

**WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
DESIGN DIRECTIVE**

**312  
DEED DESCRIPTION PREPARATION FOR  
DIVISION OF HIGHWAYS PROPERTY ACQUISITION**  
*October 1, 2006*

Attached is the West Virginia Department of Transportation, Division of Highways policy on "Deed Description Preparation for Division of Highways property Acquisition," dated October 1, 2006.

The following procedures have been established for the preparation of deed descriptions to be used in the acquisition of property on highway projects. It is the responsibility of the designer to prepare and submit deed descriptions per these procedures.

Attachment

**DEED DESCRIPTION SUBMITTAL AND PREPARATION REQUIREMENTS****1.0 Submittal Requirements:**

- 1.1** The designer shall submit deed descriptions corresponding to proposed takes shown in the RW-3 "*Ownership Index*." This submittal, and all subsequent revisions shall be in electronic format as described below on media acceptable to the Division. The deed description files shall be formatted per the following:
- 1) Microsoft Word version as required by the Director of Right of Way Division at the time of submission.
  - 2) Disk shall be set up as a continuous document of all tracts within any given parcel.
  - 3) Descriptions shall make use of the "header" feature of Microsoft Word.
  - 4) "Times New Roman" or "Arial" text font.
  - 5) Font shall be 12 point letter size.
- 1.2** All deed descriptions shall be submitted within fourteen (14) calendar days following acceptance of the RW-3 plans. Partial submissions of deed descriptions may be accepted upon approval by the Division.
- 1.3** The designer shall submit all tracts within any given parcel together. Submittals containing part of the tracts for any parcel will not be accepted.
- 1.4** Following review of the submittal, the designer shall make all required revisions to the deed descriptions and resubmit for purposes of property acquisition.
- 1.5** The designer shall submit revised deed descriptions with all subsequent revised right of way plan submissions.
- 1.6** The designer shall submit deed descriptions for all parcels shown in the RW-3 "*Ownership Index*." This includes any parcels identified as owned by the "Public Land Corporation".
- 1.7** The Division will print the hard copy of all descriptions for submittal to the Right of Way Division. Deed descriptions shall be prepared on 8 ½" X 14" redline paper. The top and bottom margins shall be 1½ " and the body of the description shall be double spaced.

**2.0 Description Preparation Requirements:** The deed preparation requirements shown below are intended to provide guidance for the writer. Several sample descriptions are provided in the "Appendix" to aid the writer. Specific language for any particular deed must be tailored to the project situation. Therefore, customizing or altering of phrases shown herein may be necessary to fully meet the requirement of any particular deed. The designer shall follow these guidelines, however, deed phrases must be customized to fit project specific requirements.

- 2.1** The designer shall use only RW-3 plans for the purpose of writing deed descriptions. The stations and offsets used in the deed description shall match exactly those shown on the RW-3 plans. Projects which require the deeds to be prepared in metric units shall follow the guidelines specified herein. On metric projects, the unit of meter(s) shall be substituted for feet in all phrases. The distance in feet shall be shown in parentheses immediately following the metric distance (see example).
- 2.2** The plan centerline/baseline shall be used as the basis for all deed descriptions.
- 2.3** When possible, all descriptions should begin at the lowest station (usually in the lower left corner) of the parcel in regard to the centerline/baseline stationing.
- 2.4** Descriptions shall be written in a clockwise direction, and shall include all corners of the subject parcel and all right of way break points.
- 2.5** Instead of using bearing and distance descriptions, generally the Direction of a line shall be determined by the following descriptive terms:

Line Azimuth	Descriptive Term
00° 00' — 22° 30'	Northerly
22° 30' — 67° 30'	Northeasterly
67° 30' — 112° 30'	Easterly
112° 30' — 157° 30'	Southeasterly
157° 30' — 202° 30'	Southerly
202° 30' — 247° 30'	Southwesterly
247° 30' — 292° 30'	Westerly
292° 30' — 337° 30'	Northwesterly
337° 30' — 360° 00'	Northerly

The direction of a line which is described as being "parallel to centerline/baseline" shall be the corresponding centerline/baseline bearing.

- 2.6** The first paragraph of the deed description shall always contain a description of the reference centerline/baseline. The reference shall be as follows:

*...(proposed/existing) (Frontage Road/Approach Road/County Route number/WV Route number/ US Route number/ etc.)*

This description shall also be included anywhere there is a change in centerline/baseline reference, and where there is more than one centerline/baseline in close proximity to the parcel on the plans.

**2.7** The following shall be used in establishing distances and areas:

1) Distances shall be stated per the following:

English Projects: Distances shall be rounded to the nearest foot.

Metric Projects: Distances shall be rounded to one (1) decimal place, with feet in parentheses rounded to the nearest foot.

2) Areas shall always be stated per the following:

English Projects:

Areas one acre or more use acres rounded to two (2) decimal places.

Areas less than one acre use square feet rounded to the nearest square foot.

Metric Projects:

Areas greater than 10,000 square meters use hectares rounded to three (3) decimal places with acres in parentheses rounded to two (2) decimal places.

Areas less than 10,000 square meters use square meters rounded to an even square meter with square feet in parentheses rounded to the nearest square foot for conversion purposes only.

Note: The areas shall be checked to insure that they agree with those in the Ownership Index.

