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31-89-39

THIS DEED, made this 27th day of August, 1984, by and between LAWRENCE PROBST and OTA PROBST, his wife, KENNETH ICE and RUTH ANN ICE, his wife, BILLY GENE PROBST and PEARL PROBST, his wife, CLARE PROBST and REGINA PROBST, his wife, and JEANNETTE PROBST, single, parties of the first part, and ROBERT D. PHILLIPS and MARY JANE NORTHCRAFT, parties of the second part.

WITNESSETH, that for and in consideration of the sum of Five (\$5.00) Dollars and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said parties of the first part do hereby grant and convey unto the said parties of the second part, the following described property, to-wit:

A tract of land located on the West side and adjacent to W.V. Rt. 180, approximately two miles South of the intersection of W.V. Rt. 2 & 180, near the mouth of Whiskey Run and Point Pleasant Creek, Magnolia District, Wetzel County, West Virginia, more precisely described as follows:

Beginning at a point in the center line of W.V. Rt. 180, referenced by the intersection of W.V. Rt. 180 center line and W.V. Rt. 2/1 (Whiskey Run Road) center line S70-56W, 73.1' and S79-21W, 56.91'. Thence through the W.V. Rt. 180 R/W and with the Hisson line up the hill

N12-48W, 1594.12' to a 1/2" x 1" iron rod (set) common corner to Hisson's 36.7 acre and 12.78 acre tract, referenced by a 6"Ø Sassafras S5E, 2' (3 mks.), 13"Ø Sugar Maple S45W, 13.5' (3 mks.) and a 5"Ø Sugar Maple N40W, 10' (3 mks.). Thence continuing with the Hisson line up and over the hill

N52-42E, 514.00' to a 1/2" x 1" iron rod (set), common corner to the Hisson 36.7 acre tract, Probst Heirs 149.98 acre tract and referenced by a 14"Ø Elm N10E, 14' (3 mks.) and 7"Ø Elm S25W, 16.5' (3 mks.). Thence continuing around the hill with the Probst Heirs line

N52-42E, 481.27' to a point in the Probst Heirs line and common corner to Berisford's 27.11 acre tract. Thence down the hill with the Berisford line and fence

S39-50E, 146.81' to a 14"Ø Gum with barbed wire fence. Thence continuing with the Berisford line down the hill and the fence line

S39-50E, 208.83' to a fence post. Thence continuing down the hill with the Berisford line and fence

S39-39W, 290.09' to a 4"Ø Beech with barbed wire at the foot of the hill by the run. Thence continuing down the run with the Berisford line and fence

S37-11E, 274.21' to a fence post. Thence continuing down the run with the Berisford line and fence

S49-00E, 202.91' to a fence post. Thence continuing with the Berisford line and fence

S44-54E, 190.33' to the center line of Old Alternate Rt. 18. Thence with the center line of Alt. 18 down the road, a series of 6 calls

S31-51W, 71.03'

S40-28W, 113.21'

S28-59W, 365.18'

S23-03W, 77.27'

S3-58E, 153.94'

S36-14E, 47.11' to the center line of W.V. Rt. 180. Thence with the center line of Rt. 180

S54-41W, 306.72' to a point in the center line of the road. Thence

S70-56W, 822.17' to the point of beginning, containing 49.50 acres more or less (incl. 3.32 acres of Rt. 180 and Alt. 18 R/W, and 0.33 acres and 0.22 acres as described in Phillips deeds 208/303 and 208/305) as surveyed by C.A. Smith, Spring of 1984 and shown on Plat #516, sheet 2 of 2 attached here-with and made a part of this deed description.

