

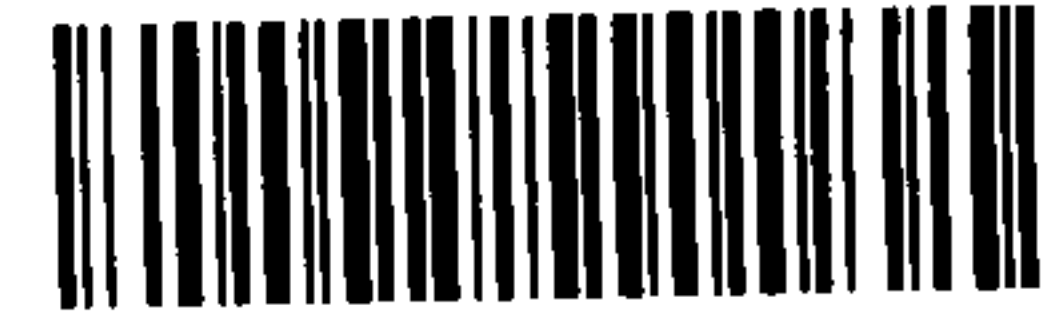
Return To:

Joe Scarberry

WVDNR-Office of Land & Streams

324 4th Avenue, Room 200

South Charleston, WV 25303



DEED OF EXCHANGE

THIS DEED OF EXCHANGE made as of this 26th day of September 2018, by and between the **TUCKER COUNTY DEVELOPMENT AUTHORITY, INC.**, party of the first part, and the **STATE OF WEST VIRGINIA, DEPARTMENT OF COMMERCE, DIVISION OF NATURAL RESOURCES**, an agency of the State of West Virginia, party of the second part.

WHEREAS, the parties desire exchange properties in order to better develop, utilize and manage said properties adjacent to each other and;

WHEREAS, it is the desire of the parties hereto to make and exchange of property in which the Tucker County Development Authority will convey unto the State of West Virginia, Department of Commerce, Division of Natural Resources, for the use and benefit of the Wildlife Resources Section, a parcel of land (20.59 acres, m/l) adjacent to and bordering the Little Canaan Wildlife Management Area, and in return, the State of West Virginia, Department of Commerce, Division of Natural Resources, for the use and benefit of the Wildlife Resources Section, will convey to the Tucker County Development Authority a parcel of land (27.45 acres, m/l) adjacent to and boarding their property known as the Tucker County Industrial Park.

W I T N E S S E T H:

NOW, THEREFORE, WITNESSETH, for and in consideration of the sum of **ONE DOLLAR (\$1.00)**, cash in hand paid and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the party of the first part does hereby grant, bargain, sell and convey unto the party of the second part, with Covenants of General Warranty of title, the hereinafter described 1.85 acre, m/l, and 18.74 acre, m/l parcels containing 20.59 acres, m/l on the south side of Beaver Creek, in the east side of the Town of Davis, Tucker County, West Virginia, being more particularly described as follows:

All as shown on Exhibit A, attached hereto and made apart hereof and shown as parcels A and B on the plat of survey dated October 10, 2017, a being portions of the same property conveyed unto the Tucker County Development Authority by deed dated March 27, 1996 and recorded in the Tucker County Clerk's Office in Deed book 152 at page 75.

FURTHER WITNESSEETH: That for and in consideration of the sum of ONE DOLLAR (\$1.00) cash in hand paid, and the mutual benefits to be derived herefrom the receipt of all of which is hereby acknowledged, the State of West Virginia, Department of Commerce, Division of Natural Resources, for the use and benefit of the Wildlife Resources Section, and pursuant to the Authority vested in it by Chapter 20, of the code of West Virginia, does hereby grant, bargain, sell and convey unto the parties of the first part, the surface of the hereinafter described .43 acre, m/l and 27.02, m/l parcels containing 27.45 acres, m/l all as shown on Exhibit A, and shown as parcels C and D on the plat of survey dated October 10, 2017, and being portions of the same property conveyed unto the State of West Virginia, Department of Commerce, Division of Natural Resources, by deed dated April 16, 2012, and recorded in the Tucker County Clerk's Office in Deed book 209 at page 278.

DECLARATION OF CONSIDERATION OF VALUE

The transfer involved in the document to which this declaration is appended is not subject to the State excise tax upon the privilege of transferring real estate for the reason that it is a transfer from the State of West Virginia.

IN WITNESS WHEREOF, the Tucker County Development Authority and the State of West Virginia, Department of Commerce, Division of Natural Resources, by the Director of the Division of Natural Resources.

ATTEST

TUCKER COUNTY DEVELOPMENT AUTHORITY

Melissa Nestor

[seal]

BY: Wayne C. Smith  
ITS: PRESIDENT

ATTEST

STATE OF WEST VIRGINIA  
DEPARTMENT OF COMMERCE,  
DIVISION OF NATURAL RESOURCES

Justin A. Rooney  
[seal]

BY: [Signature]  
Its Director

Return To:  
Joe Scarberry  
WVDNR-Office of Land & Streams  
324 4th Avenue, Room 200  
South Charleston, WV 25303

Approved as to form prior to acknowledgment thereof  
this 9th day of August, 2018.

Patrick Morrissey, Attorney General  
By: [Signature]

STATE OF Tucker  
COUNTY OF Tucker, To-Wit:

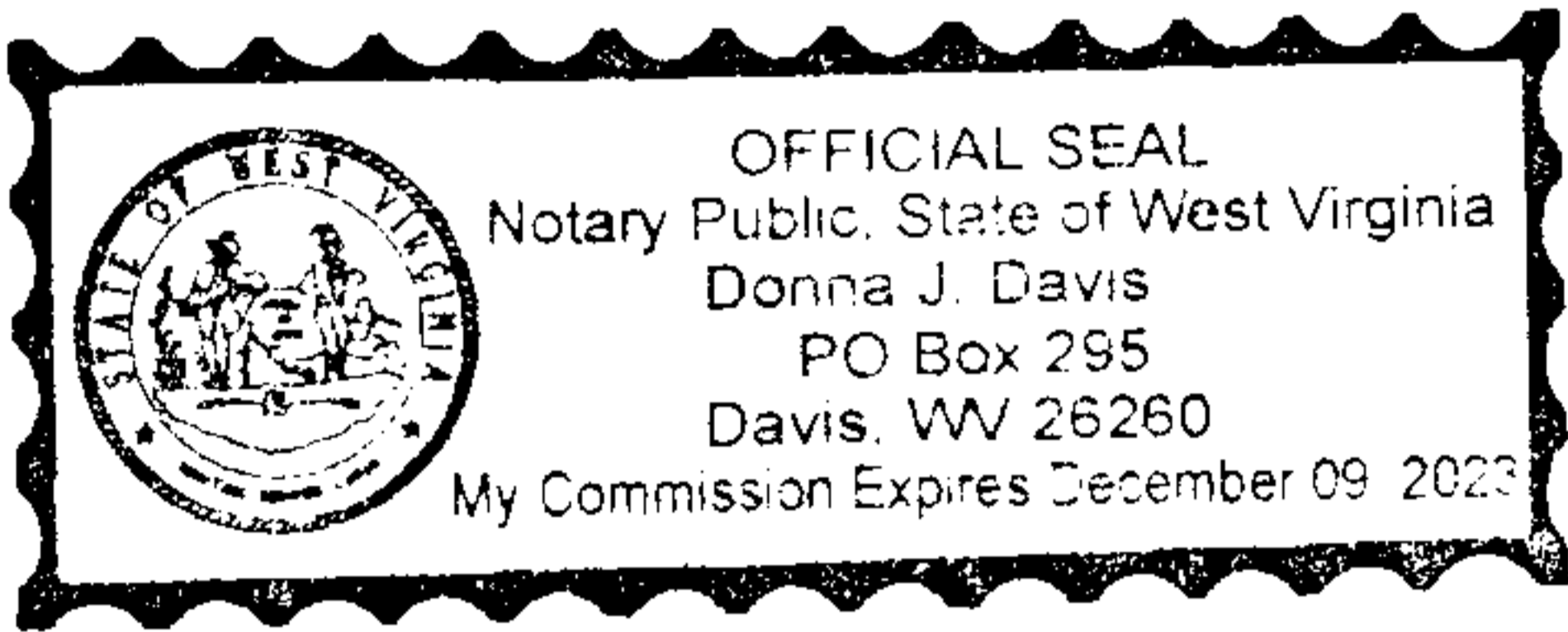
I, Donna J. Davis, a Notary Public in and for the county and state aforesaid, do hereby certify Wayne C Smith, PRESIDENT of the Tucker County Development Authority who signed the writing hereto annexed, bearing date the 26th day of September 2018, has this day in my said County, before me, acknowledged said writing to be the act and deed of said Development Authority.

Given under my hand this 11 day of October, 2018.

My commission expires December 09, 2023

Donna J. Davis  
Notary Public

[Seal]



STATE OF West Virginia  
COUNTY OF Kanawha, To-Wit:

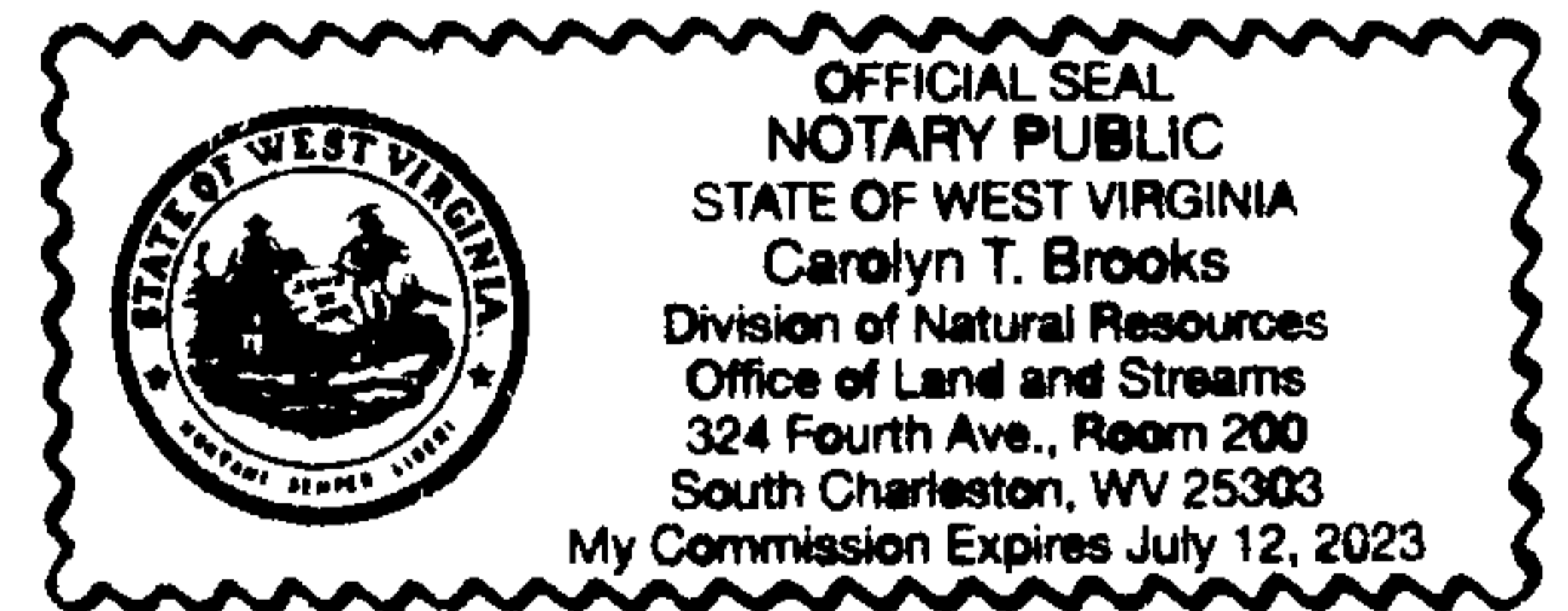
I, Carolyn T Brooks, a Notary Public in and for the county and state aforesaid, do hereby certify that Stephen S. McDaniel, Director of the WV Division of Natural Resources, who signed the writing hereto annexed, bearing date the 26th day of September 2018, has this day in my said County, before me, acknowledged said writing to be the act and deed of said Division of Natural Resources.

Given under my hand this 18<sup>th</sup> day of October, 2018.

My commission expires 7/12/2023.