- 2.8 All deed descriptions shall be per the following outline:
- I. Heading
  - II. Opening Statement (Not required for partial takes.)
  - III. Deed Descriptive Body for Each Tract (Not required for total takes of sub-division or city lots.)
    - A. First paragraph.
    - B. Subsequent Paragraphs (One for each tract line.)
    - C. Last Paragraph.
  - IV. Source Quote (Placed only at the end of the final tract description for Each parcel, see example; not required for "Public Land Corporation" parcels.)

2.9 Heading:

2.9.1 First Page of Individual Tracts:

2.9.1.1 Parcel with One Tract:

Upper Right:

**Project** (*State Project Number*), (*Federal Project Number*)  
**Parcel** (*Parcel Number*)  
*(Title Holder)*<sup>1,2</sup>

Upper left above first paragraph:

**(TYPE OF TAKE)** (This line to be all caps and underlined)

2.9.1.2 Parcel with Two or More Tracts:

Upper Right:\*

**Project** (*State Project Number*), (*Federal Project Number*)  
**Parcel** (*Parcel Number*)  
*(Title Holder)*<sup>1,2</sup>

\*Note: For each tract, start the page numbers over. On the first page of all tracts, the page number and tract number shall not be shown in the upper right.

Upper left above first paragraph:

**TRACT (TRACT NUMBER) - (TYPE OF TAKE)** (This line to be all caps and underlined)

**2.9.2** Second and Subsequent Pages of Individual Tracts:

**2.9.2.1** Parcel with One Tract:

Upper Right:

**Project** (State Project Number), (Federal Project Number)

**Parcel** (Parcel Number)

**(Title Holder)**<sup>1, 2</sup>

**Page** (Page Number)

**2.9.2.2** Parcel with Two or More Tracts:

Upper Right:

**Project** (State Project Number), (Federal Project Number)

**Parcel** (Parcel Number)

**(Title Holder)**<sup>1, 2</sup>

**Tract** (Tract Number), Page (Page Number)

<sup>1</sup> Writer may use "et.al." where multiple property owners exist. The first name shown as Title Holder must be the first name shown on recorded document.

<sup>2</sup> Title Holder must include names of holders of all land contracts and life estates.

**2.10** Opening Statement:

**2.10.1** Total Takes - Subdivision or City Lots:

**BEING** all of lot(s) (lot numbers) of (Subdivision/Plat), situate in (Magisterial or Taxing District Name) District, (County Name) County, West Virginia, said lot(s) lying to the (right/left/right and left) of (proposed/existing) (road name) (centerline/baseline) between Station (000+00) and Station (000+00), and containing (area) (square feet/acres), more or less, as shown on Project (State Project Number), (Federal Project Number).

**2.10.2** Total Takes using Deed Descriptions or Metes and Bounds utilizing Station offsets:

**BEING** all of (that/those) tract(s) or parcels of land, situate in [(City Name) or (Magisterial or Taxing District Name) District, (County Name) County], West Virginia, said parcel lying to the (right/left/right

***and left) of (proposed/existing) (Road Name) (centerline/baseline) between Station (000+00) and Station (000+00), as shown on Project (State Project Number ), (Federal Project Number), and being more particularly described as follows:***

## **2.11 Deed Descriptive Body:**

A deed descriptive body shall be required for all tracts. The tracts for each parcel shall be numbered and described in the following order if applicable:

- 1) Controlled Access
- 2) Noncontrolled Access
- 3) Permanent (Type) Easement
- 4) Temporary (Type) Easement

### **2.11.1 Station Offset Description**

#### **2.11.1.1 First Paragraph:**

**BEGINNING at a (point/corner) (*common to and*)<sup>1</sup> in the [division line between (abutting land owner)<sup>2</sup> and (property owner)]<sup>3</sup>, said point being in the [(northern/southern/eastern/western)]<sup>4</sup> (proposed/existing) (controlled access/noncontrolled access) (right of way line/easement line) of (road name)<sup>3</sup> and (distance) feet [(right/left) of and at right angle to/radially (right/left) of] (description of reference centerline/baseline per Section 2.6) (centerline/baseline) at Station (000+00), Project (State Project Number), (Federal Project Number), (County Name) County, West Virginia;**

<sup>1</sup> To be used only where three or more property lines intersect.

<sup>2</sup> List all abutting landowners in a clockwise order.

<sup>3</sup> The two phrases labeled with superscript "3" are to be included only when applicable. The order they appear in the first paragraph is dependent upon which line is

described in the second paragraph. The second paragraph line shall be the last line in the first paragraph. (See Example "Parcel 115, Tract 1").

- <sup>4</sup> The writer shall use the general direction of the whole road when distinguishing between (north, south, east or west) location of right of way or easement line.

**2.11.1.2** Subsequent Paragraphs shall be per the following:

- 1) Start a new paragraph for each tract line being described.

- 2) Begin all paragraphs with:

**thence, (direction),**

- 3) Do not use abbreviations in describing points except P.C., P.T., T.S., S.T., etc. or when referring to a specific map or plat and quoting or referring to abbreviations therein.

