

This **DEED** made this 16 day of December, 2022, by and between **TIMOTHY ALAN DARNELL**, Grantor, party of the first part, and **PHILIP P. BAILEY** and **JESSE J. MARTIN**, Grantees, parties of the second part;

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations not herein mentioned, the receipt and sufficiency of all of which is hereby acknowledged, the Grantor does hereby grant and convey unto the Grantees, with covenants of **GENERAL WARRANTY** of title, all that certain property located within the Town of Beckley, Raleigh County, West Virginia, and being the surface, together with any appurtenances thereunto belonging, and being that certain tract or parcel of land known as parts of Lots 2 and 3, as the same appear on a map entitled, "SECTION-1, HART-NIXON ADDITION, MERCER STREET EXT. TO-THE CITY OF BECKLEY, W.VA.," which map is of record in the Office of the Clerk of the County Commission of Raleigh County, West Virginia, in Deed Book 416, at Page 1, from which it appears the parts of said lots here conveyed are more particularly bounded and described as follows:

BEGINNING at a stake on the eastern edge of Mercer Street to the west of this property, said stake being in the western boundary of Lot 2, which stake is N 24° 00 W 50 feet from another stake on the eastern edge of said Street, a common corner to Lots 2 and 3; thence through said Lot 2 N 66° 00 E to a stake in the division line between Lots 2 and 48; thence along said division line S 73° 50 E to a stake in the western edge of a 30 foot street to the east of this property, which stake is a common corner to Lots 3 and 48; thence along the western edge of said 30 foot street, to another stake in the western edge of said street, which stake is in the eastern boundary of Lot 3 and is N 30° 15 W 40 feet from a stake on the western edge of said 30 foot street, a common corner to Lots 3 and 4; thence through said Lot 3 S 66° 00 W 282.56 feet to a stake in the eastern edge of said Mercer Street; thence along the eastern edge of said Mercer Street and the western boundary of Lots 2 and 3 N 24° 00 W 90 feet to the point and place of beginning.

AND BEING the same property conveyed to Timothy Alan Darnell by Gloria French Darnell (aka Jeanie French Darnell), by Transfer on Death Deed dated the 24th day of March, 2022, of record in the office of the Clerk of the County Commission of Raleigh County, West Virginia, in Deed Book 5076, at Page 0493.

AND WHEREAS, Gloria French Darnell (aka Jeanie French Darnell) died on May 27, 2022, and the whole of the above-described parcel(s) did vest unto Timothy Alan Darnell.

There is **EXCEPTED** and **RESERVED** from the operation and effect of this deed all necessary and convenient rights, rights of way, and easements for the construction, maintenance, repair and removal of sewers, water lines, electric ways and lines, and other utilities.

This conveyance is made expressly subject to the following restrictions:

Raleigh County
Daniel W. Moore, Clerk
Instrument 50785746
12/29/2022 @ 02:31:08 PM
DEED
Book 5078 @ Page 5746
Pages Recorded 4
Recording Cost \$ 52.00
Transfer Tax \$ 357.50

(a) No house erected upon the within granted premises, or any part thereof, shall be used for other than single or multi-family residence purposes. There shall not be more than one out-building upon said premises and the same may be used for the purpose ordinarily incident to the residence, but not for habitation by any person.

(b) Any House erected on the within granted premises shall be constructed of brick or stone and the foundation shall be of masonry construction.

(c) The within granted premises shall be used only for residence purposes and any house erected thereon shall have at least one thousand four hundred (1,400) square feet of floor space, not including basement and unenclosed porches.

(d) The main wall of any building erected on the within granted premises shall not be nearer than forty (40) feet to the front property line thereof, or nearer than ten (10) per cent of the lot width to any side property line, provided, the front yard set-back requirement for Lots 5, 6, 7, and 8 of said Addition shall only be 25 feet.

(e) No trailer, basement, tent, or other temporary structure located or erected upon the within granted premises, or any part thereof, shall be used as a residence, either temporarily or permanently.

(f) The foregoing terms, conditions and restrictions shall be binding upon the grantees, their heirs, personal representatives, vencees, and assigns.

This deed is made and accepted subject to all prior reservations, restrictions, exceptions, limitations, covenants, and conditions made and contained in all prior deeds of conveyance of record in the chain of title of the property herein conveyed, insofar as the same are presently applicable and have not been released, abandoned, or discharged by law or otherwise.