Carolyn T. Brooks  
Notary Public

[Seal]



Prepared by:  
Office of Land & Streams  
Division of Natural Resources  
WV Department of Commerce  
South Charleston, West Virginia 25303

Return To:  
Joe Scarberry  
WVDNR-Office of Land & Streams  
324 4th Avenue, Room 200  
South Charleston, WV 25303

**Description of Survey for Tucker County Development Authority  
Parcel D, 27.02 Acres, North of Beaver Creek  
For Conveyance From W.Va. DNR to TCDA**

A parcel of land lying on the north side of Beaver Creek in the east side of the Town of Davis, Tucker County, West Virginia, designated as Parcel D on the plat attached to and made a part of this description; and being more particularly described as follows:

Beginning at corner 5, a point in the center of Beaver Creek on the line between the Tucker County Development Authority and the State of West Virginia, Department of Commerce, Division of Natural Resources, which is also the line between the Town of Davis and Davis District, said point lying S 60-01 W 3186.32 feet from corner 2, the southeastern corner of the Tucker County Development Authority Tract; thence from corner 5 running with the center of Beaver Creek through the DNR tract

- S 28-35 W 94.27 feet;**
- S 27-59 W 71.95 feet;**
- S 25-15 W 78.68 feet;**
- S 09-29 W 22.85 feet;**
- S 02-23 E 36.37 feet;**
- S 08-29 E 67.97 feet;**
- S 12-38 E 251.93 feet;**
- S 10-42 E 52.08 feet;**
- S 13-41 E 77.49 feet;**
- S 03-10 E 88.13 feet;**
- S 00-24 W 63.82 feet;**
- S 21-52 W 60.44 feet;**
- S 36-50 W 46.58 feet;**
- S 40-54 W 92.47 feet;**
- S 59-14 W 32.99 feet;**
- S 54-03 W 77.67 feet;**
- S 58-47 W 61.01 feet;**
- S 63-15 W 72.55 feet;**
- S 64-05 W 79.63 feet;**
- S 66-55 W 63.84 feet;**
- S 80-01 W 127.65 feet;**
- S 80-35 W 101.90 feet;**

**Description of Survey for Tucker County Development Authority  
Parcel D, 27.02 Acres, North of Beaver Creek  
For Conveyance From W.Va. DNR to TCDA**

**S 82-18 W 92.82 feet;**

**S 87-22 W 72.54 feet;**

**N 79-23 W 108.48 feet;**

**S 89-06 W 86.13 feet;**

**S 86-12 W 86.08 feet;**

**S 84-46 W 55.55 feet;**

**S 87-21 W 65.26 feet;**

**S 83-01 W 119.59 feet;**

**S 53-55 W 80.47 feet;**

**S 45-19 W 63.17 feet;**

**S 54-06 W 77.08 feet** to corner 6, a point in the center of the creek on the existing boundary between the DNR and West Virginia Power & Transmission; thence with that line leaving Beaver Creek

**N 19-33 W 33.62 feet** to corner 6A, a set 5/8 inch by 40 inch rebar with blue plastic cap

**N 19-33 W 429.84 feet** to corner 7, corner to West Virginia Power & Transmission on a line of the Development Authority tract, a set 3/8 inch by 12 inch spike in a root on the southeast side of a multi-trunked yellow birch, with a set rebar with cap on the northeast side of the root, from said spike a found 3/4 inch rebar, corner 7A, bears S 60-01 W 798.01 feet; thence from corner 7 running with the line of the Development Authority tract, which is also the line between the Town of Davis and Davis District

**N 60-01 E 1965.62 feet** to the beginning;

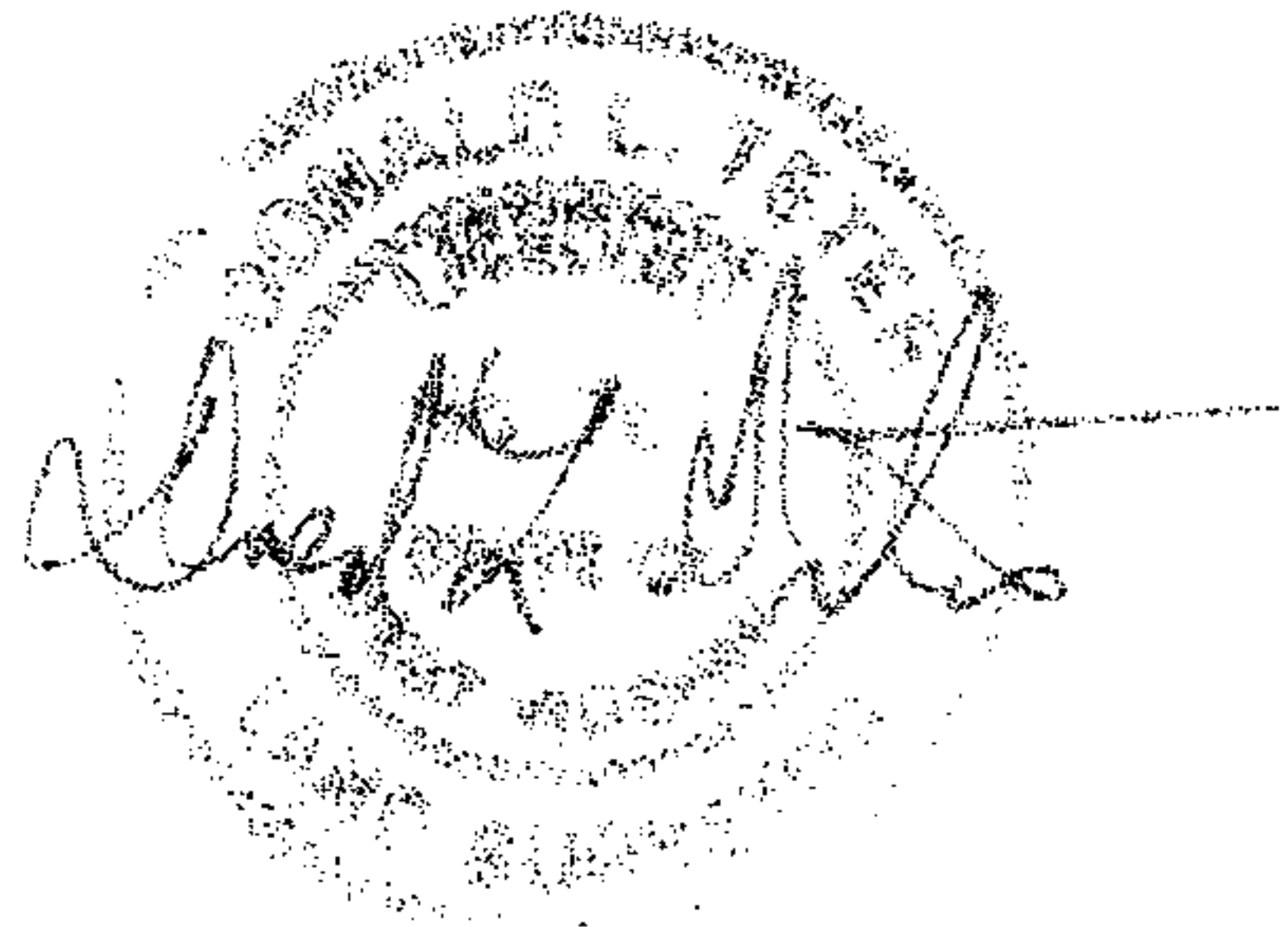
Containing **27.02 acres**, more or less, as surveyed in 2017 by Donald L. Teter.

