

Mailed: 3-30-04

Palmer Ray Emerick Jr.

P.O. Box 1571

Hedgesville, W.V. 25427

62981

BOOK 431 PAGE 79

DENNIS C. BITTINGER  
and  
TAMMY L. BITTINGER,  
his wife

TO: DEED

PALMER RAY EMERICK, JR.,  
and  
GREGORY R. EMERICK,  
his son

THIS DEED, Made this 19<sup>th</sup> day  
of March, 2004, by and between  
Dennis C. Bittinger and Tammy L.  
Bittinger, his wife, grantors,  
parties of the first part, and  
Palmer Ray Emerick, Jr., and  
Gregory R. Emerick, his son,  
grantees, parties of the second  
part,

WITNESSETH: That for and in consideration of the sum of Ten Dollars  
(\$10.00), cash in hand paid, receipt whereof being hereby acknowledged,  
and other good and valuable consideration deemed valid at law, the said  
parties of the first part do, by these presents, grant and convey unto  
the said parties of the second part as joint tenants with full rights of  
survivorship as hereinafter enumerated, with covenants of General  
Warranty of Title, and to be free of all liens and encumbrances, all the  
following described lot, tract or parcel of real estate, together with  
all rights, improvements, privileges, rights-of-way, and appurtenances  
thereunto belonging, or in anywise appertaining, situate, lying and being  
in Bloomery District of Hampshire County, West Virginia, being more  
particularly described as follows, to-wit:

LOT NO. 34 of Whispering Pines Subdivision, containing 6.02  
acres, more or less, as is more fully shown on that certain  
plat prepared by Vanscoy Engineering and Surveying, dated the  
16<sup>th</sup> day of January, 1990, and recorded in the Office of the  
Clerk of the County Commission of Hampshire County, West  
Virginia, in Map Book 5, at page 160.

And being the same real estate which was conveyed unto Dennis C.  
Bittinger and Tammy L. Bittinger, his wife, by Deed of U.S. Bank Trust  
National Association, f/k/a First Trust National Association, as Trustee  
for Patten Corporation Remic Trust, Series 1995-1, by Bluegreen  
Corporation, its attorney in fact, dated the 21<sup>st</sup> day of February, 2003,  
and of record in the Office of the Clerk of the County Commission of  
Hampshire County, West Virginia, in Deed Book No. 421, at page 762.

This conveyance is made subject to those covenants, restrictions and  
assessments more particularly set forth in that Declaration of

Reservations and Restrictive Covenants for Whispering Pines Subdivision, recorded in the aforesaid Clerk's Office in Deed Book No. 318, at page 22.

This conveyance is made unto the Grantees herein as joint tenants with full rights of survivorship, which is to say, if Palmer Ray Emerick, Jr., should predecease his son, Gregory R. Emerick, then the entire fee simple title in and to said real estate shall vest solely in Gregory R. Emerick; and if Gregory R. Emerick should predecease his father, Palmer Ray Emerick, Jr., then the entire fee simple title in and to said real estate shall vest solely in Palmer Ray Emerick, Jr.

Although the real estate taxes may be prorated between the parties as of the day of closing for the current tax year, the grantees agree to assume and be solely responsible for the real estate taxes beginning with the calendar year 2004, although same may still be assessed in the names of the grantors.

TO HAVE AND TO HOLD the aforesaid real estate unto the said grantees, together with all rights, ways, buildings, houses, improvements, easements, timbers, waters, minerals and mineral rights, and all other appurtenances thereunto belonging, in fee simple forever.

We hereby certify, under penalties as prescribed by law that the actual consideration paid for the real estate, conveyed by the foregoing and attached deed is \$22,000.00.

WITNESS the following signatures and seals:

 (SEAL)  
Dennis C. Bittinger

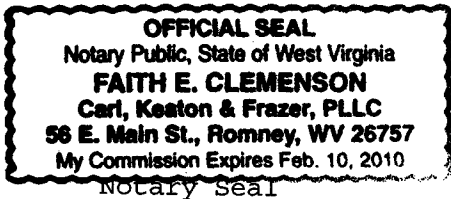
 (SEAL)  
Tammy L. Bittinger

STATE OF WEST VIRGINIA,

COUNTY OF HAMPSHIRE, TO WIT:

I, Faith E. Clemenson, a Notary Public, in and for the county and state aforesaid, do hereby certify that Dennis C. Bittinger and Tammy L. Bittinger, his wife, whose names are signed and affixed to the foregoing deed, dated the 19<sup>th</sup> day of March, 2004, have each this day, acknowledged the same before me in my said county and state.

Given under my hand and Notarial Seal this 19<sup>th</sup> day of March, 2004.



Faith E. Clemenson  
Notary Public

THIS INSTRUMENT PREPARED BY:  
JULIE A. FRAZER, ATTORNEY AT LAW  
CARL, KEATON & FRAZER, PLLC  
56 EAST MAIN STREET, ROMNEY, WEST VIRGINIA 26757  
jaf/deeds/WhisperingPines.34.emerick

HAMPSHIRE COUNTY COM.  
DEED Clerk 38  
Date/Time: 03/22/2004 11:23  
Inst #: 59190  
Book/Page: 431- / 79-  
Recd/Tax: 107.80 96.80

CARL, KEATON  
& FRAZER, PLLC  
ATTORNEYS AT LAW  
56 E. MAIN STREET  
ROMNEY, WV 26757

STATE OF WEST VIRGINIA, Hampshire County Commission Clerk's Office 3/22/04 11:23 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. Link Clerk.