

Mailed: Samuel Perry Jr.
Box 1015
Windsor, Va.

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JOHN A. PANCAKE, JR. and
JUNE D. PANCAKE
TO DEED
SAMUEL NORFLEET PERRY, JR.

THIS DEED made and entered into
this 27th day of June, 1978, by
and between John A. Pancake, Jr.
and June D. Pancake, husband and
wife, each in their own right and
as spouse of the other, grantors
and parties of the first part, and Samuel Norfleet Perry, Jr.,
whose address is Box 1015, Windsor, Virginia, 23487, grantee and
party of the second part.

WITNESSETH: That for and in consideration of the sum of
Fifteen Thousand (\$15,000.00) Dollars, cash in hand paid, 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 encum-
brances, unto Samuel Norfleet Perry, Jr., all that certain tract
or parcel of real estate situate in Romney District of Hampshire
County, West Virginia, near to and adjoining Mill Creek District
of Hampshire County, and shown on the Land Books in Romney District
as containing 48 acres, more or less, and also described upon the
tax maps in the Assessors Office on Tax Map No. 13 parcel 49 as
containing 48 acres, however, this tract of land has not been
recently surveyed and this conveyance is in gross and not by the
acre, and the grantors do not warrant the acreage. There is also
conveyed with this land all of the roads, rights of way, easements,
minerals, oil and gas rights, timber and appurtenances thereunto
belonging.

The real estate herein conveyed being the same real
estate which was earlier conveyed unto C. S. White by C. W. Haines,
Clerk by deed dated the 6th day of June, 1907, of record in the
Clerk's Office of the County Court of Hampshire County, West Virginia,
in Deed Book No. 79 at page 39, in which deed the real estate is

described by metes and bounds and there is attached to said deed a plat of the survey description. The real estate herein conveyed being a part of the same real estate which was conveyed unto John A. Pancake, Jr. by deed of J. S. Zimmerman, Special Commissioner, dated the 10th day of November, 1941, of record in the aforementioned Clerk's Office in Deed Book No. 105 at page 76, and is also a part of the same real estate which was conveyed unto John A. Pancake, Jr. and June D. Pancake, husband and wife, as joint tenants with rights of survivorship, by deed dated the 15th day of January, 1975, of record in the Clerk's Office of the County Court of Hampshire County, West Virginia, in Deed Book No. 209 at page 731. said real estate being described by metes and bounds in the aforementioned deeds as follows:

"Said real estate lies on drains of and west side of South Branch River in Romney District in said County and contains 48 acres, more or less, and bounded as follows: Beginning at a locust in an original line of a tract of 828 acres of which this tract was the southern end and running thence up the mountain N. 50 W. 151 poles to a walnut and hickory in a line of waht was Thomas Taylors land near its corner, thence with a line of said Taylor land S. 10 E. 31 1/4 poles to two hickories corner to the Taylor land and also to said original tract, thence S. 10 W. 65 poles to another corner of the Taylor land a chestnut and pine thence leaving the Taylor lines and running S. 65 1/2 E. 95 poles to a stone near where John Lears stable stood thence N. 51 E. 48 poles to the beginning. The metes and bounds are subject to the magnetic variations since the year 1874."

OIL AND GAS RIGHTS: There is conveyed with this deed all of the minerals, oil and gas, and oil and gas rights; however, this parcel of land herein conveyed is subject to an oil and gas lease executed by John A. Pancake, Jr. and June D. Pancake to Weaver Oil and Gas Corporation, by lease dated the 10th day of January, 1977, of record in the Clerk's Office of the County Court of Hampshire County, West Virginia, in Deed Book No. 228 at page

162, and the grantors herein do now assign, set over and transfer unto Samuel Norfleet Perry, Jr. all their right, title and interest in and to said lease, insofar and insofar only as said lease pertains to the 48 acres herein conveyed and it is understood that the grantee is to receive all future rents and royalties which are derived from said lease.

PASTURE RIGHTS: This conveyance is subject to an agreement between the parties that John A. Pancake, Jr. is to retain the right to pasture his livestock upon the real estate herein conveyed as long as he continues in the farming business. Subject to the provision that he will be responsible for maintaining the fences, and also subject to the definite provision that should the grantee subsequently sell the real estate to a bona fide purchaser, then this provision relating to the use of the land for pasture shall be terminated.

This conveyance is also subject to any rights of way or roads crossing the real estate herein conveyed, including any public roads or right of ways which may cross the same.

The grantors herein are to pay the taxes upon said real estate for the first half of the calendar year 1978. However, the grantee is to pay the taxes upon said real estate for the second half of the calendar year 1978; although the same may have already been assessed in the name of the grantors.

TO HAVE AND TO HOLD the real estate herein conveyed, together with all minerals, timbers, easements and appurtenances thereunto belonging, unto Samuel Norfleet Perry, Jr., in fee simple.

WITNESS the following signatures and seals:

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



John A. Pancake, Jr. (SEAL)
John A. Pancake, Jr.

June D. Pancake (SEAL)
June D. Pancake