Being part of the same property conveyed by Canaan Valley Institute, Inc., to the State of West Virginia, Department of Commerce, Division of Natural Resources, by deed dated April 16, 2012, and recorded in Tucker County Deed Book 209 at page 278;

Also being part of parcel 9 on Tax Map 250, Davis District, Tucker County, West Virginia.

October 3, 2017

Donald L. Teter, PS 767  
517 Valley Fork Road  
Monterville, WV 26282



**Description of Survey for Tucker County Development Authority  
Parcel C, 0.43 Acre, North of Beaver Creek  
For Conveyance From W.Va. DNR to TCDA**

A parcel of land lying on the north side of Beaver Creek, on the east side of the Town of Davis, in Davis District, Tucker County, West Virginia, designated as Parcel C on the plat attached to and made a part of this description; and being more particularly described as follows:

Beginning at corner 3, a point in the center of Beaver Creek on the line between the Tucker County Development Authority and the State of West Virginia, Department of Commerce, Division of Natural Resources, which is also the line between the Town of Davis and Davis District, said point lying S 60-01 W 1025.72 feet from corner 2, the southeastern corner of the Tucker County Development Authority Tract; thence from corner 3 running with the center of Beaver Creek through the DNR tract

**S 36-04 W 74.68 feet;**

**S 27-54 W 116.40 feet;**

**S 47-05 W 71.96 feet;**

**N 77-47 W 14.90 feet;**

**N 67-07 W 123.33 feet** to corner 4, a point in the center of the creek on the existing boundary between the Development Authority and the DNR; thence with that line which is also the line between the Town of Davis and Davis District

**N 60-01 E 322.47 feet** to the beginning;

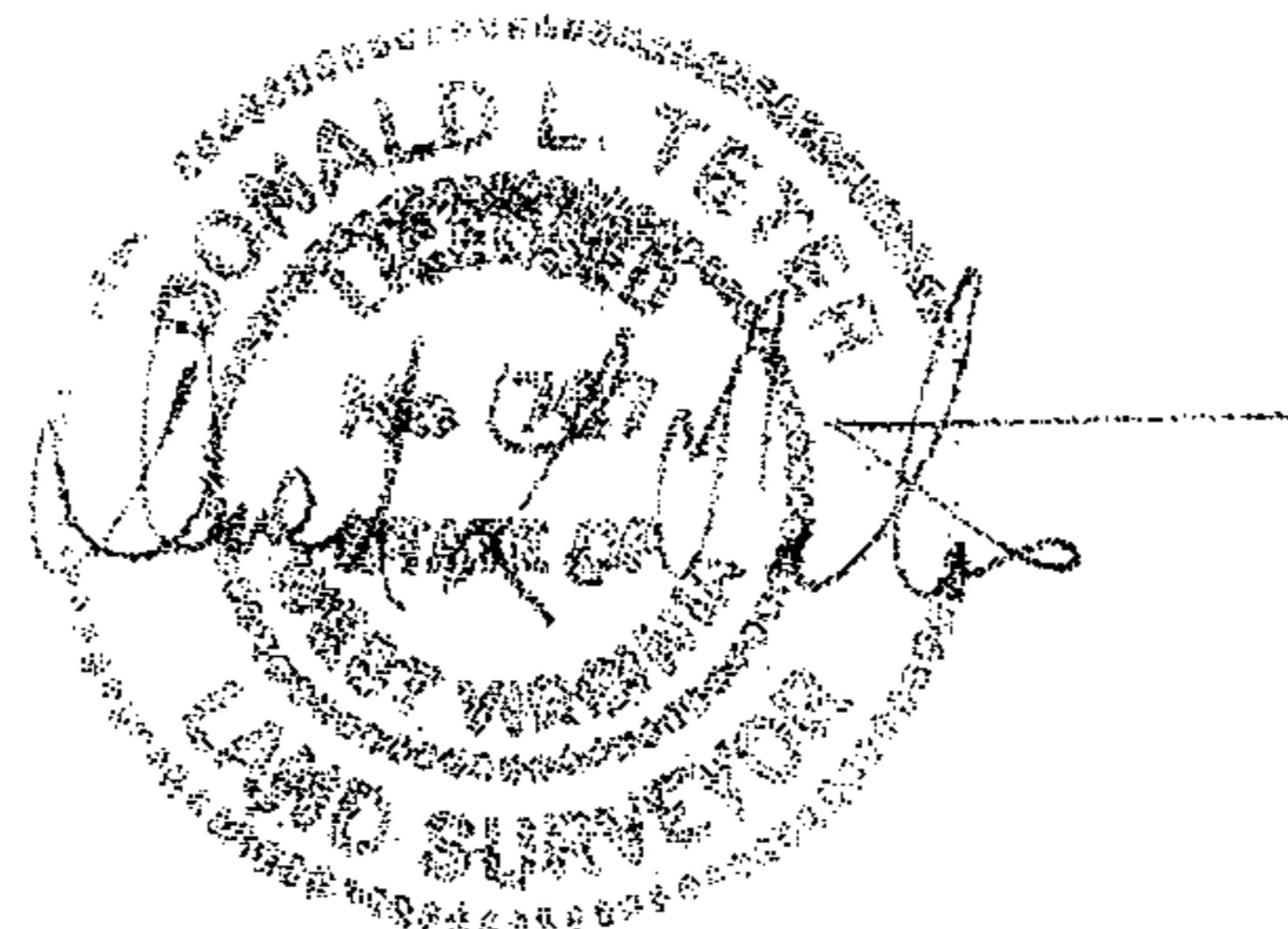
Containing **0.43 acre**, more or less, as surveyed in 2017 by Donald L. Teter.