- 4) Offset points on tangent and at P.C., P.T., T.S., S.T., etc. shall be described as:

**(distance) feet (right/left) of and at right angle to (centerline/baseline) (P.C./P.T./T.S./S.T., etc.)<sup>1</sup> at Station (000+00);**

<sup>1</sup> Only when applicable.

- 5) Offset points within a curve shall be described as:

**(distance) feet radially (right/left) of (centerline/baseline) at Station (000+00);**

- 6) Distances between points should always be labeled as:

**(distance) feet, more or less, to a point...**

- 7) Lines between property owners shall be described as:

**division lines.**

- 8) Lines, which are right of way or easement lines, shall be described as:

**(northern/southern/eastern/western)(proposed/existing)**  
**(controlled access/noncontrolled access) (right of**  
**way/temporary construction easement/permanent**  
**drainage easement/temporary structure removal**  
**easement) lines...**

- 9) Uncertain existing property/division/right of way lines shall be measured by scale and described as:

**meandering with said (line description), (distance) feet, more or less, to a point...**

- 10) Proposed lines following with a curve shall be described as:

**with a curve to the (left/right) running concentric to (centerline/baseline) and having a radius of (distance) feet, with (line description) (arc distance) feet, more or less, to a point ...**

- 11) When the line being described is an easement or right of way and is parallel to the reference centerline/baseline, the following shall be used:

**thence, (reference centerline/baseline bearing) with said (line description per Note 8 above) parallel to (centerline/baseline) (distance) feet, more or less...**

- 12) When an interest in railroad property is to be acquired, the railroad valuation stations and offset distance must also be included in the description as follows:

**...said point being (distance) feet (left/right) of and at right angle to (description of reference centerline/baseline per section 2.6) (centerline/baseline) at Station (000+00) equals (distance) feet (left/right) of Railroad Valuation (centerline/baseline) at Station (000+00).**

**2.11.1.3** Last Paragraph:

The final tract line in the description shall be ended with the following:

...(distance) feet, more or less, to the place of beginning and containing (area) (square feet/acres), more or less.

**2.11.2** Metes and Bounds Description (Used only with Total Takes where the Parcel and Property Description are identical.)

- 1) Use the parcel owner's deed description per recorded deed.
- 2) Set off deed description by further indentation of left and right margins and single spacing. (See Example "Parcel 12".)

**2.12** Source Quote:**2.12.1** Present Owner Acquired Title by Deed:

The (tract[s]/parcel[s]) of land hereinabove described (is/are) (all/a portion) of that same real estate conveyed unto (Grantee's Name), (Grantee Identifiers from deed, i.e. his wife, as joint tenants with right of survivorship, corporation, etc.), from (Grantor's Name), (Grantor Identifiers from deed, i.e. his wife, as joint tenants with right of survivorship, corporation, etc.), by deed dated (deed date), of record in the Office of the Clerk of the County Commission of (County Name) County, West Virginia, in Deed Book (Number), at Page (Number). [The said (Grantor's Name) died (date of death) and in accordance with the survivorship clause contained in said deed said real estate became vested in (Grantee's Name), (relationship).]<sup>1</sup> [The said (Grantee's Name) is currently married to (Spouse's Name)]<sup>2</sup>

<sup>1</sup> This statement required if Grantee acquired property by a deed survivorship clause.

<sup>2</sup> This statement required if Grantee's spouse is not listed as a property owner.

## 2.12.2 Present Owner Acquired Title by Will:

The (tract[s]/parcel[s]) of land hereinabove described (is/are) (all/a portion) of that same real estate conveyed unto (Deceased Name), from (Grantee to Deceased), by deed dated (Deed Date), of record in the Office of the Clerk of the County Commission of (County Name) County, West Virginia, in Deed Book (Number), at Page (Number).

The said (Deceased Name) died (testate)<sup>1</sup> (Date of Death), [and in accordance with the survivorship clause contained in said deed or and devised unto (Heir Description) interest in the] said real estate [became vested in (Survivor)(relationship). or by will dated (Will Date), of record in the Office of the Clerk of the County Commission of (County Name) County, West Virginia, in Will Book (Number), at Page (Number).] [The said (Grantee's Name) is currently married to (Spouse's Name)]<sup>2</sup>

Note: Repeat second paragraph until heir or survivor corresponds to current Title Holder.

<sup>1</sup> Only when applicable.

<sup>2</sup> This statement required if Grantee's spouse is not listed as a property owner.

# **APPENDIX**

## **DD-312**

### **SAMPLE DESCRIPTIONS**

**NOTE:** Sample Descriptions are 8 1/2 " X 11" reduced versions of actual 8 1/2" X 14" documents for illustrative purposes only.

