cost $763.95

Transportation

Air	$				
County Vehicle	$				
Private Vehicle	$ $523.95	748.5	miles @	$0.70	per mile
Rental Car	$		days @		per day

Lodging ____ nights @ ____ /night

Registration $240.00

Meals

Airport Parking

Approving Authority (Elected Official/Departmental Head) _____ Date _____

County Commission Action ( ) Approve ( ) Disapprove

Date _____

EMPOWERING SOCIAL WORKERS!
Inspiring Action, Leading Change

Registration Request
2025 Spring CE Conference for Social Workers
Wednesday, Thursday, Friday - April 23-25, 2025

Send by **April 13th** to: LRatliff.naswwv@socialworkers.org or Fax: (304) 720-3766

Please Print Clearly - See Registration Instructions for Additional Information

First Name Carol MI F Last Moscar

Job Title Addiction Counselor Employer Harrison Co. Commission NASW Member #* (if applicable) _____
Note: Not same as social work license #

Mailing Address (check: ☐ work ☒ home) 49 Decarde Dr. City Clarksburg State WV Zip Code 26301

Email cfmoscar@yahoo.com

Daytime Phone (304) 423-7052 ext _____ Cell Phone (304) 677-8987 Evening Phone (304) 677-8987

PROFESSIONAL INFORMATION:

Degree/s MSW

License # CP0094386 State: WV

License #: _____ State: _____

LICENSE TYPE:

☐ LICSW ☒ LCSW ☐ LGSW ☐ LSW
☐ Provisional/Temp/Restricted
☐ LPC
☐ MFT
☐ NHA
☐ NSG
Other: _____

DEMOGRAPHICS:

Ethnic/Racial Origin (Check one)
☐ African American/Black (not Hispanic/Latino in origin)
☐ American Indian or Alaskan Native
☐ Asian American or Pacific Islander
☐ Chicano/Mexican American
☐ Puerto Rican
☐ Other Hispanic/Latino
☒ White/Caucasian (not Hispanic/Latino in origin)
☐ Other (specify)_____

DEMOGRAPHICS: *Continued*

Pronouns: _____ Age: _____
Work Address *(if not same as above)*: 220 Washington Ave.
# of years at this work location: 4
Name of College/University attended: WVU Year graduated: 2000
Health Profession Discipline: _____

Conference Speakers receive a registration discount as a token of our appreciation! List your session session number/s here: _____
You pay NO fee for the day/s you speak. Pay the applicable Student rate (member/nonmember) for other days you wish to attend. Be sure to add any optional fees.

Fees: *(check category & circle amount)*

Early Bird Rates end 1/31/25

Please Check Appropriate Box & Circle the fee amount

	FULL CONFERENCE		TWO DAYS *Check which days* ☐ W ☐ Th ☐ Fri		ONE DAY *Check which day* ☐ W Th Fri	
	Early Bird	Full Price	E.B.	Full	E.B.	Full
☐ NASW Member *enter membership # above*	$150	$185	$125	$160	$100	$135
☑ Non-Member * *Join now & save! See below.*	$210	$260	$185	$225	$150	$185
☐ Student Member *enter member # above*	$80	$105	$70	$90	$60	$75
☐ Non-Member-Full-Time Student	$135	$160	$120	$145	$105	$135
☐ Fully Unemployed/Retired Member *enter #*	$105	$130	$95	$115	$85	$105
☐ Fully Unemployed or Retired Non-Member	$165	$185	$145	$165	$125	$145

