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446-40
DANIEL A. HEAVENER
and
CARRIE M. HEAVENER,
his wife

TO: DEED

CHARLOTTE T. POTTER
and
WILLIAM L. ALEXANDER,
her husband

THIS DEED, Made this 25th day of
October, 2018, by and between Daniel A.
Heavener and Carrie M. Heavener, his
wife, grantors, parties of the first
part, and Charlotte T. Potter and
William L. Alexander, her husband,
grantees, parties of the second part,

WITNESSETH: That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, receipt whereof being hereby acknowledged, and other good and valuable consideration deemed valid at law, the said parties of the first part do, by these presents, grant and convey unto the said parties of the second part as joint tenants with full rights of survivorship as hereinafter enumerated, and with Covenants of General Warranty of Title, all that certain tract or parcel of real estate, together with any and all improvements, rights of way and appurtenances thereunto belonging, lying and situate in Mill Creek District, Hampshire County, West Virginia, being described on the Hampshire County Land Books as containing **11.38 acres**, more or less. However, this conveyance is made in gross, and not by the acre. Said real estate is depicted on the 2018 Hampshire County Land Books as being District 06, Tax Map 14, Parcel 35.

And being the same real estate conveyed unto Daniel A. Heavener and Carrie M. Heavener, his wife, by deed of Tammy Marie Sparks and Michael Edward Sparks, her husband, dated July 25, 2008, and of record in the Office of the Clerk of the County Commission of Hampshire County, West Virginia, in Deed Book 476, at page 273.

The following provisions identifying a right of way are more particularly set forth in the prior deed in the chain of title and the Grantors do hereby grant and convey same to the Grantees as aforesaid:

"For the consideration aforesaid, there is further granted and conveyed unto the grantees herein, their heirs, successors and assigns, a 20 foot wide non-exclusive right of way over the adjoining 1 acre

parcel of real estate, which is owned by the grantor herein. This right of way shall be for purposes of ingress, egress, utilities, and for all pertinent and proper reasons, and shall be over the existing roadway. The real estate which this right of way crosses is the same 1 acre parcel conveyed unto David Roy Bailey by deed of Mary K. Bailey, dated December 26, 1996, and is of record in the Office of the Clerk of the County Commission of Hampshire County, West Virginia, in Deed Book No. 373 at page 72."

This conveyance is made unto the said parties of the second part as joint tenants with full rights of survivorship, which is to say, should Charlotte T. Potter predecease her husband, William L. Alexander, then the entire full, fee simple title in and to said real estate shall vest solely in William L. Alexander; and should William L. Alexander predecease his wife, Charlotte T. Potter, then the entire full, fee simple title in and to said real estate shall vest solely in Charlotte T. Potter.

Although the real estate taxes may be prorated between the parties as of the day of closing for the current tax year, the grantees agree to assume and be solely responsible for the real estate taxes beginning with the calendar year 2019, although same may still be assessed in the names of the grantors.

TO HAVE AND TO HOLD the aforesaid real estate unto the said grantees, together with all rights, ways, buildings, houses, improvements, easements, timbers, waters, minerals and mineral rights, and all other appurtenances thereunto belonging, in fee simple forever.

We hereby certify, under penalties as prescribed by law that the actual consideration paid for the real estate conveyed by the foregoing and attached deed is \$52,000.00. The grantors further affirm that they are residents of the State of West Virginia, and are therefore exempt from the "withholding tax on West Virginia source income of nonresidents" pursuant to West Virginia Code § 11-21-71b(d)(1)(A).

WITNESS the following signatures and seals:

Daniel A. Heavener (SEAL)
Daniel A. Heavener

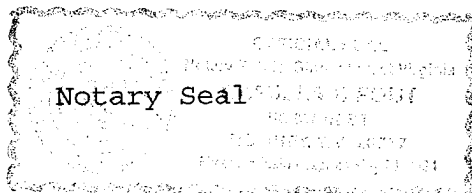
Carrie M. Heavener (SEAL)
Carrie M. Heavener

STATE OF WEST VIRGINIA,

COUNTY OF HAMPSHIRE, TO WIT:

I, *Camilla B. Faust*, a Notary Public, in and for the county and state aforesaid, do hereby certify that Daniel A. Heavener and Carrie M. Heavener, his wife, whose names are signed and affixed to the foregoing and attached deed dated the 25th day of October, 2018, have each this day acknowledged the same before me in my said county and state.

Given under my hand and Notarial Seal this *16th* day of ^{*November*}~~October~~, 2018.



Camilla B. Faust
Notary Public

THIS INSTRUMENT PREPARED BY:
HOLLY E. DANTE, ATTORNEY AT LAW
KEATON, FRAZER & MILLESON, PLLC
56 EAST MAIN STREET, ROMNEY, WEST VIRGINIA 26757

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