Project S306-17-4.98  
Parcel 1  
Barbara E. Edwards

NONCONTROLLED ACCESS RIGHT OF WAY

BEGINNING at a point in the northern existing right of way line of US Route 60, said point being in the western proposed noncontrolled access right of way line of relocated Cabell County Route 17 and 117 feet radially left of relocated US Route 60 baseline at Station 97+50, Project S306-17-4.98, Cabell County, West Virginia;

thence, northeasterly, with said proposed noncontrolled access right of way line 148 feet, more or less, to a point 180 feet left of and at right angle to relocated Cabell County Route 17 centerline at Station 11+20;

thence, northeasterly, continuing with said proposed noncontrolled access right of way line 189 feet, more or less, to a point 90 feet left of and at right angle to centerline at Station 12+86;

thence, southeasterly, continuing with said proposed noncontrolled access right of way line 74 feet, more or less, to a point 30 feet left of and at right angle to centerline at Station 13+30;

thence, N 40° 26' E, continuing with said proposed noncontrolled access right of way line, parallel to centerline 10 feet, more or less, to a point in the division line between Public Land Corporation, and Barbara E. Edwards, and in the southern low water mark of Mud River, said point being 30 feet left of and at right angle to centerline at Station 13+40

thence, southeasterly, meandering upstream, with said division line and said low water mark 60 feet, more or less, to a point in the eastern proposed noncontrolled access right of way line, said point being 30 feet right of and at right angle to centerline at Station 13+42;

thence, S 40° 26' W, with said proposed noncontrolled access right of way line, parallel to centerline 12 feet, more or less, to a point 30 feet right of and at right angle to centerline at Station 13+30;

Project S306-17-4.98  
Parcel 1  
Barbara E. Edwards  
Page 2

thence, southeasterly, continuing with said proposed noncontrolled access right of way line 119 feet, more or less, to a point 140 feet right of and at right angle to centerline at Station 12+85;

thence, S 40° 26' W, continuing with said proposed noncontrolled access right of way line, parallel to centerline 139 feet, more or less, to a point in the northern existing right of way line of US Route 60, said point being 140 feet right of and at right angle to centerline at Station 11+46;

thence, westerly, meandering with said existing right of way line 450 feet, more or less, to the place of beginning and containing 1.32 acres, more or less.

The tract of land hereinabove described is a portion of that same real estate conveyed unto Norma W. Ellis and Barbara E. Edwards, her daughter, as joint tenants with right of survivorship, from Norma W. Ellis, by deed dated April 22, 1988, of record in the Office of the Clerk of the County Commission of Cabell County, West Virginia, in Deed Book 896 at Page 395. The said Norma W. Ellis died January 3, 1990, and in accordance with the survivorship clause contained in said deed, interest in said real estate became vested in Barbara E. Edwards, her daughter. The said Barbara E. Edwards is currently married to Hiram S. Edwards, Jr.

Project U306-60-19.72, NH-0060(245)  
Parcel 3  
Harold H. Hunter

PERMANENT DRAINAGE EASEMENT

BEGINNING at a point in the southern proposed permanent drainage easement line of relocated US Route 60, said point being in the southern existing right of way line of US Route 60 and 44 feet right of and at right angle to relocated US Route 60 centerline at Station 190+10, Project U306-60-19.72, NH-0060(245), Cabell County, West Virginia;

thence, N 40° 05' 31" E, with said existing right of way line, parallel to centerline 59 feet, more or less, to a point in the southern proposed permanent drainage easement line, said point being 44 feet right of and at right angle to centerline at Station 190+69;

thence, southeasterly, with said proposed permanent drainage easement line 6 feet, more or less, to a point 50 feet right of and at right angle to centerline at Station 190+69;

thence, southeasterly, continuing with said proposed permanent drainage easement line 41 feet, more or less, to a point 90 feet right of and at right angle to centerline at Station 190+60;

thence, S 40° 05' 31" W, continuing with said proposed permanent drainage easement line, parallel to centerline 50 feet, more or less, to a point 90 feet right of and at right angle to centerline at Station 190+10;

thence, northwesterly, continuing with said proposed permanent drainage easement line 46 feet, more or less, to the place of beginning and containing 2,535 square feet, more or less.

The tract of land hereinabove described is a portion of that same real estate conveyed unto Harold H. Hunter, from Mock Brothers, Inc., by deed dated March 3, 1995, of record in the Office of the Clerk of the County Commission of Cabell County, West Virginia, in Deed Book 986 at Page 271.

Project U301-250-16.58  
Parcel 12  
Emma Jane Mayle and  
Barbara Ellen Newman

TOTAL TAKE – NONCONTROLLED ACCESS RIGHT OF WAY

BEING all of that parcel of land, situate in Philippi District, Barbour County, West Virginia, said parcel lying to the right and left of proposed Philippi Bypass centerline between Station 76+01 and Station 77+10, as shown on Project U301-250-16.58, and being more particularly described as follows:

BEGINNING at a stake on the west side of Chestnut Street and running with the Street N. 13° 30 E. 60 feet to Carlin's (now Wilson's) corner; thence leaving the street and with Carlin's (now Wilson's) line N. 79° 15 W. 120 feet to a stake; thence S 13° 30 W. 60 feet to a stake near an Ash stump on the west side of Anglin's Run; thence S. 79° 15 E. 120 feet to the beginning and containing 26.4 poles (7,200 square feet).

The parcel of land hereinabove described is all of that same real estate conveyed unto John Newman, from Ralph Gum, by deed dated November 2, 1974, of record in the Office of the Clerk of the County Commission of Barbour County, West Virginia, in Deed Book 252 at Page 615.

The said John Newman died intestate on February 4, 1981, and his interest in the said real estate became vested in his nine (9) children. The said real estate was then conveyed unto Emma Jane Mayle and Barbara Ellen Newman, from Rosabell Croston, widow; Stephen Newman and Lotita Newman, his wife; Eloise Dalton and Bernard Dalton, her husband; Leona Mayle and Vincent Mayle, her husband; Josephine Summerfield and Jack Summerfield, her husband; Wanda Lott, widow; and Ernestine Newman; by deed dated February 17, 1982, of record in the aforesaid Clerk's Office, in Deed Book 298 at Page 150.