Payment Calculation

Registration Fee: $260.00

Optional Fees: *Circle option & add fee in Total*

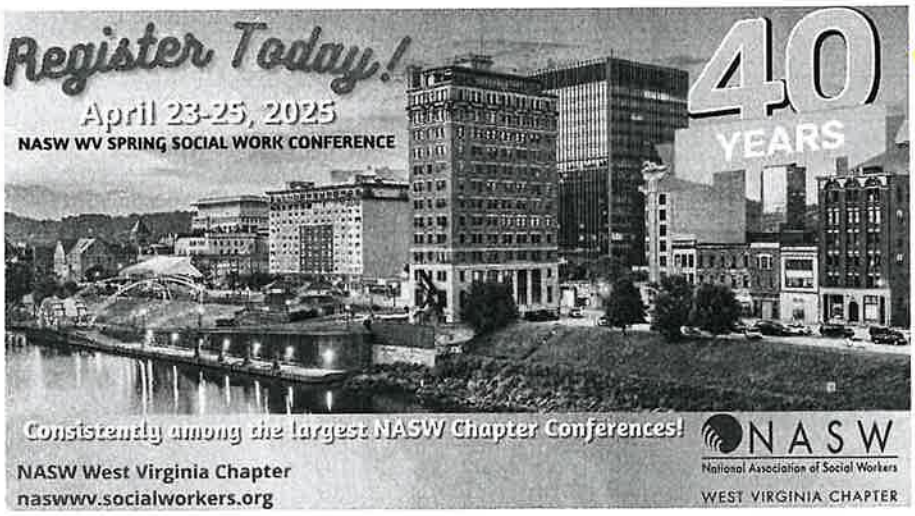
Printed CE Certificate $15.00

Note: this is optional. All attendees receive a free, electronic CE Certificate

NASW Foundation $20.00

Suggested donation to WV Chapter Fund - For tax deduction write a separate check to: NASW Foundation - West Virginia Chapter Fund

Total Enclosed: $275.00



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Note: If you register at the member rate and are not an active NASW member, you will be charged the Non-Member rate or have your registration cancelled.

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Make checks payable to: ***NASW WV Chapter***

Mail to: NASW Spring Conference **Fax:** (304) 720-3766
400 Patterson Lane
Charleston, WV 25311

Payment method *(check one):*

☐ Personal check/money order ☑ Agency check
☐ Agency purchase order *attach authorized PO form*
☐ Credit Card: *VISA, MasterCard, Discover*
Complete all sections below for credit card payment:

Card # _____

Exp. Date ____/____ CVV# _____ *3 digits on back of card*

Print Cardholder Name _____

Billing Address & Zip Code _____

Email Receipt to _____
(if different from above)

Authorized Signature _____

220 Washington Ave
to 200 Civic Center Dr

1 hr 46 min IRS reimbursement: ~~$83.42~~ $87.15
124.5 mi X.70

↑ Head toward S 3rd St on Washington Ave. Go for 105 ft.

Then 0.02 mi

↱ Turn right onto S 3rd St. Go for 0.2 mi.

Then 0.2 mi

↑ Take ramp onto US-50 E. Go for 2.9 mi.

Then 2.9 mi

RAMP Take ramp onto I-79 S. Go for 118 mi.

Then 118.2 mi

EXIT Take the exit toward I-64/Charleston onto I-77 S. Go for 2.2 mi.

Then 2.2 mi

Keep right toward I-64 W/US-119 S/Huntington. Go for 0.2 mi.

Then 0.2 mi

EXIT Take exit 58C toward Washington St/US-60/Civic Center onto US-119 S (Bigley Ave). Go for 0.4 mi.

Then 0.4 mi

↑ Continue on Pennsylvania Ave S (US-119 S). Go for 0.2 mi.

Then 0.2 mi

↰ Turn left onto Lee St W (US-60 E). Go for 0.2 mi.

Then 0.2 mi

200 Civic Center Dr
Charleston, West Virginia 25301-2016

200 Civic Center Dr
to 220 Washington Ave

1 hr 47 min **IRS reimbursement: ~~$83.75~~ $87.50**
125.0 mi X.70

↑ Head toward Clendenin St on Lee St E (US-60 E). Go for 305 ft.

Then 0.06 mi

↰ Turn left onto Clendenin St. Go for 213 ft.

Then 0.04 mi

↰ Turn left onto Washington St E (US-60 W). Go for 0.2 mi.

