

Thomas E. Matthews
R1 Box 35A
vclq WV
1887

532

42657

LEWIS JOINT VENTURE,
THOMAS E. MATTHEWS,
JOHN L. MATTHEWS,
GENE D. CORNETT,
GEORGE A. WINFREY and
LOUIS A. BEST, Partners

TO: DEED

THOMAS E. MATTHEWS and
PHYLLIS MATTHEWS,
husband and wife

THOMAS E. MATTHEWS and PHYLLIS MATTHEWS, husband and wife, AS JOINT TENANTS
WITH RIGHTS OF SURVIVORSHIP AND NOT AS TENANTS IN COMMON, grantees and 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 consideration deemed
valid in law, the receipt of all of which is hereby acknowledged, the said
grantors do, by these presents, hereby grant and convey, with COVENANT OF
GENERAL WARRANTY, COVEANTS OF SEISIN and COVENANTS AGAINST INCUMBRANCES unto
the said THOMAS E. MATTHEWS and PHYLLIS MATTHEWS, husband and wife, AS JOINT
TENANTS WITH RIGHTS OF SURVIVORSHIP AND NOT AS TENANTS IN COMMON, all that
certain tract or parcel of real estate containing 17.5 acres, more or less,
situate in Gore District of Hampshire County, West Virginia, said real estate
being the subject of a survey conducted by Frank A. Whitacre, Licensed Land
Surveyor, West Virginia License No. 506, and there is attached hereto and, by
reference, incorporated herein for a more particular description of the real
estate herein conveyed a plat of said real estate as prepared by the said
Frank A. Whitacre.

The real estate herein conveyed is a portion of the same real estate
that was conveyed unto Thomas E. Matthews and Louis A. Best, trustees for
Lewis Joint Venture, by deed of J. B. Lewis and Rose L. Lewis, his wife, dated
the 17th day of August, 1977, and of record in the Office of the Clerk of the
County Commission of Hampshire County, West Virginia in Deed Book No. 224 at
Page 654. This deed and the deeds and other documents therein referred
are, by reference, incorporated herein and made a part hereof for all proper
and pertinent reasons.

A portion of the aforesaid real estate as conveyed in the deed

described above was subdivided into lots and designated as Cacapon Mountain Retreat and said lots were made subject to certain protective covenants. It is understood and agreed between the parties hereto that the real estate herein conveyed, although same adjoins the said Cacapon Mountain Retreat and although same is a portion of the original tract of land conveyed to Thomas E. Matthews, et als, Trustees for Lewis Joint Venture, by the aforesaid deed, THE TRACT OF REAL ESTATE HEREIN CONVEYED IS NOT A PART OF THE CACAPON MOUNTAIN RETREAT AND, THEREFORE, IS NOT SUBJECT TO ANY OF THE COVENANTS OR RESTRICTIONS OF THE SAID CACAPON MOUNTAIN RETREAT.

The real estate herein conveyed is subject to any rights or easements which may be of record in the aforesaid Clerk's Office.

It is the purpose and the intention of this deed and it is hereby accepted by the grantees, that this real estate is conveyed unto them with rights of survivorship, that is, if the said THOMAS E. MATTHEWS should die before his wife, PHYLLIS MATTHEWS, then the entire estate in fee simple in and to the said property shall be and become the sole property of the said PHYLLIS MATTHEWS, and that if the said PHYLLIS MATTHEWS should die before her husband, THOMAS E. MATTHEWS, then the entire estate in fee simple in and to the said property shall be and become the sole property of the said THOMAS E. MATTHEWS.

Although the real estate taxes on the subject real estate may be prorated as of the day of closing, the grantors agree to assume and be solely responsible for the real estate taxes on the subject real estate for the calendar year 1986 and the grantees agree to assume and be solely responsible for the real estate taxes beginning with the calendar year 1987, although same may still be assessed in the names of the grantors.

TO HAVE AND TO HOLD the real estate herein conveyed, together with any and all improvements thereon, all rights, rights of way, roads, easements, minerals and appurtenances thereunto belonging unto the said THOMAS E. MATTHEWS and PHYLLIS MATTHEWS husband and wife, AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP AND NOT AS TENANTS IN COMMON, their heirs and assigns, in fee simple, forever.

Handwritten: 1, 1999
HCR 1, Box 35A

Handwritten: Leno, WV 25431

Handwritten: 63969

THOMAS EDWARD MATTHEWS

TO DEED

PHYLLIS ANN MATTHEWS

Handwritten: 746

THIS DEED, made and entered into on this 19th day of January 1999, by and between THOMAS E. MATTHEWS, grantor, and PHYLLIS A. MATTHEWS, grantee for the said purpose of conveying to PHYLLIS A. MATTHEWS, grantee all interest in real estate listed below. This deed is between husband and wife. No Consideration.