Project U301-250-16.58  
Parcel 17  
Georgia A. Hatfield, et. al.

TOTAL TAKE – NONCONTROLLED ACCESS RIGHT OF WAY

BEGINNING at a point in the division line between Sylvia E. Boyles and Georgia A. Hatfield, said point being in the western existing right of way line of Chestnut Street (Berkeley County Route 30) and 24 feet right of and at right angle to proposed Philippi Bypass centerline at Station 78+73, Project U301-250-16.58, Barbour County, West Virginia;

thence, southwesterly, with said existing right of way line 10 feet, more or less, to a point 29 feet right of and at right angle to centerline at Station 78+82;

thence, southwesterly, continuing with said existing right of way line 224 feet, more or less, to a point in the division line between the City of Philippi/Philippi Municipal Building Commission and Georgia A. Hatfield, said point being 10 feet radially left of relocated Chestnut Street centerline at Station 13+26;

thence, northwesterly, with said division line 27 feet, more or less, to a point in the western proposed noncontrolled access right of way line of relocated Chestnut Street, said point being in the western proposed noncontrolled access right of way line of proposed Philippi Bypass and 256 feet right of and at right angle to proposed Philippi Bypass centerline at Station 79+09;

thence, northwesterly, with said proposed noncontrolled access right of way line of proposed Philippi Bypass 26 feet, more or less, to a point in the division line between the City of Philippi/Philippi Municipal Building Commission and Georgia A. Hatfield, said point being 272 feet right of and at right angle to centerline at Station 78+91;

thence, easterly, with said division line 96 feet, more or less, to a point 179 feet right of and at right angle to centerline at Station 78+67;

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Parcel 17  
Georgia A. Hatfield, et. al.  
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thence, northerly, continuing with said division line 70 feet, more or less, to a point 196 feet right of and at right angle to centerline at Station 78+00;

thence, northeasterly, continuing with said division line 104 feet, more or less, to a point 95 feet right of and at right angle to centerline at Station 77+75;

thence, southeasterly, continuing with said division line 14 feet, more or less, to a point common to the City of Philippi/Philippi Municipal Building Commission, Sylvia E. Boyles, and Georgia A. Hatfield, said point being 87 feet right of and at right angle to centerline at Station 77+86;

thence, southeasterly, with the division line between Sylvia E. Boyles and Georgia A. Hatfield 110 feet, more or less, to the place of beginning and containing 18,895 square feet, more or less.

The tract of land hereinabove described is all of that same real estate conveyed unto Franklin A. Hatfield, from Sharon M. Golden and Georgia A. Hatfield, Executrices of the Estate of Hazel B. Sturm, deceased, by deed dated May 23, 1996, of record in the Office of the Clerk of the County Commission of Barbour County, West Virginia, in Deed Book 360 at Page 558.

The said Franklin A. Hatfield died intestate, April 30, 1997, leaving the following heirs at law: Georgia A. Hatfield, daughter; Louise A. Hatfield-Anderson, daughter; Susan A. Hatfield, daughter; and Franklin A. Hatfield, Jr., son.

Project X354-D-7.00, APD-0282(101)  
Parcel 26  
Clark D. and Molly B. Powell

TOTAL TAKE - CONTROLLED ACCESS RIGHT OF WAY

Being all of Lot No. 17 of Little Farms Addition No. 1, situate in the City of Parkersburg, of record in the Office of the County Clerk of Wood County, West Virginia, in Plat Book 2 at Page 70, said lot lying to the right of proposed US Route 50 centerline between Station 2422+41 and Station 2423+24, and containing 8,000 square feet, more or less, as shown on Project X354-D-7.00, APD-0282(101);

The parcel of land hereinabove described is all of that same real estate conveyed unto Clark D. Powell and Molly B. Powell, husband and wife, from Clay H. Powell and Edna J. Powell, husband and wife, by deed dated February 3, 1964, of record in the aforesaid Clerk's Office in Deed Book 485 at Page 473.

Project U306-64-19.72, NH-0641(245)  
Parcel 37  
Huntington Mall Company

TRACT 12 - TEMPORARY CONSTRUCTION EASEMENT

BEGINNING at a point in the southern proposed temporary construction easement line of proposed Ring Road, said point being in the southern proposed noncontrolled access right of way line of proposed Ring Road and 22 feet radially right of proposed Ring Road centerline at Station 80+75, Project U306-64-19.72, NH-0641(245), Cabell County, West Virginia;

thence, northeasterly, with said proposed noncontrolled access right of way line 26 feet, more or less, to a point 22 feet right of and at right angle to centerline at Station 81+00;

thence, northeasterly, continuing with said proposed noncontrolled access right of way line 80 feet, more or less, to a point 27 feet right of and at right angle to centerline at Station 81+80;

thence, southeasterly, continuing with said proposed noncontrolled access right of way line 25 feet, more or less, to a point in the southern proposed temporary construction easement line, said point being 42 feet right of and at right angle to centerline at Station 82+00;

thence, southwesterly, with said proposed temporary construction easement line 127 feet, more or less, to a point 32 feet radially right of centerline at Station 80+75;

thence, northwesterly, continuing with said proposed temporary construction easement line 10 feet, more or less, to the place of beginning and containing 1,392 square feet, more or less.