Being part of the same property conveyed by Canaan Valley Institute, Inc., to the State of West Virginia, Department of Commerce, Division of Natural Resources, by deed dated April 16, 2012, and recorded in Tucker County Deed Book 209 at page 278;

Also being part of parcel 9 on Tax Map 250, Davis District, Tucker County, West Virginia.

October 3, 2017

Donald L. Teter, PS 767  
517 Valley Fork Road  
Monterville, WV 26282



**Description of Survey for Tucker County Development Authority  
Parcel A, 1.85 Acres, South of Beaver Creek  
For Conveyance to DNR**

A parcel of land lying on the south side of Beaver Creek, in the east side of the Town of Davis, Tucker County, West Virginia; being designated Parcel A on the plat attached to and made a part of this description and being more particularly described as follows:

Beginning at corner 1, a point in the center of Beaver Creek, corner to the West Virginia Power & Transmission remainder and to the West Virginia Division of Natural Resources on the line of the Tucker County Development Authority; thence leaving the creek with the existing boundary between those tracts

**S 29-59 E 144.29 feet** to corner 2, a found ¾ inch rebar; thence continuing with the existing boundary

**S 60-01 W 1025.72 feet** to corner 3, a point in the center of Beaver Creek, thence running through the Development Authority tract, with the center of Beaver Creek

**N 36-04 E 15.62 feet;**

**N 39-19 E 88.99 feet;**

**N 47-53 E 115.66 feet;**

**N 42-14 E 83.21 feet;**

**N 48-52 E 90.07 feet;**

**N 57-20 E 55.99 feet;**

**N 63-04 E 56.10 feet;**

**N 67-19 E 132.24 feet;**

**N 75-43 E 71.30 feet;**

**N 62-27 E 83.02 feet;**

**N 53-40 E 56.91 feet;**

**N 50-06 E 56.54 feet;**

**N 41-10 E 75.49 feet;**

**N 30-43 E 79.30 feet** to the beginning;

**Description of Survey for Tucker County Development Authority  
Parcel A, 1.85 Acres, South of Beaver Creek  
For Conveyance to DNR**

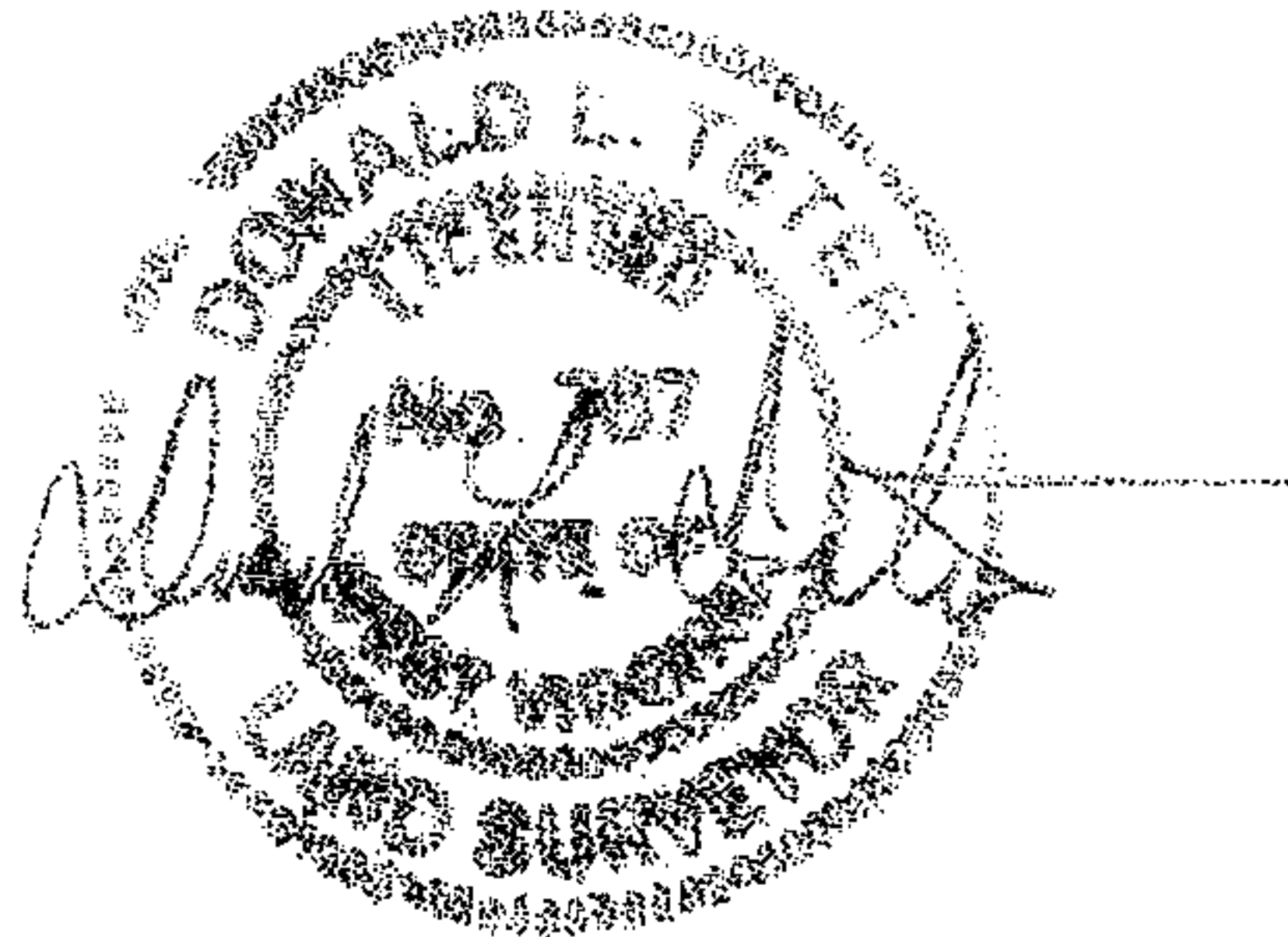
Containing **1.85 acres**, more or less, as surveyed in 2017 by Donald L. Teter.

Being part of the same property conveyed by the County Commission of Tucker County, West Virginia, to Tucker County Development Authority, Inc., by deed dated March 27, 1996, and recorded in Tucker County Deed Book 152 at page 75;

And also being part of parcel 1.1 on Tax Map 250, Town of Davis, Tucker County, West Virginia.