Then 0.2 mi

RAMP ↗ Turn slightly right and take ramp onto I-64 E toward I-77/I-79/Beckley/US-119 N. Go for 0.3 mi.

Then 0.3 mi

EXIT ↖ Take left exit 59 toward Parkersburg/I-79 onto I-77 N. Go for 1.9 mi.

Then 1.9 mi

EXIT ↗ Take exit 104 toward Clarksburg onto I-79 N. Go for 118 mi.

Then 118.4 mi

EXIT ↗ Take exit 119 toward US-50/Clarksburg/Bridgeport. Go for 0.6 mi.

Then 0.6 mi

↰ Turn left onto US-50 W. Go for 3.0 mi.

Then 3.0 mi

EXIT ↗ Take the exit toward Downtown/2nd St. Go for 0.2 mi.

Then 0.2 mi

↑ Continue on N 2nd St. Go for 0.2 mi.

Then 0.2 mi

↱ Turn right onto Washington Ave. Go for 171 ft.

Then 0.03 mi

220 Washington Ave
Clarksburg, West Virginia 26301

Zoning Form

(Original copy must be submitted to the WVABCA Licensing Department)

Note: If an establishment's location is not situated within a municipality, this office will need a letter from the County Commission stating that the establishment location is zoned properly. All applicants must complete the obverse (front) portion of the form.

To: Municipal Clerk or Recorder

Under the requirements set forth in 60-7-4a and/or 11-16-8(a)(5) of the W. Va. State Code, a person intending to apply for a license to operate an ABCA licensed Private Club, Private Wine Restaurant or Tavern at any location within a municipality **must file a notice of such intention with the Clerk or Recorder of such municipality at least ten (10) days prior** to filing an application for such license with the Alcohol Beverage Control Administration. Pursuant to this requirement, **notice** is herein given that the following intends to apply to the WVABCA for a license to operate a Private Club, Private Wine Restaurant, Private Wine Bed and Breakfast, Private Wine Spa, or Tavern issued pursuant to the provisions of §§ Chapter 60, Article 7 and Article 8 and/or Chapter 11, Article 16 of the W.Va. State Code.

Entity Name: Nenas Cafe

DBA (Doing Business As): _____

Address of Establishment: 199 Club Dr (Street/Route) Clarksburg (City) WV (State) 26301 (Zip Code)

Applicant's Name(s): Allevato (Last) Nena (First) _____ (Middle)

_____ (Last) _____ (First) _____ (Middle)

General Description of Premises: Restaurant + Bar @ Clarksburg Country Club

Food Services to be Offered: Breakfast, lunch, Dinner, catering

Patron Capacity: 150

This Notice has been filed with the Clerk or Recorder of the City/Town of

_____ **on this** _____ **day of** _____, _____.

Applicant's Signature(s): Nena Allevato Date: _____

_____ Date: _____

ABCA-Lic.Z.2

(Municipality to fill out reverse side of form)

Exploratory-NL

Project: WVDEP 2023 AML Contract N1 Miller Mine Drainage Phase II Project

RIGHT OF ENTRY AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, _____, by and between HARRISON COUNTY COMMISSION, A CORPORATION (hereinafter "Owner") and the West Virginia Department of Environmental Protection's Office of Abandoned Mine Lands and Reclamation (hereinafter "WVDEP") relates to the property described below and allows Grantee a right of entry thereon for the purposes of and subject to the terms described below.