The tracts of land hereinabove described are a portion of that same real estate conveyed unto Huntington Mall Company, from Neighborgall Corporation Company, by deed dated February 1, 1978, of record in the Office of the Clerk of the County Commission of Cabell County, West Virginia, in Deed Book 784 at Page 721.

Project U340-34-11.06, F-0034(043)  
Parcel 40  
Clarice E. Bayliss

TRACT 1 - NONCONTROLLED ACCESS RIGHT OF WAY

BEGINNING at a point in the northern existing right of way line of WV Route 34, said point being in the division line between Columbia Gas of West Virginia (Mountaineer Gas) and Clarice E. Bayliss and 7.0 meters (23 feet) radially left of relocated WV Route 34 centerline at Station 1+111.4, Project U340-34-11.06, F-0034(043), Putnam County, West Virginia;

thence, northwesterly, with said division line 9.2 meters (30 feet), more or less, to a point 15.7 meters (52 feet) radially left of centerline at Station 1+108.5;

thence, southwesterly, continuing with said division line 4.6 meters (15 feet), more or less, to a point common to Columbia Gas of West Virginia (Mountaineer Gas), Patrick W. Miller, et ux, and Clarice E. Bayliss, said point being 15.6 meters (51 feet) radially left of centerline at Station 1+103.9;

thence, northwesterly, with the division line between Patrick W. Miller, et ux, and Clarice E. Bayliss 2.4 meters (8 feet), more or less, to a point in the northern proposed noncontrolled access right of way line, said point being 17.9 meters (59 feet) radially left of centerline at Station 1+103.2;

thence, northeasterly, with said proposed noncontrolled access right of way line 27.0 meters (89 feet), more or less, to a point 17.0 meters (56 feet) radially left of centerline at Station 1+130.0;

thence, northeasterly, continuing with said proposed noncontrolled access right of way line 16.8 meters (55 feet), more or less, to a point in the western existing right of way line of Putnam County Route 34/29 (Sunny Brook Road), said point being 26.0 meters (85 feet) radially left of centerline at Station 1+144.0;

thence, southerly, with said existing right of way line 19.6 meters (64 feet), more or less, to a point in the northern existing right of way line, said point being 7.5 meters (25 feet) radially left of centerline at Station 1+138.0;

thence, southwesterly, with said existing right of way line 26.6 meters (87 feet), more or less, to the place of beginning and containing 358 square meters (3,854 square feet), more or less.

Project U340-34-11.06, F-0034(043)  
Parcel 40  
Clarice E. Bayliss

TRACT 2 - PERMANENT DRAINAGE EASEMENT

BEGINNING at a point in the northern proposed noncontrolled access right of way line of relocated WV Route 34, said point being in the division line between Patrick W. Miller, et ux, and Clarice E. Bayliss and 17.9 meters (59 feet) radially left of relocated WV Route 34 centerline at Station 1+103.2, Project U340-34-11.06, F-0034(043), Putnam County, West Virginia;

thence, northwesterly, with said division line 11.8 meters (39 feet), more or less, to a point in the northern proposed permanent drainage easement line, said point being 29.0 meters (95 feet) radially left of centerline at Station 1+099.4;

thence, northeasterly, with said proposed permanent drainage easement line 7.0 meters (23 feet), more or less, to a point 35.0 meters (115 feet) radially left of centerline at Station 1+103.0;

thence, southeasterly, continuing with said proposed permanent drainage easement line 18.6 meters (61 feet), more or less, to a point in the northern proposed noncontrolled access right of way line, said point being 17.7 meters (58 feet) radially left of centerline at Station 1+110.0;

thence, southwesterly, with said proposed noncontrolled access right of way line 6.8 meters (22 feet), more or less, to the place of beginning and containing 90 square meters (969 square feet), more or less.

The tracts of land hereinabove described are a portion of that same real estate conveyed unto J. M. Bayliss, from Stuart W. Thomas and Catharine Y. Thomas, his wife, by deed dated January 17, 1955, of record in the Office of the Clerk of the County Commission of Putnam County, West Virginia, in Deed Book 120 at Page 126.

The said J. M. Bayliss died testate on January 30, 1971, and by the terms of his Last Will and Testament, dated March 15, 1967, of record in the aforesaid Clerk's Office, in Will Book 276 at Page 452, interest in said real estate was devised unto Clarice E. Bayliss.

Project X354-D-4.73, APD-0282(115)  
Parcel 73  
CSX Transportation, Inc.

