THIS DEED, Made this the 23<sup>rd</sup> day of July, 2015, by and between JAMES N. BUTCH and FRANCES R. BUTCH, Grantor and parties of the first part, and WILLIAM C. FORBES and CHARLES CASEY FORBES as Grantees and parties of the second part, as joint tenants with rights of survivorship, and not as tenants in common.

## WITNESSETH:

That for and in consideration for Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of all of which is hereby acknowledged upon delivery of this deed, the said JAMES N. BUTCH and FRANCES R. BUTCH, Grantors and parties of the first part, do hereby grant and convey with covenants of general warranty of title, to and unto WILLIAM C. FORBES and CHARLES CASEY FORBES, Grantees and parties of the second part, as joint tenants with rights of survivorship, and not as tenants in common, jointly for life, and upon the death of either of them, the other or survivor, shall be seized in fee simple, absolute of the whole thereof, his or her heirs and assigns, forever, all of those certain tracts or parcels of real estate, together with any and all improvements, rights of ways and appurtenances thereunto belonging, lying and situate in Union District, Grant County, West Virginia, and being more particularly described as follows:

Lot 38, of the Wilderness Retreat At Dolly Sods containing 2.50 acres, more or less.

Reference is hereby made to that Plat of Survey prepared by Mark C. Geary, PS No.1523 of the Wilderness Retreat at Dolly Sods and of Record in the

Grant County Clerk's Office in Map Book 6 at page 64, which is incorporated herein for a more particular description thereof.

This conveyance is made together with the right to use all streets, roadways and rights of ways and common areas within the Wilderness Retreat At Dolly Sods as more particularly shown and identified on said Plat.

This being apportion of the lots conveyed to James N. Butch and Frances R. Butch by Balmar Nal Collection, LLC, in that deed dated May 28, 2015, and of record in the Grant County Clerk's Office in Deed Book 271 at page 289.

The following provision, restrictions, conditions, covenants and rights are more particularly set forth and contained in the prior deed in the chain of title and are incorporated herein:

"This conveyance is made together with all easements, rights-of-ways and appurtenances of record or in existence, including the non-exclusive right to use USFS Road Number 75.

The real estate herein conveyed is subject to the Declaration of Protective Covenants for Dolly Sods Retreat Subdivision, said Declaration of record in the aforesaid County Clerk's Office in Deed Book 234 at page 368, and amended by Amendment of Plat and Declaration of Protective Covenants of record in the aforesaid County Clerk's Office in Deed Book 37, page 186.

This conveyance is subject to a right-of-way in favor of Columbia Natural Resources for a natural gas transmission main, together with Monongahela Drive and Bear Rocks Lane for access to said natural gas transmission lines.

A portion of USFS Road Number 75 passes through the Retreat at Dolly Sods. This conveyance is made subject to the rights of the U.S. Forest Service and others to the continued use of USFS Road Number 75.

This conveyance is subject to all of the roads and streets within the subdivision as shown in the plat of the subdivision and the right of the lot owners within the development, their guests and invitees to use those roads."

The 2015 real estate taxes are being prorated between the parties as of the date of delivery of this deed. The 2016 real estate taxes and those for subsequent years shall be the responsibility of the Grantees, their heirs, successors and assigns.

Reference is hereby made to all instruments in the chain of title for any and all pertinent purposes.

## **DECLARATION OF CONSIDERATION OF VALUE**

The parties of the first part do hereby declare that the total consideration being paid for the property transferred by this deed is

Witness the following signatures and seal:

(SEAL)

JAMES N. BUTCH

(SEAL)

FRANCES R. BUTCH

[NOTARY ACKNOWLEDGEMENT ON FOLLOWING PAGE]

STATE OF WEST VIRGINIA

COUNTY OF KANAWHA, To-Wit:

I, Caroline C. Stonestreet, A Notary Public in and for the County and State aforesaid, do certify that JAMES N. BUTCH and FRANCES R. BUTCH, who signed to the writing above, has this day acknowledged the same before me.

Give under my hand this 330 day of July

, 2015

My commission expires: September 1



NOTARY PUBLIC

(SEAL)

GRANT COUNTY, WV

FILED

August 11, 2015 13:56:32

HAROLD G. HISER

COUNTY CLERK

TRANSACTION NO: 2015003973

Transfer Tax: \$

66.00

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Book: 271 Page: 00557

Line: 00001

DEED BOOK



This Deed prepared without the benefit of a title examination by Adam L. Campbell, 728 Kanawha Boulevard, East, Suite 200, Charleston, WV 25301. WVSB # 11408