

BEFORE THE POCAHONTAS COUNTY COMMISSION
POCAHONTAS COUNTY, WEST VIRGINIA

IN RE: THE TOWN OF MARLINTON
MINOR BOUNDARY ADJUSTMENT

CASE NO. _____

**ORDER
AUTHORIZING ANNEXATION BY MINOR BOUNDARY ADJUSTMENT**

The Town of Marlinton, by vote of its Council on May 10, 2004, directed that application to the Pocahontas County Commission be made for annexation of the herein described property by minor boundary adjustment pursuant to §8-6-5 West Virginia Code.

The property sought to be annexed by the Town of Marlinton is own by The Greenbrier County Economic Development Corporation which approves of the annexation.

The property consists of 102.74 acres, more or less, with improvements situate thereon and appurtenances thereunto belonging, Edray District immediately west and adjacent to U.S. Route 219 and particularly described on Exhibit "A" attached hereto.

The Commission upon hearing on June 15, 2004, pursuant to notice duly published in The Pocahontas Times on May 27, 2004 and June 3, 2004, found that no person residing in the territory to be annexed was opposed. There was one statement of opposition made at the hearing by a person who was found not to be a freeholder in the area to be annexed.

The Commission finds that the annexation is a minor boundary adjustment and meets the requirements of West Virginia Code §8-6-5 and will serve the best interests of The Town of Marlinton and Pocahontas County.

WHEREFORE, upon motion the County Commission does hereby **ORDER** that adjustment be made to the corporate limits of The Town of Marlinton to include therein the boundary of real estate herein described. It is further **ORDERED** that a copy of this Order and Schedule "A" be delivered forthwith into the hands of the Assessor of Pocahontas County and to The Town of Marlinton.

ENTERED this the 15th day of June, 2004.

POCAHONTAS COUNTY COMMISSION



President



EXHIBIT "A"

BEGINNING at a 41" White Oak in a fence corner, a corner Industrial Timber & Land and WEB Management Co., thence leaving ITL and with part of a line with WEB Management

S 14-32-40 W 915.19 feet to a 3/4 inch iron pipe, a corner to Richard and Elva Jordan, thence running along a fence line with the Jordan Lots

S 88-47-05 E passing the corners of Richard Jordan, Chris Jordan, and Darrel Jordan in all 640.30 feet to a 3/4 inch iron pipe by a gate post, by a cattle guard, on the line of the Edray Community Center, and a corner to Donald and Judith Ramsey, thence leaving the Community Center and with Ramsey

S 3-45-25 W 367.14 feet to a 3/4 inch iron pipe in the center of the Old Geiger Mill Road, thence

S 17-42-45 W 105.11 feet to a 3/4 inch iron pipe in the center of the Old Geiger Mill Road at a gate, a corner to Ramsey and Travis Shinaberry, thence leaving Ramsey and with Shinaberry and with the center of Old Geiger Mill Road

S 24-37-43 W 97.24 feet to a 1/2 inch iron pipe in road, thence

S 31-59-34 W 75.11 feet to a 1/2 inch iron pipe in road, thence

S 37-40-29 w 106.94 feet to a 1/2 inch iron pipe in road, a corner to Shinaberry and Johnny and Brenda Dean, thence continuing down the road with Dean

S 37-40-29 W 30.38 feet to a 1/2 inch iron pipe, thence

S 27-08-32 W 140.44 feet to a 1/2 inch iron pipe in said Road, and a corner to Dean and Linda Teter, thence leaving Dean and with Teter and the center of the road

S 27-08-32 W 113.82 feet to a point in said road, a corner to Teter, thence

S 57-57-24 E 11.22 feet to a 24" Pin Oak in a fence corner, a corner to Linda Teter and Mary L. Moore, thence

leaving Teter and with Mary Moore and the center of the Geiger Mill Road for the next 12 lines

S 61-48-50 W 81.96 feet to a point in C/L, thence
S 70-06-35 W 87.64 feet to a point in C/L, thence
S 75-22-10 W 138.68 feet to a point in C/L, thence
S 66-51-55 W 215.56 feet to a point in C/L, thence
S 77-02-55 W 125.39 feet to a point in C/L, thence
S 60-25-15 W 45.30 feet to a point in C/L, thence
S 44-10-50 W 165.31 feet to a point in C/L, thence
S 74-47-30 W 141.92 feet to a point in C/L, thence
S 70-39-25 W 75.18 feet to a point in C/L, thence
S 61-53-45 W 211.00 feet to a point in C/L, thence
S 78-29-00 W 78.13 feet to a point in C/L, thence

N 84-28-35 W 81.74 feet to a 3/4 inch iron pipe, a corner to Mary L. Moore and the 40.16 acre tract of William Shafer's, thence continuing on with Moore