October 3, 2017

Donald L. Teter, PS 767  
517 Valley Fork Road  
Monterville, WV 26282



**Description of Survey for Tucker County Development Authority  
Parcel B, 18.74 Acres, South of Beaver Creek  
For Conveyance to DNR**

A parcel of land lying on the south side of Beaver Creek, in the east side of the Town of Davis, Tucker County, West Virginia; being designated Parcel B on the plat attached to and made a part of this description and being more particularly described as follows:

Beginning at corner 4, a point in the center of Beaver Creek, on the line between the Tucker County Development Authority and the West Virginia Division of Natural Resources, said point lying S 60-01 W 1348.19 feet from corner 2, a found  $\frac{3}{4}$  inch rebar at the southeastern corner of the Industrial Park tract; thence from corner 4 leaving the creek with the existing boundary between those tracts, which is also the line between the Town of Davis and Davis District

**S 60-01 W 1838.13 feet** to corner 5, a point in the center of Beaver Creek, thence running through the Development Authority tract, with the center of Beaver Creek

**N 28-35 E 27.52 feet;**

**N 32-06 E 130.89 feet;**

**N 35-12 E 64.35 feet;**

**N 29-57 E 114.56 feet;**

**N 40-05 E 83.03 feet;**

**N 44-34 E 72.33 feet;**

**N 50-59 E 70.77 feet;**

**N 47-33 E 77.01 feet;**

**N 62-03 E 112.46 feet;**

**N 31-12 E 11.30 feet;**

**N 11-25 E 109.42 feet;**

**N 10-48 W 70.64 feet;**

**N 00-38 E 33.39 feet;**

**N 17-55 E 49.04 feet;**

**N 32-42 E 20.89 feet;**

**Description of Survey for Tucker County Development Authority  
Parcel B, 18.74 Acres, South of Beaver Creek  
For Conveyance to DNR**

**N 44-32 E 91.63 feet;**

**N 32-43 E 84.65 feet;**

**N 15-28 E 62.43 feet;**

**N 13-28 E 49.54 feet;**

**N 11-25 E 57.75 feet;**

**N 27-01 E 14.16 feet;**

**N 16-12 E 27.84 feet;**

**N 29-14 E 68.10 feet;**

**N 43-36 E 115.19 feet;**

**N 42-17 E 149.65 feet;**

**N 53-18 E 63.05 feet;**

**N 58-39 E 103.97 feet;**

**N 60-00 E 59.26 feet;**

**N 81-13 E 72.02 feet;**

**S 86-44 E 11.79 feet;**

**S 72-48 E 48.04 feet;**

**S 42-23 E 74.34 feet;**

**S 23-21 E 81.08 feet;**

**S 21-21 E 81.47 feet;**

**S 22-47 E 69.74 feet;**

**S 18-17 E 77.28 feet;**

**Description of Survey for Tucker County Development Authority  
Parcel B, 18.74 Acres, South of Beaver Creek  
For Conveyance to DNR**

**S 22-46 E 183.17 feet;**

**S 45-44 E 158.56 feet;**

**S 67-07 E 15.81 feet to the beginning;**

Containing **18.74 acres**, more or less, as surveyed in 2017 by Donald L. Teter.

Being part of the same property conveyed by the County Commission of Tucker County, West Virginia, to Tucker County Development Authority, Inc., by deed dated March 27, 1996, and recorded in Tucker County Deed Book 152 at page 75;

And also being part of parcel 1.1 on Tax Map 250, Town of Davis, Tucker County, West Virginia.

October 3, 2017

Donald L. Teter, PS 767  
517 Valley Fork Road  
Monterville, WV 26282



*Sherry Simmons*

# Plat of Survey for Tucker County Development Authority

Parcels A and B being part of the same property conveyed by the County Commission of Tucker County, West Virginia, to Tucker County Development Authority, Inc., by deed dated March 27, 1996, and recorded in Tucker County Deed Book 152 at page 75;

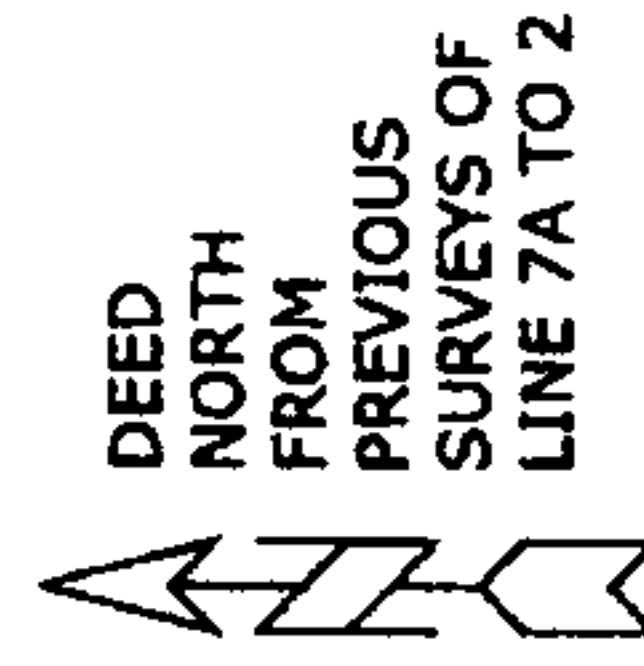
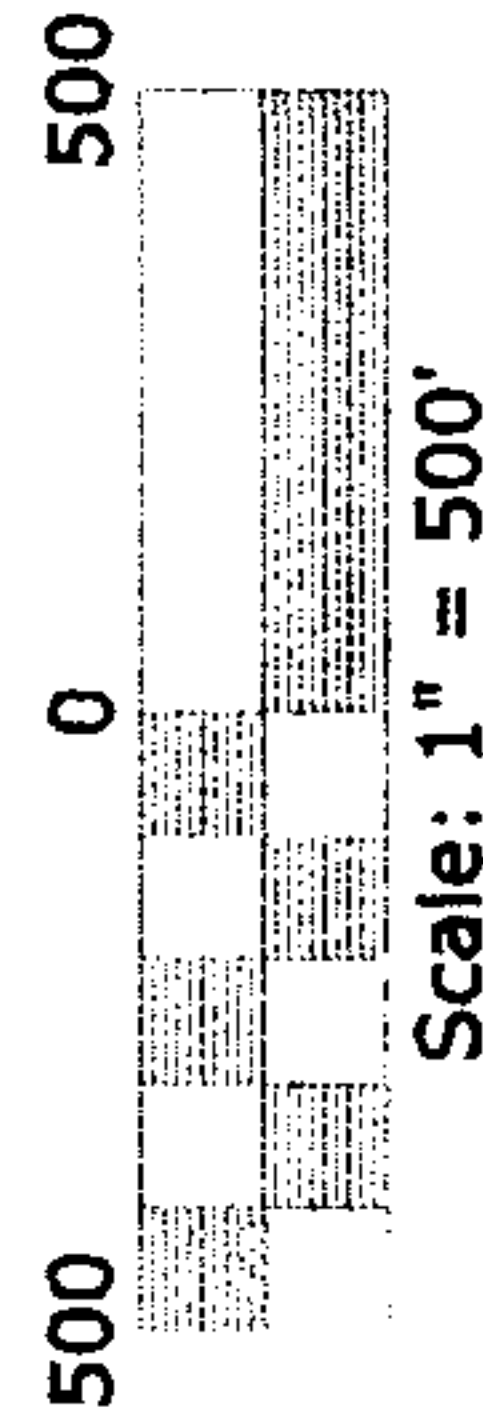
With said Parcels A and B also being parts of parcel 1.1 on Tax Map 250, Town of Davis, Tucker County, West Virginia.