WHEREAS, Owner is the titleholder and owner of record to the following described property:

District:	7 - Coal-Outside
County:	Harrison
State:	West Virginia
Property Description:	2 Lots #10 & PT #9 Wilkinson 3 ADD INC MAP 1113 PCL 325; 1 Lot 18 Wilkinson 3RD ADD (4.24 AC); 1 Lot 8 Wilkinson 3RD ADD DESPARD; 1 Lot PT#9 Wilkinson 3RD ADD; Lot #13 Wilkinson 3RD ADD (0.87 AC)
Tax Map/Parcel No.:	0288-0033-0000; 0308-0022-0000; 1113-0316-0000; 1113-0325-0000; 1113-0363-0000
Deed Book/Page No.:	1607/973

NOW THEREFORE, in consideration of the benefits to be derived therefrom, the sufficiency of which is hereby acknowledged, Owner hereby grants to WVDEP, its agents, assigns, employees, contractors, and prospective design consultants the right and permission to enter upon the above-described real property for the purpose of determining the possible existence of adverse effects of past coal mining practices, and to determine the feasibility of restoration, reclamation, abatement, control or prevention of such adverse effects. Owner also grants to WVDEP the right and permission to enter upon the above-described real property for the purpose of obtaining access to and from adjacent properties that may have been affected by past coal mining practices.

Owner grants the aforesaid rights and permission to WVDEP subject to the following terms and provisions.

1. Entry and exploratory work performed by the WVDEP, OSMRE, its agents, assigns, employees, and/or contractors shall be pursuant to the authority vested in WVDEP by the Abandoned Mine Lands and Reclamation Act, W. Va. Code § 22-2-1, et seq.

2. WVDEP shall not file any liens against the above-described real property as the result of this agreement and the exercise of the rights and permissions granted herein.

3. The term of this Agreement shall be for the length of time necessary for WVDEP, OSMRE, its agents, assigns, employees, contractors, and prospective design consultants to conduct exploratory activities that serve to collect onsite field data interrelated to past coal mining practices and to aid in efforts to establish an accurate assessment for potential reclamation.

4. By entering into this Agreement, Owner does not waive any rights that may be vested in or conferred upon it by the Abandoned Mine Lands and Reclamation Act, W. Va. Code § 22-2-1, et seq.

5. WVDEP shall require its contractor(s) to carry and maintain General Liability Insurance with coverage in an amount not less than $1,000,000.00 for each occurrence and not less than $2,000,000.00 aggregate in addition to carrying and maintaining Automotive Liability Insurance in an amount not less than $1,000,000.00 and Professional Liability Insurance in an amount not less than $1,000,000.00.

IN WITNESS WHEREOF, the parties hereto have caused their names to be signed hereto as of the date (s) written and acknowledged below.

(Owner Contact Information)

229 South 3rd Street
(Address)

Clarksburg, WV 26301
(City, State, Zip)

304-624-8500
(Phone)

countyadministrator@harrisoncountywv.gov
(Email)

_____
By

_____
Its

STATE OF _____

COUNTY OF _____, to-wit:

I, _____, a Notary Public in and for said County and State do hereby certify that _____, signed the foregoing, and hereto annexed writing this _____ day of _____, _____.

My commission expires: _____.

_____
Notary Public

STATE OF _____

COUNTY OF _____, to-wit:

I, _____, a Notary Public in and for said County and State do hereby certify that _____, signed the foregoing, and hereto annexed writing this _____ day of _____, _____.

My commission expires: _____.

_____
Notary Public

PREPARED BY:
West Virginia Department of Environmental Protection,
Office of Abandoned Mine Lands and Reclamation

Exploratory-NL

Project: WVDEP 2023 AML Contract N1 Miller Mine Drainage Phase II Project

RIGHT OF ENTRY AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, _____, by and between HARRISON COUNTY COMMISSION, A CORPORATION (hereinafter "Owner") and the West Virginia Department of Environmental Protection's Office of Abandoned Mine Lands and Reclamation (hereinafter "WVDEP") relates to the property described below and allows Grantee a right of entry thereon for the purposes of and subject to the terms described below.

