

AN ORDINANCE ACCEPTING THE TRANSFER OF REAL ESTATE

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL:

WHEREAS, the West Virginia Department of Transportation has verbally agreed to the conveyance and transfer of certain real estate described herein; and

WHEREAS, the West Virginia Department of Transportation has determined that the real estate in question is surplus land and that the West Virginia Department of Transportation has no current need or use for the real estate described herein, and would provide a material benefit to the Town of Danville as the site of a sewer lift station;

NOW, THEREFORE BE IT ORDAINED that acting pursuant to and in compliance with West Virginia Code Section 8-11-3 and Section 8-11-4, the Town of Danville is authorized to accept the grant, sale and conveyance of the real estate from the West Virginia Department of Transportation for the sum of \$1.00, and being more particularly described as follows:

All that tract or parcel situate in Scott District of Boone County, West Virginia more fully described as follows:

BEGINNING at a point in the eastern revised right of way line and in the eastern existing controlled access and revised right of way line of US Route 119, said point being 114.73 feet right of way and at right angle to US Route 119 centerline at Station 886+00.00, Project APD-323(22), Boone County, West Virginia;

thence, northeasterly, with said existing controlled access and revised right of way line 1,396 feet, more or less, to a point 110.00 feet radially right of centerline at Station 900+00.00;

thence, northwesterly, continuing with said existing controlled access and revised right of way line 196 feet, more or less, to a point 110.00 feet radially right of centerline at Station 902+00.00;

thence, southwesterly, with said southern revised right of way line, holding 40 feet parallel from and concentric to County Route 7 Connector Centerline 28 feet, more or less, to a point 142.36 feet radially right of Centerline at Station 904+58.98;

thence, easterly, continuing with said revised right of way line, with a curve to the left having a radius of 140.00 feet, holding 40 feet parallel from and concentric to County Route 7 Connector centerline 82 feet, more or less, to a point in the western existing prescriptive right of way line of old Boone County Route 7 (Turtle Creek Road), said point being 219.39 feet radially right of center line at Station 904+82.35;

thence, southwesterly, with the meanders of said western existing prescriptive right of way line of Boone County Route 7 (Turtle Creek Road), holding 15 feet parallel from and concentric to old Boone County Route 7 (Turtle Creek Road) centerline 1,868 feet, more or less, to a point in the eastern revised right of way line, said point being 226.91 feet right of and at right angle to centerline at Station 886+00.00;

thence, northwesterly, with said revised right of way line 112.18 feet to the place of beginning and containing, 254,478 square feet (5.84 acres), more or less, **but reserving and excepting from the aforesaid excess land** a permanent drainage easement through said excess land, being more particularly bound and described as follows:

BEGINNING at a point in the eastern proposed permanent drainage easement line and in the eastern existing controlled access and revised right of way line, said point being 114.56 feet right of and at right angle to US Route 119 centerline at Station 890+75.00, Project APD-323(22), Boone County, West Virginia;

thence, northeasterly, with said existing controlled access and revised right of way line 921 feet, more or less, to a point 110.00 feet radially right of centerline at Station 900+00.00;

thence, northeasterly, continuing with said existing controlled access and revised right of way line 196 feet, more or less, to a point 110.00 feet radially right of centerline at Station 902+00.00;

thence, northeasterly, continuing with said existing controlled access and revised right of way line 254 feet, more or less, to a point in the southern revised right of way line of Boone County Route 7 Connector, said point being 114.85 feet radially right of centerline at Station 904+59.18;

thence, southwesterly, with said southern revised right of way line,

holding 40 feet parallel from and concentric to County Route 7 Connector centerline 28 feet, more or less, to a point 142.36 feet radially right of centerline at Station 904+58.98;

thence, easterly, continuing with said revised right of way line, with a curve to the left having a radius of 140.00 feet, holding 40 feet parallel from and concentric to County Route 7 Connector centerline 49 feet, more or less, to a point in the eastern proposed permanent drainage easement line, said point being 190.00 feet radially right of centerline at Station 904+67.25;

thence, southwesterly, with said proposed permanent draining easement line, with a curve to the left having a radius of 5.539.577 feet, parallel from and concentric to centerline 562.60 feet to a point 190.00 feet radially right of centerline at Station SC 898+85.36;

thence, southwesterly, continuing with said proposed permanent drainage easement line, with a spiral to the left parallel from and concentric to centerline 184.76 feet to a point 190.00 feet right of and at right angle to centerline at Station TS 896+85.36;

thence, S 14° 36' 15" W, continuing with said proposed permanent drainage easement line, parallel to centerline 610.36 feet to a point 190.00 feet right of and at right angle to centerline Station 890+75.00;

thence, northeasterly, continuing with said permanent drainage easement line 75.44 feet to the place of beginning and containing 104,619 square feet (2.40 acres), more or less.

BE IT FURTHER ORDAINED that Mark McClure, Mayor of the Town of Danville, or his successor in office, is hereby authorized to execute and deliver all closing papers, affidavits, checks, receipts, and any all other documents; to receive and disburse any and all funds; and to do any and all things necessary or required to complete the transfer of title from the West Virginia Department of Transportation to the Town of Danville.

1st Reading - _____

2nd Reading - _____

I HEREBY CERTIFY THAT THIS IS AN
ATTESTED COPY OF RECORD.

Jacqueline Aleshire, City Clerk

Dated: _____

Mark McClure, Mayor

Tony Hensley, Recorder

George Chafin, Councilman

Fred Byrnside, Councilman

Ronald Nelson, Councilman

Rex Burton, Councilman

Harold Porter, Councilman