Parcels C and D being part of the same property conveyed by Canaan Valley Institute, Inc., to the State of West Virginia, Department of Commerce, Division of Natural Resources, by deed dated April 16, 2012, and recorded in Tucker County Deed Book 209 at page 278;

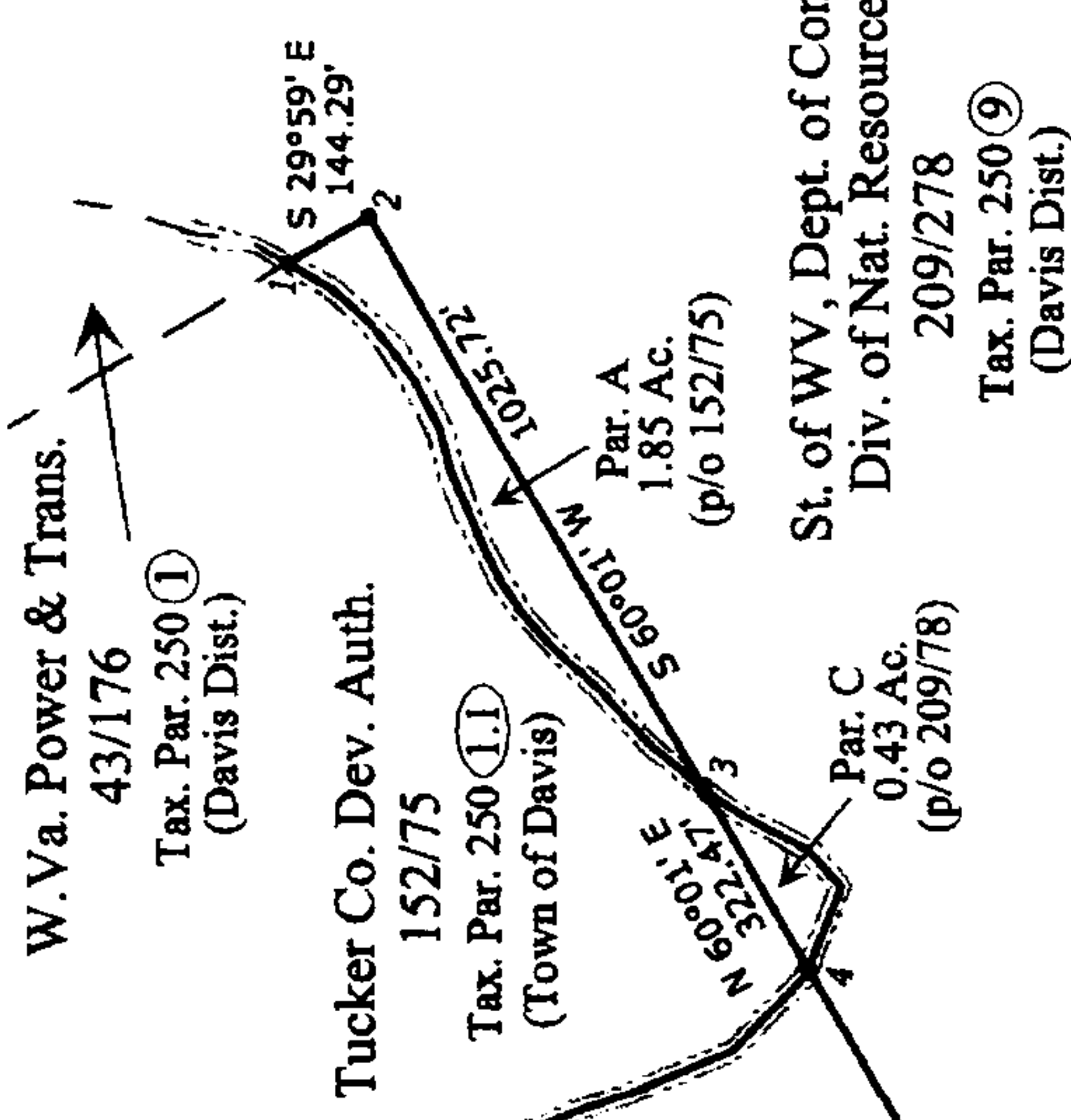
With Parcels C and D also being parts of parcel 9 on Tax Map 250, Davis Dist.

### Corner Notes:

- 1, 3, 4, 5, 6 - Points in center of Beaver Creek.
- 2, 7A - Found 3/4" rebar
- 6A - Set 5/8" by 40" rebar with blue plastic cap.
- 7 - set 3/8" by 12" spike in root on SE side of multi-trunked yellow birch, with set rebar on NE side of root.