WHEREAS, Owner is the titleholder and owner of record to the following described property:

District:	7 - Coal-Outside
County:	Harrison
State:	West Virginia
Property Description:	Lot 14 Wilkinson 3RD ADD; Lot 15 Wilkinson 3RD ADD; Lot 16 Wilkinson 3RD ADD; Lot 17 Wilkinson 3RD ADD; 6.35 AC Murphy Run & M/O Coal
Tax Map/Parcel No.:	1113-0364-0000; 1113-0365-0000; 1113-0366-0000; 1113-0367-0000; 0308-0051-0021
Deed Book/Page No.:	1607/973

NOW THEREFORE, in consideration of the benefits to be derived therefrom, the sufficiency of which is hereby acknowledged, Owner hereby grants to WVDEP, its agents, assigns, employees, contractors, and prospective design consultants the right and permission to enter upon the above-described real property for the purpose of determining the possible existence of adverse effects of past coal mining practices, and to determine the feasibility of restoration, reclamation, abatement, control or prevention of such adverse effects. Owner also grants to WVDEP the right and permission to enter upon the above-described real property for the purpose of obtaining access to and from adjacent properties that may have been affected by past coal mining practices.

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2. WVDEP shall not file any liens against the above-described real property as the result of this agreement and the exercise of the rights and permissions granted herein.

3. The term of this Agreement shall be for the length of time necessary for WVDEP, OSMRE, its agents, assigns, employees, contractors, and prospective design consultants to conduct exploratory activities that serve to collect onsite field data interrelated to past coal mining practices and to aid in efforts to establish an accurate assessment for potential reclamation.

4. By entering into this Agreement, Owner does not waive any rights that may be vested in or conferred upon it by the Abandoned Mine Lands and Reclamation Act, W. Va. Code § 22-2-1, et seq.

5. WVDEP shall require its contractor(s) to carry and maintain General Liability Insurance with coverage in an amount not less than $1,000,000.00 for each occurrence and not less than $2,000,000.00 aggregate in addition to carrying and maintaining Automotive Liability Insurance in an amount not less than $1,000,000.00 and Professional Liability Insurance in an amount not less than $1,000,000.00.

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229 South 3rd Street
(Address)

Clarksburg, WV 26301
(City, State, Zip)

304-624-8500
(Phone)

countyadministrator@harrisoncountywv.gov
(Email)

_____
By

_____
Its

STATE OF _____

COUNTY OF _____, to-wit:

I, _____, a Notary Public in and for said County and State do hereby certify that _____, signed the foregoing, and hereto annexed writing this _____ day of _____, _____.

My commission expires: _____.

_____
Notary Public

STATE OF _____

COUNTY OF _____, to-wit:

I, _____, a Notary Public in and for said County and State do hereby certify that _____, signed the foregoing, and hereto annexed writing this _____ day of _____, _____.

My commission expires: _____.

_____
Notary Public

PREPARED BY:
West Virginia Department of Environmental Protection,
Office of Abandoned Mine Lands and Reclamation

Exploratory-NL

Project: WVDEP 2023 AML Contract N1 West Fork #9 Project

RIGHT OF ENTRY AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, _____, by and between THE HARRISON COUNTY COMMISSION, WEST VIRGINIA (hereinafter "Owner") and the West Virginia Department of Environmental Protection's Office of Abandoned Mine Lands and Reclamation (hereinafter "WVDEP") relates to the property described below and allows Grantee a right of entry thereon for the purposes of and subject to the terms described below.

WHEREAS, Owner is the titleholder and owner of record to the following described property:

District:	6 - Clay-Shinnston Corp
County:	Harrison
State:	West Virginia
Property Description:	3.12 AC ABANDONED R/R R/W MON RIVER BRANCH
Tax Map/Parcel No.:	1004-0334-0002
Deed Book/Page No.:	1757/279

NOW THEREFORE, in consideration of the benefits to be derived therefrom, the sufficiency of which is hereby acknowledged, Owner hereby grants to WVDEP, its agents, assigns, employees, contractors, and prospective design consultants the right and permission to enter upon the above-described real property for the purpose of determining the possible existence of adverse effects of past coal mining practices, and to determine the feasibility of restoration, reclamation, abatement, control or prevention of such adverse effects. Owner also grants to WVDEP the right and permission to enter upon the above-described real property for the purpose of obtaining access to and from adjacent properties that may have been affected by past coal mining practices.

