

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

Regular Session, 2001

ENROLLED

SENATE BILL NO. 728

(By Senator Deem)

PASSED April 14, 2001

In Effect 90 days from Passage

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Senate Bill No. 728

(BY SENATOR DEEM)

[Passed April 14, 2001; in effect ninety days from passage.]

AN ACT to transfer land located in Lubeck District, Wood County, West Virginia, from the state of West Virginia to Wood County commission for the use and benefit of the county commission for the purpose of developing a park.

Be it enacted by the Legislature of West Virginia:

LAND TRANSFER TO WOOD COUNTY COMMISSION.

1 The state of West Virginia is authorized to transfer to
2 the county commission of Wood County, West Virginia,
3 without consideration, all of those two certain lots, tracts
4 or parcels of land, together with the improvements
5 thereon, the privileges thereof and the appurtenances
6 thereunto belonging, situate the district of Lubeck, in
7 Wood County, West Virginia, and being more particularly
8 bounded and described as follows:

9 Beginning at a concrete monument in the southerly
10 right-of-way line of State Route 95 where the same

11 intersects the easterly right-of-way line of the access road
12 to the within described real estate; thence with the south-
13 erly right-of-way line of said Route 95 the following four
14 calls and distances: N. 74 degrees 47' E. 164 feet to an iron
15 pin; S. 84 degrees 10' E. 229 feet to an iron pin; N. 88
16 degrees 36' E. 161.80 feet to an iron pin; thence N. 45
17 degrees 26' E. 228 feet, to the intersection of the westerly
18 right-of-way line of Bradley Avenue; thence with the
19 westerly right-of-way line of Bradley Avenue the follow-
20 ing two calls and distances: S. 55 degrees 26' E. 306.40
21 feet to an iron pin; S. 56 degrees 32' E. 252.89 feet to a
22 concrete monument in the westerly right-of-way line of
23 said Bradley Avenue; thence leaving Bradley Avenue, S. 26
24 degrees 00' W. 577.70 feet to an iron pin; thence N. 84
25 degrees 46' W. 476.90 feet, passing an iron pin at 446.90
26 feet, to the centerline of said access road; thence with the
27 centerline of said access road three calls and distances: N.
28 18 degrees 46' W. 45 feet; N. 42 degrees 38' W. 100 feet; N.
29 46 degrees 58' W. 220.20 feet; thence N. 43 degrees 02' E.
30 85 feet to a concrete monument in the easterly right-of-
31 way line of said access road; thence with the easterly
32 right-of-way line of said access road N. 40 degrees 44' W.
33 184.11 feet to a concrete monument; and, N. 21 degrees 40'
34 W. 216.46 feet to the place of beginning, containing 14.45
35 acres, as shown and described in a survey made by James
36 F. Debrular, dated April 20, 1980, a plat of which survey
37 is duly of record in the office of the Clerk of the County
38 Commission of Wood County, West Virginia in Deed Book
39 738 at page No. 191 therein, to which plat reference is here
40 made for a more particular description of the property to
41 be conveyed herein. There is also included in the property
42 authorized to be conveyed herein, that certain real estate,
43 being a section of land sixty feet in width, running from
44 the 14.45 acre tract above described through and bounded
45 by other lands of the previous grantor of the property
46 authorized to be conveyed herein and returning to the
47 aforementioned 14.45 acre tract, which section of land
48 appears on the above mentioned survey and is identified

49 thereon as "60' right-of-way" to which survey reference is
50 hereby made for a more particular description of said land.
51 Any conveyance of this said section of land shall be made
52 subject to a perpetual and nonexclusive right-of-way and
53 easement over, through and across said section of land for
54 the purposes of ingress, egress and regress to and from
55 other lands of the previous grantor of the property autho-
56 rized to be conveyed herein, namely: Nemesis Temple,
57 Ancient Arabic Order of the Nobles of the Mystic Shrine,
58 Parkersburg, West Virginia, its grantees, assigns or
59 successors in title and subject to the right to cross over or
60 under said strip of land for the purpose of connecting or
61 extending utilities previously reserved by the aforesaid
62 previous grantor of the property authorized to be conveyed
63 herein.

64 Being the same real property conveyed by deed dated
65 May 20, 1980, from S. William Goff, James H. Carr and
66 James W. Deem, Trustees for Nemesis Temple, Ancient
67 Arabic Order of the Nobles of the Mystic Shrine,
68 Parkersburg, West Virginia, to the state of West Virginia,
69 for the use and benefit of the Blennerhasset Historical
70 Park Commission, which deed is of record in the Office of
71 the Clerk of the County Commission of Wood County,
72 West Virginia, in Deed Book 738, at page 189. Reference to
73 said deed and map is here made for all pertinent purposes.

74 The state of West Virginia expressly reserves from this
75 conveyance all artifacts located, found or discovered upon
76 said real estate to be conveyed herein and the County
77 Commission of Wood County, West Virginia agrees, by the
78 acceptance of this conveyance, to deliver any artifacts
79 found or discovered on the property to the Blennerhasset
80 Island Historical State Park Museum.

81 This conveyance is subject to any and all reservations,
82 restrictions, and rights of way or easements of record.

83 This conveyance is and shall be made upon the express
84 condition that the property shall be used by the County

85 Commission of Wood County, West Virginia to develop
86 and maintain a public park area. If the property is used
87 for any other purpose or is abandoned by the Commission,
88 then the ownership of the property shall revert to the state
89 of West Virginia.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Handwritten Signature]
.....
Chairman Senate Committee

[Handwritten Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

[Handwritten Signature]
.....
Clerk of the Senate

[Handwritten Signature]
.....
Clerk of the House of Delegates

[Handwritten Signature]
.....
President of the Senate

[Handwritten Signature]
.....
Speaker House of Delegates

The within *is* approved this the *2nd*
Day of *May*, 2001.

[Handwritten Signature]
.....
Governor

PRESENTED TO THE

GOVERNOR

Date

5/1/01

Time

2:30 pm