NOW, THEREFORE, THIS DEED,

WITNESSETH: That the said grantor, THOMAS E. MATTHEWS, husband, grants and conveys unto PHYLLIS A. MATTHEWS, wife, an undivided full and complete interest in and to all of those several tracts or parcels of real estate situate in Gore District of Hampshire County, West Virginia, that were conveyed unto THOMAS E. MATTHEWS and Mary Matthews, his wife now deceased, by deed of Fairfax County National Bank, John Graham, and Esyt C. Theodorus, Trustees of the Estate of Bismat Theodorus Smith, dated the 8th day of November, 1966 and of record in the Office of the Clerk of the County Commission of Hampshire County, West Virginia in Deed Book No. 171 at Page 522, said real estate being described therein as several tracts or parcels of real estate situate in Gore District, Hampshire County, West Virginia, known as:

First Parcel: Containing 229 acres, more or less.

Second Parcel: Containing 88 1/4 acres, more or less

Third Parcel: Containing 150 acres, more or less

Fourth Parcel: Containing 235 acres, more or less, for an aggregate of 702 1/4 acres.

LESS, HOWEVER, all that certain tract or parcel of real estate containing 104.3371 acres, more or less, which was conveyed by Thomas E. Matthews and Mary Matthews, his wife, to Gene Douglas Cornett, et ux, dated the 28th day of May, 1974 and of record in the aforesaid Clerk's Office in Deed Book No. 206 at Page 645. Said 104.3371 being cut from First Parcel containing 229 more or less.

LESS, FURTHER, HOWEVER, all that certain tract or parcel of real estate containing 134.1295 acres, by computation, which was conveyed by THOMAS E. MATTHEWS, single, to John R. Loudoun, et als, d/b/a TLC, a Joint Venture, a Maryland Partnership, dated the 4th day of January, 1980 and of record in the aforesaid Clerk's Office in Deed Book No. 240 at Page 625. Said 134.129 being the remainder of acreage remaining of the First Parcel containing 229 acres, more or less, (in this case more as evidenced by actual survey by William Stultz.

LEAVING, BY CALCULATION, FOR THIS CONVEYANCE THE TOTAL OF 463.7834 acres, more or less.

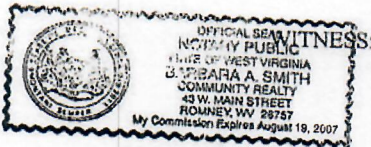
The said MARY R. MATTHEWS, one of the grantees in the original deed of conveyance referenced above, died on the 21st day of April, 1978 and, by her Last Will and Testament, which was probated in the County Clerk's Office of Montgomery County, Maryland and which is recorded in the Office of the Clerk of the County Commission of Hampshire County, West Virginia prior to this deed, she gave all of her interest in and to said real estate unto the said THOMAS E. MATTHEWS, thereby vesting fee simple title in and to the entire acreage in him. All of the above referenced deeds and the deeds and other documents therein referred to are, by reference, incorporated herein and made a part hereof for all proper and pertinent reasons in regard to the chain of title.

The above described real estate is subject to the reservation of one-half (1/2) of all minerals of whatsoever kind, including oil and gas, in, upon and under said tracts of real estate, said one-half (1/2) interest having previously been conveyed by predecessors in the chain of title.

WHEREAS, On January 1, 1987 THOMAS E. MATTHEWS, husband, and PHYLLIS A. MATTHEWS, wife, purchased 17.5 acres (Reference: Deed Book 104, Page 402, Tax Map 21, Parcel 1) from Lewis Joint Venture, THOMAS E. MATTHEWS now desires to convey his half interest in the said property to PHYLLIS A. MATTHEWS.

WITNESS the following signature and seal:

Thomas E. Matthews 1-19-99
Thomas E. Matthews Date



Barbara A. Smith 1-19-99
Notary Date

This instrument was prepared by Thomas & Phyllis Matthews
HCR-1 Box 35-A- Levels, W. Va. 25401

HAMPSHIRE COUNTY COM.
DEED
Date/Time: 01/26/1999 10:51
List #: 10750
Book/Page: 389- / 746-
Recd/Tax: 3.00
.00

"DECLARATION OF CONSIDERATION OF VALUE"

Under the penalties of fine and imprisonment as provided by law the undersigned do hereby declare that the transfer involved in the document to which this declaration is appended is not subject to the State excise tax upon the privilege of transferring real estate for the reason-s designated as follows:

Transfer from husband to wife

Given under my hand this _____ day of _____, 19____.

Thomas E. Matthews
(GRANTOR-S)
Party presenting document for recordation.
(GRANTEES)

Address: H.C. 60 Box 35A Levels, W. VA 25431

STATE OF WEST VIRGINIA, County of Hampshire, to-wit:

Be it remembered that on the 26th day of January, 1999, at 10:51 A.M.,
this Deed was presented in the Clerk's Office of the County Commission of said County
and with the certificate thereof annexed, admitted to record.

Attest: Maron H. Link
County Commission, Hampshire County, W. VA. Clerk
PP