(Par. D)	Cor. 5 to cor. 6, with ctr. of Beaver Creek
S 28°35' W	94.27'
S 27°59' W	71.95'
S 25°15' W	78.68'
S 09°29' W	22.85'
S 02°23' E	36.37'
S 08°29' E	67.97'
S 12°38' E	251.93'
S 10°42' E	52.08'
S 13°41' E	77.49'
S 03°10' E	88.13'
S 00°24' W	63.82'
S 21°52' W	60.44'
S 36°50' W	46.58'
S 40°54' W	92.47'
S 59°14' W	32.99'
S 54°03' W	77.67'
S 58°47' W	61.01'
S 63°15' W	72.55'
S 64°05' W	79.63'
S 66°55' W	63.84'
S 80°01' W	127.65'
S 80°35' W	101.90'
S 82°18' W	92.82'
S 87°22' W	72.54'
N 79°23' W	108.48'
S 89°06' W	86.13'
S 86°12' W	86.08'
S 84°46' W	55.55'
S 87°21' W	65.26'
S 83°01' W	119.59'
S 53°55' W	80.47'
S 45°19' W	63.17'
S 54°06' W	77.08'



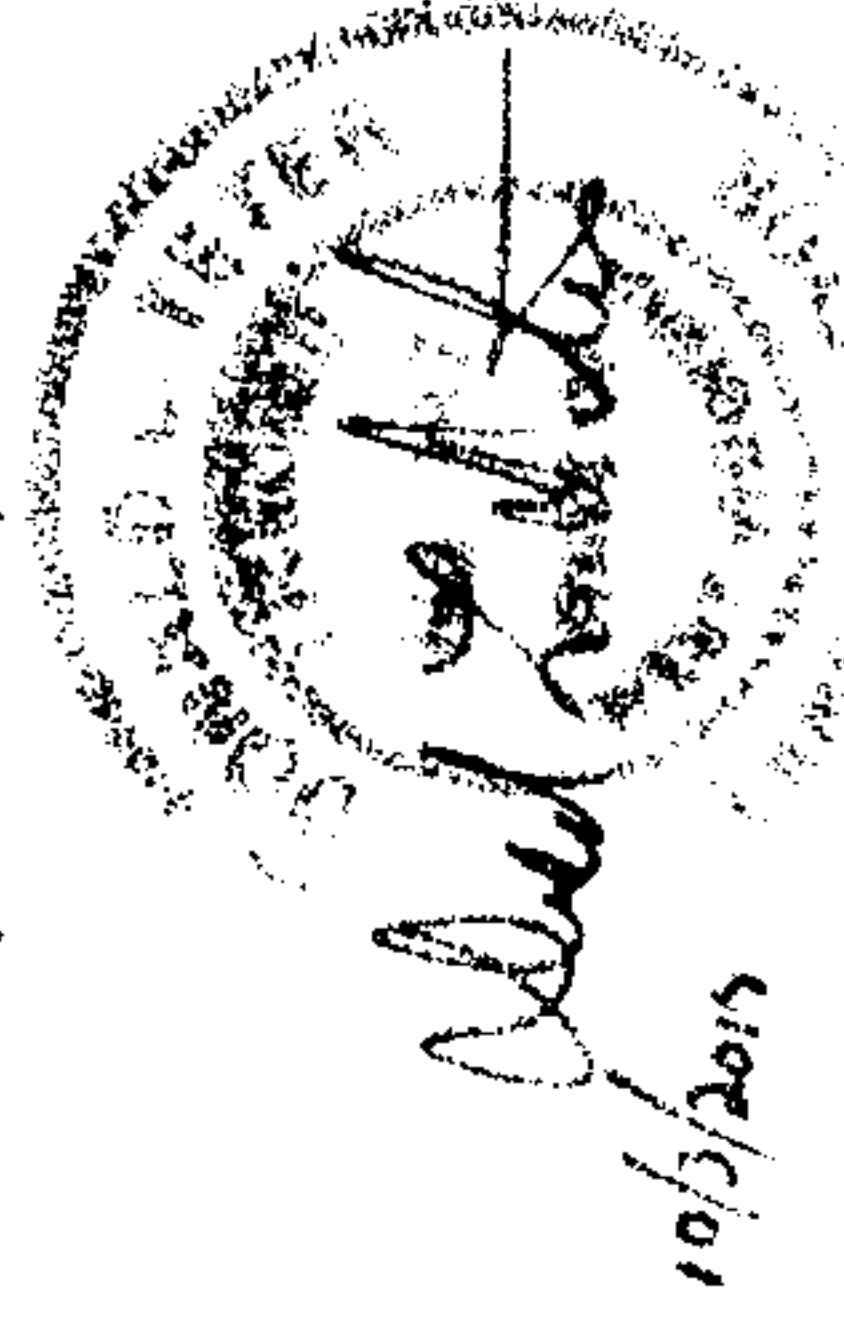
W. Va. Power & Trans. 43/176  
Tax. Par. 250 (1) (Davis Dist.)

Tucker Co. Dev. Auth. 152/75  
Tax. Par. 250 (1.1) (Town of Davis)

St. of WV, Dept. of Comm. Div. of Nat. Resources 209/278  
Tax. Par. 250 (9) (Davis Dist.)

St. of WV, Dept. of Comm. Div. of Nat. Resources 209/278  
Tax. Par. 250 (9) (Davis Dist.)

Tucker Co. Dev. Auth. 152/75  
Tax. Par. 250 (1.1) (Town of Davis)



Surveyed 2017, by:  
Donald L. Teter, PS 767  
517 Valley Fork Road  
Monterville, WV 26282

W. Va. Power & Trans. 43/176  
Tax. Par. 250 (1) (Davis Dist.)

(Par. A)	Cor. 3 to cor. 1, with ctr. of Beaver Creek
N 36°04' E	15.62'
N 39°19' E	88.99'
N 47°53' E	115.66'
N 42°14' E	83.21'
N 48°52' E	90.07'
N 57°20' E	55.99'
N 63°04' E	56.10'
N 67°19' E	132.24'
N 75°43' E	71.30'
N 62°27' E	83.02'
N 53°40' E	56.91'
N 50°06' E	56.54'
N 41°10' E	75.49'
N 30°43' E	79.30'
(Par. C)	Cor. 3 to cor. 4, with ctr. of Beaver Creek
S 36°04' W	74.68'
S 27°54' W	116.40'
S 47°05' W	71.96'
N 77°47' W	14.90'
N 67°07' W	123.33'

(Par. B)	Cor. 5 to cor. 4, with ctr. of Beaver Creek
N 28°35' E	27.52'
N 32°06' E	130.89'
N 35°12' E	64.35'
N 29°57' E	114.56'
N 40°05' E	83.03'
N 44°34' E	72.33'
N 50°59' E	70.77'
N 47°33' E	77.01'
N 62°03' E	112.46'
N 31°12' E	11.30'
N 11°25' E	109.42'
N 10°48' W	70.64'
N 00°38' E	33.39'
N 17°55' E	49.04'
N 32°42' E	20.89'
N 44°32' E	91.63'
N 32°43' E	84.65'
N 15°28' E	62.43'
N 13°28' E	49.54'
N 11°25' E	57.75'