CONTROLLED ACCESS RIGHT OF WAY

BEGINNING at a point in the northern existing controlled access right of way line of WV Route 68, said point being in the southern existing CSX railroad right of way line and 53 feet radially left of proposed US Route 50 centerline at Station 2337+00 equals 53 feet right of Railroad Valuation centerline at Station 6796+00, as shown on Project X354-D-4.73, APD-0282(115), Wood County, West Virginia;

thence, northerly, with said existing CSX railroad right of way line 15 feet, more or less, to a point in the northern proposed controlled access right of way line of proposed US Route 50, said point being 68 feet radially left of proposed US Route 50 centerline at Station 2337+00 equals 38 feet right of Railroad Valuation centerline at Station 6795+98;

thence, easterly, with said proposed controlled access right of way line 104 feet, more or less, to a point 68 feet radially left of proposed US Route 50 centerline at Station 2338+00 equals 31 feet right of Railroad Valuation centerline at Station 6797+04;

thence, easterly, continuing with said proposed controlled access right of way line 105 feet, more or less, to a point 67 feet radially left of proposed US Route 50 centerline at Station 2339+00 equals 31 feet right of Railroad Valuation centerline at Station 6798+11;

thence, easterly, continuing with said proposed controlled access right of way line 19 feet, more or less, to a point in the northern existing right of way line of WV Route 68 and in the southern existing CSX railroad right of way line, said point being 67 feet radially left of proposed US Route 50 centerline at Station 2339+18 equals 32 feet right of Railroad Valuation centerline at Station 6798+31;

Project X354-D-4.73, APD-0282(115)  
Parcel 73  
CSX Transportation, Inc.  
Tract 1, Page 2

thence, southerly, with said existing right of way line of WV Route 68 and said existing CSX railroad right of way line, more or less, to a point 26 feet radially left of proposed US Route 50 centerline at Station 2339+14 equals 72 feet right of Railroad Valuation centerline at Station 6798+26;

thence, westerly, continuing with said existing WV Route 68 right of way line and said existing CSX railroad right of way line 77 feet, more or less, to a point in the northern existing controlled access right of way line of WV Route 68, said point being 17 feet radially left of proposed US Route 50 centerline at Station 2338+38 equals 81 feet right of Railroad Valuation centerline at Station 6797+46;

thence, westerly, meandering with said existing controlled access right of way line and said existing CSX railroad right of way line 118 feet, more or less, to a point 50 feet radially left of proposed US Route 50 centerline at Station 2337+28 equals 53 feet right of Railroad Valuation centerline at Station 6796+30;

thence, westerly, continuing with said existing controlled access right of way line and said existing CSX railroad right of way line 29 feet, more or less, to the place of beginning and containing 8,119 square feet, more or less.

The tract of land hereinabove described is a portion of that same real estate conveyed unto CSX Transportation, Inc., from The Chesapeake and Ohio Railway Company, by a deed dated September 2, 1987, of record in the Office of the Clerk of the County Commission of Wood County, West Virginia, in Deed Book 879 at Page 832.

Project X354-D-4.73, APD-0282(115)  
Parcel 78  
Freda R. Smithton

TRACT 2 - UNECONOMIC REMNANT

BEGINNING at a point in the division line between Baker Neal Jr. and Freda R. Smithton, said point being in the southern proposed controlled access right of way line of proposed US Route 50 and 130 feet radially right of proposed US Route 50 centerline at Station 2364+65, Project X354-D-4.73, APD-0282(115), Wood County, West Virginia;

thence, easterly, with said proposed controlled access right of way line 42 feet, more or less, to a point in the division line between Jackie L. and May E. Rake and Freda R. Smithton, said point being 123 feet radially right of centerline at Station 2365+04;  
thence, southwesterly, with said division line 127 feet, more or less, to a point 247 feet radially right of centerline at Station 2364+83;

thence, northwesterly, continuing with said division line 40 feet, more or less, to a corner common to Jackie L. and Mary E. Rake, George Baker Neal Jr., and Freda R. Smithton, said point being 241 feet radially right of centerline at Station 2364+48;

thence, northeasterly, with the division line between George Baker Neal, Jr. and Freda R. Smithton 112 feet, more or less, to the place of beginning and containing 4,772 square feet, more or less.

The tract of land hereinabove described is all of that remaining residue lying to the right of proposed US Route 50 centerline and conveyed unto Freda R. Smithton, from Rupert G. Harvey, by deed dated June 15, 1937, of record in the Office of the Clerk of the County Commission of Wood County, West Virginia, in Deed Book 217 at Page 204.

Project S355-97-0.01, F-0097(001)  
Parcel 115  
John Smith

TRACT 1 - NONCONTROLLED ACCESS RIGHT OF WAY

BEGINNING at a point in the northern existing right of way line of WV Route 97, said point being in the division line between Georgia Pacific Corporation and John Smith and 16 feet radially left of relocated WV Route 97 centerline at Station 632+11, Project S355-97-0.01, F-0097(001), Wyoming County, West Virginia;

thence, northwesterly, with said division line 137 feet, more or less, to a point in the northern proposed noncontrolled access right of way line, said point being 148 feet radially left of centerline at Station 632+45;

thence, northeasterly, with said proposed noncontrolled access right of way line 326 feet, more or less, to a point in the northern existing right of way line of WV Route 97, said point being 130 feet left of and at right angle to centerline at Station 635+90;

thence, southwesterly, meandering with said existing right of way line 400 feet, more or less, to the place of beginning and containing 26,896 square feet, more or less.

