

BEFORE THE COUNTY COMMISSION OF RITCHIE COUNTY, WEST VIRGINIA

IN RE:

ANNEXATION INTO THE CITY OF PENNSBORO
BY MINOR BOUNDARY ADJUSTMENT

Ritchie County
Amelia Harbarger, Clerk
Instrument 20260004281
06/09/2026 @ 02:25:15 PM
ORDER
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O R D E R

On this seventh day of May, 1990, pursuant to the last order previously entered herein, appeared The City of Pennsboro, a municipal corporation, petitioner, by Paul L. Villers, her mayor, for hearing on the PETITION seeking annexation of certain territory into The City of Pennsboro by minor boundary adjustment.

The Mayor then tendered the AFFIDAVIT OF REESE HENDERSON, demonstrating posting of the notice required by statute, and there is herewith tendered the AFFIDAVIT OF JAMES E. MCGOLDRICK reflecting publication of the required legal notice in *The Pennsboro News* for the issues of April 18 and April 25, 1990, which affidavits are by the Commission hereby ORDERED filed.

There also appeared before the Commission Reese Henderson, Helen Henderson, Glenn Shive and Dr. and Mrs. Joseph E. LeVos. Upon the showing made by the Mayor, the Commission is of the opinion that the statutory requirements for annexation have been met, and that the notices required by statute have been posted and published. However, Dr. and Mrs. LeVos and the Mayor of the petitioner represented that the legal description published in the PETITION and in the notices erroneously contained the residential real property of Dr. and Mrs. Levos, which was not intended to be included in the area annexed, and by agreement, their property, consisting of 1.77 acres at the extreme easterly corner of the property sought to be annexed herein, and as hereinafter described, shall be deleted from the property to be annexed and not included therewith.

WHEREUPON, Helen J. Henderson (now Vance) appeared and objected to the inclusion of her property in the property to be annexed. The petitioner agreed to delete her property from the property sought to be annexed, which agreement was by the Commission approved.

There being no other persons present to object to the annexation of the smaller tract of land resulting from the deletion of the LeVos and Henderson (Vance) properties, the Commission doth hereby ORDER, ADJUDGE and DECREE that, as amended by the deletion of the LeVos property and the Henderson (Vance) properties, the PETITION heretofore filed by The City of Pennsboro be, and it is hereby, sustained and granted and that, from and after the date of entry of this order, the following real property now located in the District of Clay, County of Ritchie and State of West Virginia, be, and it is hereby, annexed into and made a part of the corporate boundaries of The City of Pennsboro, which property so annexed is described as follows, to-wit:

BEGINNING at the intersection of the existing boundary line of The City of Pennsboro at its intersection with the easterly right of way line of West Virginia Secondary Route 74; thence proceeding along the easterly right of way line of West Virginia Secondary Route 74, with the meanders thereof, to the common intersection of the right of way of West Virginia Secondary Route 74, the lands of Reese Henderson (Clay District Tax Map No. 25, Tract No. 38) and the lands of Helen J. Henderson (Clay District Tax Map No. 25, Tract No. 43) and thence running with the outside boundaries of the aforesaid Reese Henderson property, the following three courses and distances, to-wit: South 64 degrees East 32 poles to a concrete marker; North 19-1/2 degrees East 36 poles to a concrete marker; North 83 degrees West 12 poles to a concrete marker; thence leaving the outside boundaries of the aforesaid Reese Henderson property and with the westerly boundary of the aforesaid Helen J. Henderson property the following courses and distances: North 16 degrees East 10 poles to a concrete marker; thence South 83 degrees East 2-3/5 poles to a concrete marker; thence North 27-1/2 degrees East to the common corner of the easterly boundary line of the McPeek property and the current corporate boundary of The City of Pennsboro; thence with the existing corporate boundary line of The City of Pennsboro, in a westerly direction, to its intersection with the easterly right of way line of West Virginia Secondary Route No. 74, the place of beginning.

It is the intention of this description to include all of the aforesaid Reese Henderson property, shown on Clay District Tax Map No. 25 as Tract 38 thereof, as well as the lands of Masters shown on said Tax Map as Parcels 37 and 37.1 thereon; all the land of McPeek shown on said Tax Map as Tract 27 thereon; and such portion of the McPeek property shown on said Tax Map as Tracts 23 and 21 as are not now encompassed within the corporate boundaries of The City of Pennsboro, as well as all of that portion of Tract 20 on said Tax Map as is not now encompassed within the corporate boundaries of The City of Pennsboro, such that, upon conclusion of this annexation, all of Tract 20, 21, 23, 27, 37, 37.1 and 38 on Clay District Tax Map No. 25 not already

incorporated into The City of Pennsboro shall be included therein, and any divergence between the calls and distances set forth hereinabove and this declaration shall be resolved in favor of this clarifying declaration.

The Clerk is hereby directed to provide a certified copy of this order to the Sheriff and the Assessor for tax assessment purposes, as well as to the Clerk of The City of Pennsboro.

ENTER:

THE COUNTY COMMISSION
OF THE COUNTY OF RITCHIE

By: James E. Beck
As its President.

By: Paul C. Ryan
As a Commissioner thereof.

By: Jack M. Cunningham
As a Commissioner thereof.

PREPARED BY:

Richard A. Hayhurst
Richard A. Hayhurst, Counsel for Petitioner

81204-01

STATE OF WEST VIRGINIA,
COUNTY OF RITCHIE, to-wit:

I, Linda B. Maze, Clerk of the County Commission of the County and State aforesaid, do certify that the foregoing is a true copy of an excerpt of the minutes of a meeting of the County Commission of Ritchie County, West Virginia, held on the 7th day of May, 1990.

Given under my hand and seal of the said Commission this 13th day of June, 1990.

Linda B. Maze
Clerk of the County Commission
of Ritchie County, West Virginia