

Mailed: 12-09-03  
M/M Michael K. Michael Sr.  
9031 Baskerville, Rd.  
Baskerville, Va. 23915

62328

MARTHA N. AUSTIN

THIS DEED, Made and entered into  
this 19<sup>th</sup> day of November, 2003  
by and between MARTHA N.  
AUSTIN, widow,

TO: DEED

AND

MICHAEL K. MICHAEL, SR.  
AND  
SUSAN W. MICHAEL,  
husband and wife

MICHAEL K. MICHAEL, SR.  
AND SUSAN W. MICHAEL,  
husband and wife, of 9031  
Baskerville Road, Baskerville,  
Virginia 23915, AS JOINT

TENANTS WITH RIGHTS OF SURVIVORSHIP AND NOT AS TENANTS IN  
COMMON, Grantees and Parties of the Second Part.

WITNESSETH: That for and in consideration of the sum of TEN DOLLARS  
(\$10.00), cash in hand paid and other good and valuable consideration deemed valid in  
law, the receipt of all of which is hereby acknowledged, the said Grantor and Party of  
the First Part does hereby grant and convey with COVENANTS OF GENERAL  
WARRANTY OF TITLE and to be free and clear of all liens and encumbrances unto  
MICHAEL K. MICHAEL, SR. AND SUSAN W. MICHAEL, husband and wife, AS  
JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP AND NOT AS TENANTS IN  
COMMON, Grantees and Parties of the Second Part, the following described tract or  
parcel of real estate:

All that certain tract or parcel of real estate, known and designated as TRACT  
"B", situate in MILL CREEK DISTRICT, HAMPSHIRE COUNTY, WEST  
VIRGINIA, together with the buildings and improvements thereon together with the  
improvements thereon, and any and all roads, rights of way, timbers, minerals, oil and  
gas, easements, and appurtenances thereunto belonging, situate in MILL CREEK  
DISTRICT, HAMPSHIRE COUNTY, WEST VIRGINIA, containing 42.131 acres,  
more or less, according to a survey Frank A. Whitacre, dated September 10, 1996 a  
copy of which is attached hereto and made a part hereof for all proper and pertinent  
purposes.

Being the remaining portion of the real estate conveyed unto James H. Austin  
and Martha N. Austin, husband and wife, by Deed of C. W. Fleming and Sarah Ann

Fleming, husband and wife, dated the 6th day of August, 1960 and of record in the Office of the Clerk of the County Commission of HAMPSHIRE COUNTY, WEST VIRGINIA in Deed Book 146 at Page 190. C. W. Fleming became deceased on the \_\_\_\_\_ day of \_\_\_\_\_, 1976 and by operation of the survivorship clause in the Deed of Conveyance, fee simple title vested solely in Martha N. Austin.

The real estate herein conveyed is subject to all rights-of-way of record or may be disclosed by a physical inspection of the premises, and subject also to the right of way or easement to the Power Company for electric lines crossing said property.

IT IS AGREED AND UNDERSTOOD BY THE GRANTEES HEREIN THAT THE HEREINABOVE DESCRIBED REAL ESTATE IS CONVEYED UNTO THEM AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP AND NOT AS TENANTS IN COMMON.

TO HAVE AND TO HOLD the real estate herein conveyed, together with improvements, and any and all rights, rights of way, roads, easements, timbers, minerals, oil and gas and appurtenances thereunto belonging or in anywise appertaining unto MICHAEL K. MICHAEL, SR. AND SUSAN W. MICHAEL, husband and wife, AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP AND NOT AS TENANTS IN COMMON, Grantees and Parties of the Second Part, in fee simple, forever.

WITNESS the following signature and seal, this 19<sup>th</sup> day of November, 2003.

*Martha N. Austin* (SEAL)  
MARTHA N. AUSTIN

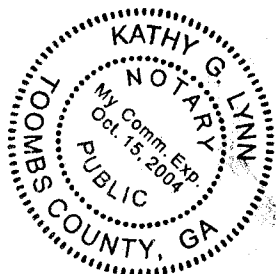
STATE OF Georgia,

COUNTY OF Toombs, TO WIT:

I, Kathy G Lynn, a Notary Public in and for the aforesaid County and State do hereby certify that MARTHA N. AUSTIN whose name is signed to the foregoing and annexed writing bearing date of the 19 day of Nov, 2003 has this day acknowledged the same before me before me in my County and State.

Given under my hand this 19 day of Nov, 2003.

My commission expires: 10-15-04.



