

Mailed: Joseph Corbin Jr.  
SRd Box 77C  
Augusta WV  
5-27-87

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43091

FRANK A. WHITACRE, INC.  
A WEST VIRGINIA CORPORATION &  
EWERS ORCHARDS, INC.,  
A WEST VIRGINIA CORPORATION

TO DEED

JOSEPH E. CORBIN, JR. &  
ABBY J. CORBIN

THIS DEED made and entered into this 18<sup>th</sup>  
day of May, 1987, by and between Frank  
A. Whitacre, Inc., a West Virginia Corporation,  
and Ewers Orchards, Inc., a West Virginia  
Corporation, grantors and parties of the  
first part, and Joseph E. Corbin, Jr. and  
Abby J. Corbin, husband and wife, as joint  
tenants with rights of survivorship, whose address is Star Route 2, Box 77-C,  
Augusta, West Virginia, 26704, grantees and parties of the second part.

WITNESSETH: That for and in consideration of the sum of Twenty-Five  
(\$25.00) Dollars, cash in hand paid, and other good and valuable consideration,  
the receipt of all of which is hereby acknowledged, the said parties of the first  
part do hereby grant and convey with covenants of general warranty and to be  
free and clear of all liens and encumbrances unto Joseph E. Corbin, Jr. and  
Abby J. Corbin, husband and wife, as joint tenants with rights of survivorship,  
all that certain tract or parcel of real estate known and designated as Lot No.  
Three-B (3-B) of "APPLEFIELDS OF HEAVEN SUBDIVISION", situate in Romney District  
of Hampshire County, West Virginia, together with any and all improvements thereon,  
all rights, rights of way, waters, ways, roads, privileges and appurtenances  
thereunto belonging or in anywise appertaining, which parcel of real estate  
was surveyed by Frank A. Whitacre, Licensed Land Surveyor, and according to said  
survey and plat the real estate herein conveyed contains 3.598 acres, more or  
less, and is more fully described according to a plat as prepared, which is duly  
recorded in the Clerk's Office of the County Commission of Hampshire County, West  
Virginia in Map Book No. 4, copy of which plat is attached hereto and made a part  
hereof for a more particular description of said real estate by metes and bounds.

Being a part of the same real estate which was conveyed unto Frank A.  
Whitacre, Inc., a West Virginia Corporation, by Deed of Land Management &  
Construction, Inc., a West Virginia Corporation and Frank A. Whitacre, Inc., a  
West Virginia Corporation, by Deed dated the 5th day of November, 1986, which

Deed is duly recorded in the Clerk's Office of the County Commission of Hampshire County, West Virginia in Deed Book No. 288 at page 500 .

There is expressly conveyed and granted all rights of way, roads, specifically the rights of way leading from the Public Road, U. S. Route 50, crossing Mill Creek on the established bridge leading to the tract herein conveyed. However, all roads and rights of way are to be used by the grantors, their successors and assigns, and all other tract owners who have the right to use the same.

The taxes upon said real estate for the calendar year 1987 shall be pro-rated as of date of settlement.

This conveyance shall be subject to all easements, utility lines and to all protective covenants and restrictions, and the provision for the formation of the Property Owners Association as contained in the Declaration of Covenants, Conditions and Restrictions, dated the 1st day of June, 1986, executed by Frank A. Whitacre, Inc., a West Virginia Corporation, et als, of record in the Clerk's Office of the County Commission of Hampshire County, West Virginia in Deed Book No. 285 at page 61, and a copy of which has been furnished the grantees by the grantor.

The grantees herein agree by the acceptance of this deed to pay Two Hundred Twenty-Five (\$225.00) Dollars, per lot, per year, for the maintenance of the road and any facilities dedicated to Lot Owners in Common.