TO HAVE AND TO HOLD the real estate as herein above described, together with all of the improvements, rights, privileges, easements, and appurtenances thereunto belonging or in anywise appertaining, unto the Grantee and his assigns, forever.

Under penalties of fine and imprisonment as provided by law, the undersigned hereby declares that the consideration paid for this conveyance is \$65,000.00.

The 2022 land book listing for the property herein conveyed is in the name Jeanie Darnell and is shown in the Beckley District on Tax Map 34, Parcel 102. The mailing address of the Grantees herein is Post Office Box 823, Daniels, WV 25832.

THIS DOCUMENT WAS PREPARED WITHOUT BENEFIT OF SURVEY OR TITLE EXAMINATION.

WITNESS the following signatures and seals:

BY: 
TIMOTHY ALAN DARNELL

STATE OF West Virginia,
COUNTY OF Raleigh, to-wit:

The foregoing instrument was signed and acknowledged before me on this 16th day of
December, 2022 by **Timothy Alan Darnell**.

My commission expires: April 19, 2026

[AFFIX SEAL]



[Signature]
Notary Public

This document was prepared by:
ADAM D. TAYLOR, ESQUIRE #11713
Taylor & Hinkle, Attorneys at Law
115 1/2 South Kanawha Street
Beckley, WV 25801

STATE TAX COMMISSIONER OF WEST VIRGINIA
SALES LISTING FORM

The Instrument May Not Be Recorded If This Form Is Not Completed In Its Entirety

West Virginia Code §§11-22-6, 11A-3-2 & 11A-3-3 (Amended 3-11-95)

Revised 8/12

County: Raleigh Taxing District: 1- Beckley
Tax Map No.(s): 34 Parcel(s): 102
Tax Map No.(s): Parcel(s):
Account #:
Mineral ID #:
Grantor's Name: Timothy Alan Darnell Phone No. (336)703-7768
Grantee's Name: Philip P. Bailey + Jesse J. Martin Phone No. (304)731-1613
Mailing Address of New Owner: PO Box 823, Daniels, WV 25832
Mailing Address for Tax Statements:
Most Recent Previous Deed Book No.: 5076 Page No.: 0493
Grantor's Source of Title:

(If not by "Previous Deed" referenced above.)

(a) Real Estate: (b) Other Valuable Goods/Services: (If Applicable)
Consideration/Value: \$ 65,000.00 \$
Lot Size or Acreage Involved: 0.5 Acres
Estate(s) Transferred:

(Examples: Fee, Surface, Mineral, Coal, etc.)

- (1) Was this transaction on the open market? Yes/No (Circle One)
(2) Does this transaction involve more than one parcel? Yes/No (Circle One)
(3) Was this sale between related individuals or related corporations? Yes/No (Circle One)
(4) Was this a liquidation, foreclosure or other "Forced" sale? Yes/No (Circle One)
(5) Is this transaction pursuant to a land contract or owner financing? Yes/No (Circle One)
(6) Does this transaction include personal property? Yes/No (Circle One)
(7) Does this transaction include minerals and/or timber? Yes/No (Circle One)
(8) Any other financing arrangements materially affecting consideration? Yes/No (Circle One)
(9) Is this a mineral sale only? Yes/No (Circle One)

If "No" to Question 1 or "Yes" to Questions 2 - 8 above, please explain below:

Explanation:

Printed Name Adam Taylor, Esq. Signature Phone Number 304-894-8733
Filed By (check one): Buyer Seller Agent/Attorney Other

LIENHOLDER INFORMATION (OPTIONAL)

Check if change of name or address

Name:
Address for Notice:

INTEREST IN PROPERTY

Surface Owner's Rights Deed Book: Page No.:
Fiduciary Interest Relationship to Owner:
Lienholder Trust Deed Book No.: Page No.:
Other

Table with 2 columns: To Be Completed By County Clerk (Stamp Fee Paid, Date Recorded, New Deed Book No., New Deed Book Page No., Date of Transaction) and Sheriff's Use Only (Date Received, Effective Dates of Lien, Date Entered, Entered By, Tax Ticket No.)

RELEASE OF LIEN

COMPLETE THIS SECTION IF YOU ARE RELEASING THIS LIEN

Date Lien Is Released:
Signature of Lienholder:

COPIES: WHITE ~ ASSESSOR CANARY ~ SHERIFF PINK ~ TAX COMMISSIONER GOLDENROD ~ PREPARER