*Kathy G. Lynn*  
NOTARY PUBLIC

**DECLARATION OF CONSIDERATION**

Under the penalties of fine and imprisonment as provided by law, the undersigned does hereby declare that the total consideration for the property conveyed by the document to which this declaration is appended is \$80,000.00.

Martha M. Austin  
GRANTOR-GRANTEE

**THIS INSTRUMENT WAS PREPARED BY SAVILLE & STEWART, P. L. L. C.**

**ROYCE B. SAVILLE, ATTORNEY AT LAW**

**95 WEST MAIN STREET P. O. DRAWER 2000**

**ROMNEY, WEST VIRGINIA 26757-2000**

**A:DEEDS  
MICHAELDEED  
11/05/03  
K**

DESCRIPTION OF SURVEY NO. 93-016-02

September 10, 1996

Tract "B" --- 42.131 Acres

Being a tract of land in Mill Creek District of Hampshire County, West Virginia, lying on the drains of Horse Lick Run, along the Northeast side of Route 220/9, about One Mile West of Route 220, and more particularly described as follows:

Beginning at a Planted Stone, corner to land of Galen D Ludwick, Sr. and corner to land of Samuel Semmont, Jr. and Sandra Semmont, and thence with the lines of the land of Semmont,

S 36 44 12 E 689.22' to a 20" White Oak,

S 32 05 11 W 1059.05' to a 16" Dead Hickory,

S 39 48 26 W 149.99' to the center of Route 220/9, thence with the center thereof,

N 52 45 15 W 170.22',

N 50 47 55 W 353.29',

N 51 54 53 W 38.29',

N 69 30 24 W 36.05',

S 75 33 47 W 68.33',

N 82 08 46 W 34.33',

N 69 00 24 W 38.78',

N 48 58 49 W 29.83',

N 22 51 40 W 39.20',

N 03 37 43 W 71.17',

N 18 07 45 W 39.28',

N 27 21 52 W 57.22',

N 30 01 35 W 122.40',

N 22 53 11 W 90.30',

N 16 41 27 W 235.31',

N 13 26 50 W 42.93',

N 07 48 27 W 52.23',

N 01 27 25 E 49.72',

DESCRIPTION 93-016-02 Tract "B"

N 06 08 44 E 102.14',  
 N 08 59 50 E 84.53',  
 N 21 13 33 E 54.61',  
 N 31 22 43 E 68.75',  
 N 38 10 54 E 96.87',  
 N 28 30 06 E 59.77',  
 N 24 56 22 E 94.73',  
 N 29 05 03 E 77.44',  
 N 33 47 38 E 110.64',  
 N 36 04 04 E 128.70',  
 N 21 31 16 E 42.94',

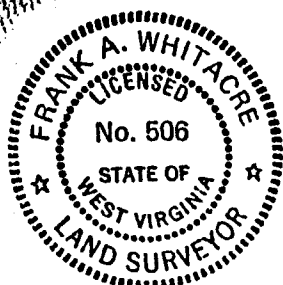
N 04 49 36 W 26.75', to the line of the land of James T Curran, Jr., thence partly with the line of the land of Curran and continuing with the line of the land of Michael E and Jalene R Curran,

S 50 30 49 E 315.88' to a 5/8" Whitacre Capped Re-Bar,  
 N 56 21 17 E 214.50' to a 5/8" Whitacre Capped Re-Bar,  
 set in the line of Curran, corner to the land of Galen D Ludwick, Sr., thence with the line of the land of Ludwick,

S 42 05 48 E 443.84' to the beginning, containing 42.131 Acres as surveyed by Frank A Whitacre and as shown on the attached Plat.

Being a portion of the land conveyed by C W Fleming and Sarah Ann Fleming to James H Austin and Martha N Austin by deed dated the 6th day of August 1960, as recorded in Deed Book 146 at page 190.

FRANK A. WHITACRE  
 Professional Surveyor  
 Romney, WV



Respectfully Submitted  
 FRANK A. WHITACRE, INC.

*Frank A. Whitacre*  
 FRANK A. WHITACRE  
 PROFESSIONAL SURVEYOR

HAMPSHIRE COUNTY COMM.  
 CLERK  
 Date/Time: 12/02/2003 11:40  
 Inst #: 56295  
 Book/Pages: 428- / 486-  
 Recd/Fax: 363.00 352.00

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STATE OF WEST VIRGINIA, Hampshire County Commission Clerk's Office 12/02/03 11:40 A.M.

The foregoing Instrument, together with the certificate of its acknowledgment, was this day presented in said office and admitted to record.

Teste *Sharon H. Lank* Clerk.