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2. WVDEP shall not file any liens against the above-described real property as the result of this agreement and the exercise of the rights and permissions granted herein.

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4. By entering into this Agreement, Owner does not waive any rights that may be vested in or conferred upon it by the Abandoned Mine Lands and Reclamation Act, W. Va. Code § 22-2-1, et seq.

5. WVDEP shall require its contractor(s) to carry and maintain General Liability Insurance with coverage in an amount not less than $1,000,000.00 for each occurrence and not less than $2,000,000.00 aggregate in addition to carrying and maintaining Automotive Liability Insurance in an amount not less than $1,000,000.00 and Professional Liability Insurance in an amount not less than $1,000,000.00.

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304-624-8500
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countyadministrator@harrisoncountywv.gov
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_____
By

_____
Its

STATE OF _____

COUNTY OF _____, to-wit:

I, _____, a Notary Public in and for said County and State do hereby certify that _____, signed the foregoing, and hereto annexed writing this _____ day of _____, _____.

My commission expires: _____.

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I, _____, a Notary Public in and for said County and State do hereby certify that _____, signed the foregoing, and hereto annexed writing this _____ day of _____, _____.

My commission expires: _____.

_____
Notary Public

PREPARED BY:
West Virginia Department of Environmental Protection,
Office of Abandoned Mine Lands and Reclamation

February 19, 2025

West Virginia State Capital
1900 Kanawha Blvd., East
Charleston, West Virginia 25305

RE: Support for West Virginia Certificate of Need Program

Dear Governor Patrick Morrisey,

As County Commissioners representing the North Central region of West Virginia, we write to express our strong support for maintaining and strengthening the state's Certificate of Need (CON) program. Our counties have directly benefited from this crucial regulatory framework that ensures the strategic and equitable distribution of healthcare services across our communities.

The Certificate of Need program has proven instrumental in:

1. Maintaining the viability of our rural healthcare facilities by preventing unnecessary duplication of services that could destabilize existing providers
2. Ensuring that healthcare investments align with genuine community needs rather than market opportunities alone
3. Supporting the continued operation of essential but lower-margin services that are vital to our residents' well-being
4. Promoting thoughtful healthcare planning that considers the unique challenges faced by our rural and small-town communities

In our region, we have witnessed how the CON program helps maintain a delicate balance between healthcare access and economic sustainability. Without these protections, we fear that healthcare services would concentrate in our most populous areas, leaving our rural residents with significant barriers to accessing care.

The program has also fostered valuable collaboration between healthcare providers and local governments, allowing us to work together in identifying and addressing genuine community healthcare needs. This collaborative approach has resulted in more efficient use of healthcare resources and better outcomes for our residents.

We strongly encourage the continuation and enhancement of the Certificate of Need program. Its role in protecting rural healthcare access and ensuring thoughtful healthcare development remains as critical today as when the program was first established.

We welcome any opportunity to discuss this matter further and share specific examples of how the CON program has benefited our communities.

Sincerely,

_____
Susan J. Thomas, Commission President

_____
David Hinkle, Commissioner

_____
Patsy Trecost, Commissioner

A-1

United States of America

State of West Virginia **County of Harrison, ss:**

Clerk's Fiduciary Report

Estate from Wednesday, January 22, 2025, through Tuesday, February 11, 2025

The County Commission of Harrison County this day proceeded to examine the report of the Clerk of the Commission of the Fiduciary and Probate matters had before his during the vacation of the Commission, and it appearing to the Commission that all of the proceedings had therefore ordered that the said report and matters thereto contained be and the same is hereby ratified and confirmed. Said report is in words and figures as follows, to-wit:

On, Wednesday, January 22, 2025, the following matters were disposed of in the presence of the Clerk:

More than 31 days since the date of death or the surviving spouse or heir, upon a motion, **RICHARD W TAYLOR** was appointed and qualified as ADMINISTRATOR of the estate of **ROBERT JAMES STALNAKER**, deceased. Bond was 486,000.00.