Project S355-97-0.01, F-0097(001)  
Parcel 115  
John Smith

TRACT 2 - NONCONTROLLED ACCESS RIGHT OF WAY

BEGINNING at a point in the northern existing right of way line of the Norfolk and Western Railway Company, said point being in the division line between Georgia Pacific Corporation and John Smith and 28 feet radially right of relocated WV Route 97 centerline at Station 632+01, Project S355-97-0.01, F-0097(001), Wyoming County, West Virginia;

thence, northwesterly, with said division line 4 feet, more or less, to a point in the southern existing right of way line of WV Route 97, said point being 23 feet radially right of centerline at Station 632+02;

thence, northeasterly, meandering with said existing right of way line 2,950 feet, more or less, to a point 29 feet right of and at right angle to centerline at Station 658+69;

thence, southeasterly, continuing with said existing right of way line 31 feet, more or less, to a point in the southern proposed noncontrolled access right of way line, said point being 60 feet right of and at right angle to centerline at Station 658+69;

thence, S 41° 22' 49" W, with said proposed noncontrolled access right of way line, parallel to centerline 190 feet, more or less, to a point 60 feet right of and at right angle to centerline at P.T. Station 656+78.90;

thence, southwesterly, continuing with said proposed noncontrolled access right of way line 360 feet, more or less, to a point 35 feet right of and at right angle to centerline at P.C. Station. 653+26.74;

Project S355-97-0.01, F-0097(001)  
Parcel 115  
John Smith  
Tract 2, Page 2

thence, southwesterly, continuing with said proposed noncontrolled access right of way line 522 feet, more or less, to a point 40 feet right of and at right angle to centerline at P.T. Station. 648+05.16;

thence, southwesterly, continuing with said proposed noncontrolled access right of way line 305 feet, more or less, to a point 80 feet right of and at right angle to centerline at Station 645+00;

thence, S 45° 58' 56" W, continuing with said proposed noncontrolled access right of way line, parallel to centerline 250 feet, more or less, to a point 80 feet right of and at right angle to centerline at Station 642+50;

thence, southeasterly, continuing with said proposed noncontrolled access right of way line 40 feet, more or less, to a point in the northern existing right of way line of the Norfolk and Western Railroad Company, said point being 117 feet right of and at right angle to centerline at Station 642+38;

thence, southwesterly, meandering with said existing railroad right of way line 1,047 feet, more or less, to the place of beginning and containing 4.75 acres, more or less.

Project S355-97-0.01, F-0097(001)  
Parcel 115  
John Smith

TRACT 3 - NONCONTROLLED ACCESS RIGHT OF WAY

BEGINNING at a point in the northern existing right of way line of WV Route 97, said point being in the northern proposed noncontrolled access right of way line of relocated WV Route 97 and 185 feet left of and at right angle to relocated WV Route 97 centerline at Station 640+37, Project S355-97-0.01, F-0097(001), Wyoming County, West Virginia;

thence, northeasterly, with said proposed noncontrolled access right of way line 778 feet, more or less, to a point 140 feet left of and at right angle to centerline at P.T. Station 648+05.16;

thence, N 49° 18' 14" E, continuing with said proposed noncontrolled access right of way line, parallel to centerline 522 feet, more or less, to a point 140 feet left of and at right angle to centerline at P.C. Station 653+26.74;

thence, northeasterly, continuing with said proposed noncontrolled access right of way line 658 feet, more or less, to a point in the northern existing right of way line, said point being 98 feet left of and at right angle to centerline at Station 660+00;

thence, southwesterly, with said existing right of way line 128 feet, more or less, to a point 97 feet left of and at right angle to centerline at Station 658+72;

thence, southeasterly, continuing with said existing right of way line 84 feet, more or less, to a point 13 feet left of and at right angle to centerline at Station 658+72;

thence, southwesterly, meandering with said existing right of way line 1,940 feet, more or less, to the place of beginning and containing 5.37 acres, more or less.

Project S355-97-0.01, F-0097(001)  
Parcel 115  
John Smith

TRACT 4 - PERMANENT DRAINAGE EASEMENT

BEGINNING at a point in the southern proposed permanent drainage easement line of relocated WV Route 97, said point being in the southern proposed noncontrolled access right of way line of relocated WV Route 97 and 53 feet radially right of relocated WV Route 97 centerline at Station 656+25, Project S355-97-0.01, F-0097(001), Wyoming County, West Virginia;

thence, northeasterly, with said proposed noncontrolled access right of way line 56 feet, more or less, to a point in the southern proposed permanent drainage easement line, said point being 60 feet right of and at right angle to centerline at P.T. Station 656+78.90 ;

thence, southeasterly, with said proposed permanent drainage easement line 62 feet, more or less, to a point in the northern existing right of way line of the Norfolk and Western Railroad Company, said point being 122 feet right of and at right angle to centerline at P.T. Station 656+78.90;

thence, southwesterly, with said existing railroad right of way line 57 feet, more or less, to a point in the southern proposed permanent drainage easement line, said point being 120 feet radially right of centerline at Station 656+25;

thence, northwesterly, with said proposed permanent drainage easement line 67 feet, more or less, to the place of beginning and containing 3,613 square feet, more or less.

The tracts of land hereinabove described are a portion of that same real estate conveyed unto John Smith, from Georgia Pacific Corporation, by deed dated February 9, 1976, of record in the Office of the Clerk of the County Commission of Wyoming County, West Virginia, in Deed Book 300 at Page 128.