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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1989

— ● —

# ENROLLED

HOUSE BILL No. 2524

(By ~~##~~ Del. Manuel F. Mezzatesta )

— ● —

Passed April 6, 1989

In Effect from Passage

**ENROLLED**  
**H. B. 2524**

(By DELEGATES MANUEL AND MEZZATESTA)

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[Passed April 6, 1989; in effect from passage.]

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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.**

1     The Legislature hereby recognizes that recreation is  
2     necessary for the welfare of the people of Jefferson  
3     County; and that the 137.424 acres Samuel G. Michaels  
4     Farm was conveyed to the county commission of  
5     Jefferson County for recreational purposes and that to  
6     generate the necessary moneys to develop the farm as  
7     a park the county commission of Jefferson County need  
8     be authorized to lease all or a portion of it to any person,  
9     firm or corporation for a period of up to ten years to  
10    generate funds to make necessary recreational improve-  
11    ments; and that such a rental would promote the general  
12    welfare of the public and, therefore, is a public purpose.

13    The county commission of Jefferson County, West  
14    Virginia, is hereby authorized and empowered to lease  
15    for a period of up to ten years all or any portion of all

16 that tract of land located on the south side of West  
17 Virginia secondary Route 22, being in Shepherdstown,  
18 Charles Town and Harpers Ferry District, Jefferson  
19 County, West Virginia, designated tract No. 1, as shown  
20 upon that certain map entitled "Plat of Survey of  
21 Samuel G. Michaels Property, Situated in Shepherd-  
22 stown, Charles Town, and Harpers Ferry Districts,  
23 Jefferson County, West Virginia, containing 138.25  
24 Acres By Survey and Being a Part of the Same Property  
25 Conveyed by William Engle, Trustee, to Samuel G.  
26 Michaels by Deed Dated April 1, 1874 — Deed Book C,  
27 Page 123," dated 1-29-76, approved by Samuel P.  
28 McClung, L.L.S. #380, and more particularly bounded  
29 and described as follows:

30 Beginning at corner #1, a corner fence post in the  
31 southern right-of-way line of West Virginia secondary  
32 Route 22 and a corner common to Robinson Ice and  
33 Storage Company; thence leaving said road right-of-way  
34 with a fence line common to Robinson Ice and Storage  
35 Company: S. 21 degrees — 58' W. 2,843.52 feet to corner  
36 #2, a corner fence post; thence leaving Robinson Ice and  
37 Storage Company land and with a fence line common  
38 to William E. Walker, thence N. 84 degrees — 13' W.  
39 2,832.16 feet to corner #3, a corner fence post on or near  
40 the southern right-of-way of West Virginia secondary  
41 Route 22 at the intersection of a private road leading  
42 onto the William E. Walker 89.66 acre tract; thence  
43 leaving William E. Walker land and with the southern  
44 right-of-way line of West Virginia secondary Route 22  
45 for the following calls: N. 25 degrees — 00' E. 523.13  
46 feet to a locust hub, N. 28 degrees — 10' E. 140.44 feet  
47 on to a locust hub, N. 37 degrees — 14' E. 226.54 feet  
48 to a locust hub, N. 38 degrees — 44 feet E. 929.40 feet  
49 to a locust hub, N. 46 degrees — 44' E. 41.65 feet to a  
50 locust hub, N. 59 degrees — 54' E. 42.23 feet to a locust  
51 hub, N. 68 degrees — 39' E. 31.30 feet to a locust hub,  
52 N. 71 degrees — 24' E. 504.88 feet to a locust hub, N.  
53 69 degrees — 34' E. 256.76 feet to a point in the southern  
54 right-of-way line, said point being 15 feet left of and at  
55 right angles to centerline station 23+00, thence south-  
56 erly 25.00 feet to a point 40 feet left of and at right  
57 angles to centerline station 23+00, thence northeasterly

58 270.00 feet to a point 45 feet left of and at right angles  
59 to centerline station P.T. 20+30.28, thence northeasterly  
60 385.00 feet to a point 40 feet left of and at right angles  
61 to centerline station P.T. 16+53.94, thence northeasterly  
62 272.00 feet to a point 40 feet left of and at right angles  
63 to centerline station P.C. 13+45.61, thence N. 78 degrees  
64 — 15' E. 245.61 feet to a point 40 feet left of and at right  
65 angles to centerline station 11+00, thence northeasterly  
66 25.00 feet to a point 15 feet left of and at right angles  
67 to centerline station 11+00, thence N. 78 degrees — 53'  
68 E. 913.58 feet to a locust hub, thence W. 70 degrees —  
69 17' E. 183.39 feet to the beginning, containing 137.424  
70 acres, more or less, and being the same property  
71 conveyed by Samuel G. Michaels to the State of West  
72 Virginia by will dated September 22, 1972, and  
73 recorded in the Office of the Clerk of Jefferson County  
74 in Will Book "P" at page 42, minus 0.826 of an acre  
75 additional right-of-way conveyed by the State of West  
76 Virginia, Public Land Corporation to the West Virginia  
77 Department of Highways by deed dated September 2,  
78 1977, and recorded in the Office of the Clerk of Jefferson  
79 County in Deed Book 431, at page 608.

80 Any lease agreement shall require that all improve-  
81 ments made to said farm shall remain upon the lease  
82 terminating. The county commission of Jefferson  
83 County, West Virginia, shall deposit all rental moneys  
84 received from the lease of this farm or any portion  
85 thereof in a special account which moneys may only be  
86 used to improve and maintain said farm.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Frederick L. Parker*  
Chairman Senate Committee

*Bernard V. Kelly*  
Chairman House Committee

Originating in the House.

Takes effect from passage.

*Jack C. Welch*  
Clerk of the Senate

*Donald L. Hypp*  
Clerk of the House of Delegates

*Paul T. Turner*  
President of the Senate

*Bob Storch*  
Speaker of the House of Delegates

The within *is approved* this the *24<sup>th</sup>*  
day of *April*, 1989.

*Gaston Caperton*  
Governor

PRESENTED TO THE

GOVERNOR

Date 8/14/89

Time 5:20