WEST VIRGINIA LEGISLATURE
Regular Session, 2001

ENROLLED

SENATE BILL NO. 728

(By Senator Dean)

PASSED: April 14, 2001

In Effect 90 days from Passage
AN ACT to transfer land located in Lubeck District, Wood County, West Virginia, from the state of West Virginia to Wood County commission for the use and benefit of the county commission for the purpose of developing a park.

Be it enacted by the Legislature of West Virginia:

LAND TRANSFER TO WOOD COUNTY COMMISSION.

1  The state of West Virginia is authorized to transfer to
2  the county commission of Wood County, West Virginia,
3  without consideration, all of those two certain lots, tracts
4  or parcels of land, together with the improvements
5  thereon, the privileges thereof and the appurtenances
6  thereunto belonging, situate the district of Lubeck, in
7  Wood County, West Virginia, and being more particularly
8  bounded and described as follows:

9  Beginning at a concrete monument in the southerly
10  right-of-way line of State Route 95 where the same
intersects the easterly right-of-way line of the access road to the within described real estate; thence with the southerly right-of-way line of said Route 95 the following four calls and distances: N. 74 degrees 47' E. 164 feet to an iron pin; S. 84 degrees 10' E. 229 feet to an iron pin; N. 88 degrees 36' E. 161.80 feet to an iron pin; thence N. 45 degrees 26' E. 228 feet, to the intersection of the westerly right-of-way line of Bradley Avenue; thence with the westerly right-of-way line of Bradley Avenue the following two calls and distances: S. 55 degrees 26' E. 306.40 feet to an iron pin; S. 56 degrees 32' E. 252.89 feet to a concrete monument in the westerly right-of-way line of said Bradley Avenue; thence leaving Bradley Avenue, S. 26 degrees 00' W. 577.70 feet to an iron pin; thence N. 84 degrees 46' W. 476.90 feet, passing an iron pin at 446.90 feet, to the centerline of said access road; thence with the centerline of said access road three calls and distances: N. 18 degrees 46' W. 45 feet; N. 42 degrees 38' W. 100 feet; N. 46 degrees 58' W. 220.20 feet; thence N. 43 degrees 02' E. 85 feet to a concrete monument in the easterly right-of-way line of said access road; thence with the easterly right-of-way line of said access road N. 40 degrees 44' W. 184.11 feet to a concrete monument; and, N. 21 degrees 40' W. 216.46 feet to the place of beginning, containing 14.45 acres, as shown and described in a survey made by James F. Debrular, dated April 20, 1980, a plat of which survey is duly of record in the office of the Clerk of the County Commission of Wood County, West Virginia in Deed Book 738 at page No. 191 therein, to which plat reference is here made for a more particular description of the property to be conveyed herein. There is also included in the property authorized to be conveyed herein, that certain real estate, being a section of land sixty feet in width, running from the 14.45 acre tract above described through and bounded by other lands of the previous grantor of the property authorized to be conveyed herein and returning to the aforementioned 14.45 acre tract, which section of land appears on the above mentioned survey and is identified
thereon as "60' right-of-way" to which survey reference is hereby made for a more particular description of said land. Any conveyance of this said section of land shall be made subject to a perpetual and nonexclusive right-of-way and easement over, through and across said section of land for the purposes of ingress, egress and regress to and from other lands of the previous grantor of the property authorized to be conveyed herein, namely: Nemesis Temple, Ancient Arabic Order of the Nobles of the Mystic Shrine, Parkersburg, West Virginia, its grantees, assigns or successors in title and subject to the right to cross over or under said strip of land for the purpose of connecting or extending utilities previously reserved by the aforesaid previous grantor of the property authorized to be conveyed herein.

Being the same real property conveyed by deed dated May 20, 1980, from S. William Goff, James H. Carr and James W. Deem, Trustees for Nemesis Temple, Ancient Arabic Order of the Nobles of the Mystic Shrine, Parkersburg, West Virginia, to the state of West Virginia, for the use and benefit of the Blennerhasset Historical Park Commission, which deed is of record in the Office of the Clerk of the County Commission of Wood County, West Virginia, in Deed Book 738, at page 189. Reference to said deed and map is here made for all pertinent purposes.

The state of West Virginia expressly reserves from this conveyance all artifacts located, found or discovered upon said real estate to be conveyed herein and the County Commission of Wood County, West Virginia agrees, by the acceptance of this conveyance, to deliver any artifacts found or discovered on the property to the Blennerhassett Island Historical State Park Museum.

This conveyance is subject to any and all reservations, restrictions, and rights of way or easements of record.

This conveyance is and shall be made upon the express condition that the property shall be used by the County
Commission of Wood County, West Virginia to develop and maintain a public park area. If the property is used for any other purpose or is abandoned by the Commission, then the ownership of the property shall revert to the state of West Virginia.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within........... approved this the.......


Governor