WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1989

---

ENROLLED

HOUSE BILL No. 2524

(By Del. Manuel Agnolotti)

---

Passed April 6, 1989

In Effect [signature] Passage
AN ACT authorizing the county commission of Jefferson County to lease a certain parcel of real estate located in Shepherdstown District, Charles Town District and Harpers Ferry District, Jefferson County, West Virginia, for a period of up to ten years.

Be it enacted by the Legislature of West Virginia:

JEFFERSON COUNTY.

§1. County commission authorized to lease Samuel G. Michaels farm located in Shepherdstown District, Charles Town District and Harpers Ferry District.

The Legislature hereby recognizes that recreation is necessary for the welfare of the people of Jefferson County; and that the 187.424 acres Samuel G. Michaels Farm was conveyed to the county commission of Jefferson County for recreational purposes and that to generate the necessary moneys to develop the farm as a park the county commission of Jefferson County need be authorized to lease all or a portion of it to any person, firm or corporation for a period of up to ten years to generate funds to make necessary recreational improvements; and that such a rental would promote the general welfare of the public and, therefore, is a public purpose.

The county commission of Jefferson County, West Virginia, is hereby authorized and empowered to lease for a period of up to ten years all or any portion of all
that tract of land located on the south side of West Virginia secondary Route 22, being in Shepherdstown, Charles Town and Harpers Ferry District, Jefferson County, West Virginia, designated tract No. 1, as shown upon that certain map entitled "Plat of Survey of Samuel G. Michaels Property, Situated in Shepherdstown, Charles Town, and Harpers Ferry Districts, Jefferson County, West Virginia, containing 138.25 Acres By Survey and Being a Part of the Same Property Conveyed by William Engle, Trustee, to Samuel G. Michaels by Deed Dated April 1, 1874 — Deed Book C, Page 123," dated 1-29-76, approved by Samuel P. McClung, L.L.S. #380, and more particularly bounded and described as follows:

Beginning at corner #1, a corner fence post in the southern right-of-way line of West Virginia secondary Route 22 and a corner common to Robinson Ice and Storage Company; thence leaving said road right-of-way with a fence line common to Robinson Ice and Storage Company: S. 21 degrees — 58' W. 2,843.52 feet to corner #2, a corner fence post; thence leaving Robinson Ice and Storage Company land and with a fence line common to William E. Walker, thence N. 84 degrees — 13' W. 2,832.16 feet to corner #3, a corner fence post on or near the southern right-of-way of West Virginia secondary Route 22 at the intersection of a private road leading onto the William E. Walker 89.66 acre tract; thence leaving William E. Walker land and with the southern right-of-way line of West Virginia secondary Route 22 for the following calls: N. 25 degrees — 00' E. 140.44 feet on to a locust hub, N. 28 degrees — 14' E. 226.54 feet to a locust hub, N. 37 degrees — 14' E. 929.40 feet to a locust hub, N. 38 degrees — 44 feet E. 41.65 feet to a locust hub, N. 59 degrees — 54' E. 42.23 feet to a locust hub, N. 68 degrees — 39' E. 31.30 feet to a locust hub, N. 71 degrees — 24' E. 504.88 feet to a locust hub, N. 69 degrees — 34' E. 256.76 feet to a point in the southern right-of-way line, said point being 15 feet left of and at right angles to centerline station 23+00, thence southeasterly 25.00 feet to a point 40 feet left of and at right angles to centerline station 23+00, thence northeasterly
380.00 feet to a point 45 feet left of and at right angles
to centerline station P.T. 20+30.28, thence northeasterly
385.00 feet to a point 40 feet left of and at right angles
to centerline station P.T. 16+53.94, thence northeasterly
272.00 feet to a point 40 feet left of and at right angles
to centerline station P.C. 13+45.61, thence N. 78 degrees
— 15' E. 245.61 feet to a point 40 feet left of and at right
angles to centerline station 11+00, thence northeasterly
25.00 feet to a point 15 feet left of and at right angles
to centerline station 11+00, thence N. 78 degrees — 53'
E. 913.58 feet to a locust hub, thence W. 70 degrees —
17' E. 183.39 feet to the beginning, containing 137.424
acres, more or less, and being the same property
conveyed by Samuel G. Michaels to the State of West
Virginia by will dated September 22, 1972, and
recorded in the Office of the Clerk of Jefferson County
in Will Book “P” at page 42, minus 0.826 of an acre
additional right-of-way conveyed by the State of West
Virginia, Public Land Corporation to the West Virginia
Department of Highways by deed dated September 2,
1977, and recorded in the Office of the Clerk of Jefferson
County in Deed Book 431, at page 608.

Any lease agreement shall require that all improve-
ments made to said farm shall remain upon the lease
terminating. The county commission of Jefferson
County, West Virginia, shall deposit all rental moneys
received from the lease of this farm or any portion
thereof in a special account which moneys may only be
used to improve and maintain said farm.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within is approved this the 24th day of April, 1989.

Governor