On, Thursday, January 23, 2025, the following matters were disposed of in the presence of the Clerk:

The last will and testament of **ERNEST DUANE LOWTHER**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

JASON SIDNEY LOWTHER, who was named in the last will and testament of **ERNEST DUANE LOWTHER**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

On, Monday, January 27, 2025, the following matters were disposed of in the presence of the Clerk:

More than 31 days since the date of death or the surviving spouse or heir, upon a motion, **BYRON SPENCER HALL** was appointed and qualified as ADMINISTRATOR of the estate of **LILLIE GIANN HALL**, deceased. No bond was required.

A duly copy of the last will and testament of **JOHN R CORATHERS**, deceased, late a resident of Marion, WEST VIRGINIA, was admitted to record.

A duly certified copy of the last will and testament of **ROCENA C YOUNG**, deceased, late a resident of GILMER, WEST VIRGINIA, was admitted to record.

A duly exemplified copy of the last will and testament of **ANNA J MIZER**, deceased, late a resident of STARK, OHIO, was admitted to record.

On, Tuesday, January 28, 2025, the following matters were disposed of in the presence of the Clerk:

The said estate of **GENE TAYLOR DODD**, deceased was referred to **NORMAN T FARLEY**, a FIDUCIARY COMMISSIONER for the Harrison County, for settlement thereof.

A duly copy of the last will and testament of **ANGELINA BELL GOODMAN**, deceased, late a resident of , , was admitted to record.

The last will and testament of **MICHAEL WAYNE MCCOURT**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

JOE ANN MATKO, who was named in the last will and testament of **MICHAEL WAYNE MCCOURT**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Wednesday, January 29, 2025, the following matters were disposed of in the presence of the Clerk:

The last will and testament of **NANCY ROSE MAY**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

AMY JO MARKS, who was named in the last will and testament of **NANCY ROSE MAY**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

The last will and testament of **JESSE DAVIS GARRETT**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

ROSCOE GERALD WORKMAN II, who was named in the last will and testament of **JESSE DAVIS GARRETT**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

On, Thursday, January 30, 2025, the following matters were disposed of in the presence of the Clerk:

The said estate of **RONALD KAYE SHULL**, deceased was referred to **JAMES VARNER**, a FIDUCIARY COMMISSIONER for the Harrison County, for settlement thereof.

The last will and testament of **MABLE BEATRICE SOMERVILLE**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

TERESA LYNN ALOI, who was named in the last will and testament of **MABLE BEATRICE SOMERVILLE**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

A duly certified copy of the last will and testament of **CHARLES C TALLMAN**, deceased, late a resident of JACKSON, WEST VIRGINIA, was admitted to record.

A duly certified copy of the last will and testament of **MINNIE TALLMAN**, deceased, late a resident of JACKSON, WEST VIRGINIA, was admitted to record.

A duly certified copy of the last will and testament of **CHARLES FELL TALLMAN**, deceased, late a resident of SUMMERS, WEST VIRGINIA, was admitted to record.

On, Friday, January 31, 2025, the following matters were disposed of in the presence of the Clerk:

More than 31 days since the date of death or the surviving spouse or heir, upon a motion, **MYRA SANDY** was appointed and qualified as ADMINISTRATRIX of the estate of **IRIS KAY FERGUSON**, deceased. Bond was 15,000.00.

A duly exemplified copy of the last will and testament of **GEORGE DUDLEY FORD**, deceased, late a resident of CHESTERFIELD, VIRGINIA, was admitted to record.

A duly copy of the last will and testament of **DONALD SWISHER**, deceased, late a resident of ARAPAHOE, COLORADO, was admitted to record.

A duly certified copy of the last will and testament of **SHIRLEY K SWISHER**, deceased, late a resident of BRAXTON, WEST VIRGINIA, was admitted to record.