Being a portion of the land conveyed unto Victor Probst by deed recorded in the Office of the Clerk of the County Commission of Wetzel County, West Virginia in Deed Book 110, page 358. Victor E. Probst died intestate February 5, 1951, leaving surviving him as his sole and only heirs at law, Lawrence Probst, a son, Sophie Phillips, a daughter, Rosena Ice, a daughter, Jeannette Probst, a daughter and Billy Gene Probst and Clare Probst, sons of William F. Probst, a son of Victor E. Probst. Sophie Phillips died intestate February 12, 1975, leaving surviving her as her sole and only heirs at law, Burney Phillips, widower, now deceased, and Robert Phillips and Mary Jane Northcraft, children. Rosena Ice died intestate December 11, 1983, leaving surviving her as her sole and only heirs at law, Kenneth Ice, a son.

The said Jeannette Probst, single, reserves unto herself all of her interest in the oil and gas within and underlying the above described property.

This conveyance is made subject to all reservations, exceptions, grants of rights of way and easements made by the parties and prior owners.

WITNESS the following signatures and seals:

Lawrence Probst (SEAL) Ota Probst (SEAL)
LAWRENCE PROBST OTA PROBST

Kenneth Ice (SEAL) Ruth Ann Ice (SEAL)
KENNETH ICE RUTH ANN ICE

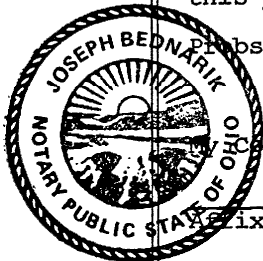
Billy G. Probst (SEAL) Pearl Probst (SEAL)
BILLY GENE PROBST PEARL PROBST

Clare Probst (SEAL) Regina Probst (SEAL)
CLARE PROBST REGINA PROBST

Jeannette Probst (SEAL)
JEANNETTE PROBST

STATE OF OHIO, COUNTY OF BELMONT, TO-WIT:

The foregoing instrument was acknowledged before me
this 14th day of Sept. ~~August~~, 1984, by Lawrence Probst and Ota
Probst, his wife.



My Commission Expires:
9/13/88
Affix Notarial Seal

Joseph Bednarik
Notary Public, Belmont County, OH
JOSEPH BEDNARIK, Notary Public
State of Ohio
My Commission Expires September 13, 1988

STATE OF OHIO, COUNTY OF Portage, TO-WIT:

The foregoing instrument was acknowledged before me
this 12th day of Sept. ~~August~~, 1984, by Kenneth Ice and Ruth Ann Ice.
his wife.

My Commission Expires:
Sept. 14, 1987
Notary Public for State of Ohio
Affix Notarial Seal

Lillian F. Harper
Notary Public, Portage
County, OH

STATE OF WEST VIRGINIA, COUNTY OF WETZEL, TO-WIT:

The foregoing instrument was acknowledged before me
this 18th day of Sept. ~~August~~, 1984, by Billy Gene Probst and Pearl
Probst, his wife.

My Commission Expires:
3/31/87

Patsy D. (Bowen) Wolf
Notary Public, Wetzel County, WV

STATE OF OHIO, COUNTY OF Portage. TO-WIT:

The foregoing instrument was acknowledged before me
this 12th day of ~~August~~ ^{Sept.}, 1984, by Clare Probst and Regina Probst,
his wife.

My Commission Expires:

Lillian F. Harper

Notary Public for State of Ohio

Affix Notary Seal Commission expires Sept. 14, 1987.

Lillian F. Harper,
Notary Public,
County, OH Portage Co

STATE OF WEST VIRGINIA, COUNTY OF WETZEL, TO-WIT:

The foregoing instrument was acknowledged before me
this 5th day of ~~August~~ ^{Sept.}, 1984, by Jeannette Probst, single.

My Commission Expires:

3-4-89

Richard K. Swartling
Notary Public, Wetzel County, WV

DECLARATION OF CONSIDERATION

Under the penalties of fine and imprisonment as provided
by law, the undersigned grantee hereby declares the total consider-
ation of the property transferred by the document to which this
declaration is appended is less than \$100.00 (PARTITION)

Given under my hand this 30th day of October,
1984.

Robert D. Phillips
GRANTEE

This instrument was prepared by:

Richard K. Swartling
Attorney at Law
P.O. Box 14
New Martinsville, WV 26155