S 2-56-15 W 904.90 feet to a 1/2 inch iron pipe, a corner to Mary L. Moore and James Wolverton and Norma Amick, from which a 12" Chestnut Oak bears S 50 W 3.50 feet, thence leaving Moore and with Wolverton and Amick for the next 2 lines

N 9-55-10 W 2277.00 feet to a 1/2 inch iron pipe on the side of a hill, from which a 10" Hemlock bears S 22 E 3.75 feet, and a 6 inch Hemlock bears N 72 E 3.25 feet, thence

S 65-30-25 W 499.38 feet to a 1/2 inch iron pipe at the foot of the hill, a corner to Pocahontas Fish and Game Adventures, thence leaving Wolverton and Amick and with Poca. Fish and Game Adv. for the next 9 lines

N 13-31-00 W 185.18 feet to a 1/2 inch iron pipe at the foot of the hill just on the East side of Stony Creek, thence

N 45-02-20 E 387.08 feet to a 1/2 inch iron pipe at the foot of the hill, thence

N 26-30-10 E 249.41 feet to a 1/2 inch iron pipe at the foot of the hill, thence

N 3-13-35 E 222.61 feet to a ½ inch iron pipe at the foot of the hill, thence

N 34-41-05 W 171.66 feet to a ½ inch iron pipe at the foot of the hill, thence

N 51-24-25 W 271.74 feet to a ½ inch iron pipe at the foot of the hill, thence

N 21-00-25 W 218.56 feet to a ½ inch iron pipe at the foot of the hill, thence

N 5-55-40 W 123.79 feet to a ½ inch iron pipe at the foot of the hill, thence

N 12-22-55 E running out into Stony Creek and back to the East side and passing a ½ inch iron pipe, a corner to Pocahontas Fish & Came Adventures and Phillip Shafer at 248.63 feet, continuing on same course in all 279.88 feet to a ½ inch iron pipe a corner to Phillip Shafer and on the line of DNR from which a ¾ inch iron pipe a corner to W.Va. DNR and Phillip Shafer bears S 86-16-10 W 250.00 feet, thence leaving Shafer and with W.Va. DNR

N 86-16-10 E passing a ½ inch iron pipe a corner to W.Va. DNR and Mary Frances Barlow at 236.73 feet, continuing on same course in all 359.73 to a 24" White Oak found on the side of the hill in a fence line, thence continuing on with Mrs. Barlow

N 78-18-30 E 416.49 feet to a ½ inch iron pipe found in a oak stump, a corner to Kevin and Virginia Shaw thence leaving Barlow and with Shaw

S 3-44-50 E passing a corner to Kevin and Virginia Shaw and Norman Shaw, Jr., at 668.08 feet continuing on same course with Norman Shaw in all 728.24 feet to a found stone in a fence corner, a corner to Shaw, thence with part of a line with Norman Shaw

N 87-14-05 E passing a corner to Norman Shaw Jr., and Industrial Timber and Land Co., at 266.99 feet, in all 1298.92 feet to the point of beginning and containing 104.74 acres, more or less, as surveyed by William E. Dilley, L.L.S. of Dunmore, West Virginia, in April 1986, and in May

1988, and compiled to make one tract of land on April 17, 2000, and as shown upon a plat of record in the Office of the Clerk of the County Commission of Pocahontas County, West Virginia.

And being the same tract or parcel of real estate as acquired by GREENBRIER VALLEY ECONOMIC DEVELOPMENT CORPORATION by Deed from William N. Shafer and Patricia E. Shafer which said Deed is dated November 1, 2000 and of record in the Office of the Clerk of the Pocahontas County Commission in Deed Book 269 at page 679.

This real estate is carried upon the Land Book of Pocahontas County, West Virginia and shown as Map 51 parcel 27.

There is accepted and reserved from the area annexed by this minor boundary adjustment a parcel of 2.00 acres, more or less, having been conveyed by Deed by the Greenbrier Valley Development Corporation to Don Ramsey and Judy Ramsey which said Deed is dated July 17, 2002 and which said Deed is of record in the Office of the Clerk of the Pocahontas County Commission in Deed Book 279 at page 289.

The said two acres is described as follows:

BEGINNING at an iron pin set, with said point being S 14-27' 07" E 166.62 feet from an iron pipe corner found in field fence line which is a corner to Richard and Elva Jordan, thence running through Greenbrier Valley Economic Development Corporation (GVEDC) lands; S 88 36' 34" E 249.15 feet to an iron pin set, thence S 01 23' 26" W 349.67 feet to an iron pin set, thence N 88 36' 34" W 249.15 feet to an iron pin set, thence N 01 23' 26" E 349.67 feet to the beginning and containing 2.00 acres, more or less.