It is understood that the grantees herein shall have a right of way or easement to widen the main road which constitutes an entrance to Applefields of Heaven Subdivision an additional thirty (30) feet, which right of way shall be taken from the 14-1/2 acre tract of land now owned by Ewers Orchard, Inc., a West Virginia Corporation and as reserved unto Ewers Orchard, Inc., a West Virginia Corporation by Deed dated the 10th day of June, 1985 to Frank A. Whitacre, Inc., et als, of record in the Clerk's Office of the County Commission of Hampshire County, West Virginia in Deed Book No. 277 at page 573, and Ewers Orchard, Inc., signs this deed for the purpose of granting this necessary right of way or ease-

ment to widen the road an additional thirty (30) feet. However, this is to be done in a reasonable manner and the road surface is to be replaced in its prior condition.

It is understood and agreed that the grantees shall have the right to load or unload from the right of way adjacent to their existing buildings, but in doing so, they shall not obstruct the right of way for the movement of vehicular traffic on the remaining portion of the road leaving sufficient width for one lane of traffic.

It is the purpose and intention of this deed, and it is hereby accepted by the grantees herein, that this property is conveyed unto them with rights of survivorship, that is, if the said Joseph E. Corbin, Jr. should die before his wife, Abby J. Corbin, then the entire estate in fee simple shall be and become the sole property of the said Abby J. Corbin, and if the said Abby J. Corbin should die before her husband, Joseph E. Corbin, Jr., then the entire estate in fee simple shall be and become the sole property of the said Joseph E. Corbin, Jr.

TO HAVE AND TO HOLD the real estate herein conveyed unto Joseph E. Corbin, Jr. and Abby J. Corbin, husband and wife, as joint tenants with rights of survivorship, in fee simple.

IN WITNESS WHEREOF the said Corporation has caused this deed to be signed by its proper officer pursuant to resolutions duly adopted.

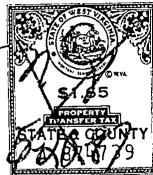
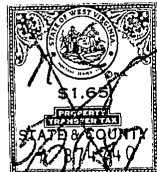
ATTEST:  
*Mary Whitacre*  
Its Secretary  
(CORPORATE SEAL)

FRANK A. WHITACRE, INC.  
By: *Frank A. Whitacre*  
Its President

ATTEST:  
*Samuel R. Ewers*  
Its Secretary  
(CORPORATE SEAL)

EWERS ORCHARD, INC.  
By: *Samuel R. Ewers*  
Its President

RALPH W. HAINES  
ATTORNEY AT LAW  
ROMNEY, W. VA.  
26757



STATE OF WEST VIRGINIA,

599

COUNTY OF HAMPSHIRE, TO WIT:

I, Amela K. Kumble, a Notary Public within and for the county and state aforesaid, do hereby certify that Frank A. Whitacre, President, who signed the writing above, bearing date of the 18 day of May, 1987, for FRANK A. WHITACRE, INC., A West Virginia Corporation, has this day in my said county, before me, acknowledged the said writing to be the act and deed of the said corporation.

Given under my hand this 18<sup>th</sup> day of May, 1987.

My Commission expires December 4, 1988

Commissioned as:  
Amela K. Dickworth

Amela K. Kumble  
NOTARY PUBLIC

STATE OF WEST VIRGINIA,  
COUNTY OF HAMPSHIRE, TO WIT:

I, Amela K. Kumble, a Notary Public within and for the county and state aforesaid, do hereby certify that Randolph Ewers, President, who signed the writing above bearing date of the 18 day of May, 1987, for EWERS ORCHARD, INC., A West Virginia Corporation, has this day in my said county before me, acknowledged the said writing to be the act and deed of the said corporation.

Given under my hand this 18<sup>th</sup> day of May, 1987.

My Commission expires December 4, 1988

Commissioned as:  
Amela K. Dickworth

Amela K. Kumble  
NOTARY PUBLIC

DECLARATION OF CONSIDERATION OF VALUE

Under the penalties of fine and imprisonment as provided by law, the undersigned (grantor-s) (grantee-s) do hereby declare the true and actual value of the property transferred by this document to which this declaration is appended to be to the best of my knowledge and belief. \$ 16,500.00

Given under my hand this 20<sup>th</sup> day of May, 1987.

Thomas L. Williams, Jr.

The above deed was prepared without title examination or report by:  
Ralph W. Haines, Attorney at Law  
Romney, WV 26757

The Bank of Romney  
Thomas L. Williams, Jr.  
Loan Administration Officer