On, Monday, February 3, 2025, the following matters were disposed of in the presence of the Clerk:

The said estate of **CONDA KAY MACE**, deceased was referred to **NORMAN T FARLEY**, a FIDUCIARY COMMISSIONER for the Harrison County, for settlement thereof.

More than 31 days since the date of death or the surviving spouse or heir, upon a motion, **ROBERT FINCHAM** was appointed and qualified as SUCCESSOR of the estate of **JANET LEE FINCHAM**, deceased. No bond was required.

On, Tuesday, February 4, 2025, the following matters were disposed of in the presence of the Clerk:

The last will and testament of **JO ANN DAVIS**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

LINDA KAY LOPEZ, who was named in the last will and testament of **JO ANN DAVIS**, deceased, as CO EXECUTRIX thereof, qualified as such. No bond was required.
CATHY JOANN ROMANO, who was named in the last will and testament of **JO ANN DAVIS**, deceased, as CO EXECUTRIX thereof, qualified as such. No bond was required.

The last will and testament of **JUDITH ANNE ASEL**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

ANNE ASEL CARRICO, who was named in the last will and testament of **JUDITH ANNE ASEL**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

A duly certified copy of the last will and testament of **SHARON E MCCOY**, deceased, late a resident of MINERAL, WEST VIRGINIA, was admitted to record.

On, Wednesday, February 5, 2025, the following matters were disposed of in the presence of the Clerk:

The last will and testament of **LARRY JOSEPH POLICANO**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

ANGELA ROSE POLICANO, who was named in the last will and testament of **LARRY JOSEPH POLICANO**, deceased, as ADMINISTRATOR CTA DBN thereof, qualified as such. Bond was 1,000,000.00.

The last will and testament of **DONALD FRANKLIN REED**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

REITA HARPER, who was named in the last will and testament of **DONALD FRANKLIN REED**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

On, Monday, February 10, 2025, the following matters were disposed of in the presence of the Clerk:

The said estate of **PATRICIA BOOTH**, deceased was referred to **ROBERT PEVLER**, a FIDUCIARY COMMISSIONER for the Harrison County, for settlement thereof.

A duly exemplified copy of the last will and testament of **CHARLOTTE N FURBEE**, deceased, late a resident of WASHINGTON, OHIO, was admitted to record.

The last will and testament of **ALICE ASCENITH BAYNE**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

SUSAN CAROL STALNAKER, who was named in the last will and testament of **ALICE ASCENITH BAYNE**, deceased, as EXECUTRIX thereof, qualified as such. No bond was required.

A duly certified copy of the last will and testament of **JOHN BARRETT LAWMAN SR.**, deceased, late a resident of KANAWHA, WEST VIRGINIA, was admitted to record.

The last will and testament of **MARY ELIZABETH DIDOT**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

FRANCOIS ERNEST DIDOT, who was named in the last will and testament of **MARY ELIZABETH DIDOT**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

A duly certified copy of the last will and testament of **NELLIE MARIE LAKE**, deceased, late a resident of MARION, WEST VIRGINIA, was admitted to record.

A duly certified copy of the last will and testament of **JANETTE W BURRELL**, deceased, late a resident of MARION, WEST VIRGINIA, was admitted to record.

A duly exemplified copy of the last will and testament of **THOMAS B ST CLAIR**, deceased, late a resident of BROWARD, FLORIDA, was admitted to record.

On, Tuesday, February 11, 2025, the following matters were disposed of in the presence of the Clerk:

The last will and testament of **URI HEZEKIAH GRIMES JR**, deceased, was proved by the affidavit of the attesting witnesses and the same was admitted to probate and record.

MICHAEL PAUL GRIMES, who was named in the last will and testament of **URI HEZEKIAH GRIMES JR**, deceased, as EXECUTOR thereof, qualified as such. No bond was required.

A duly exemplified copy of the last will and testament of **PENELOPE S SARES**, deceased, late a resident of DUVAL, FLORIDA, was admitted to record.