

600 Quarrier Street
Charleston, West Virginia 25301

101 South Queen Street
Martinsburg, West Virginia 25401

501 Avery Street
Parkersburg, West Virginia 26101



7000 Hampton Center
Morgantown, West Virginia 26505
(304) 285-2500

www.bowlesrice.com

Southpointe Town Center
1800 Main Street, Suite 200
Canonsburg, Pennsylvania 15317

1217 Chapline Street
Wheeling, West Virginia 26003

480 West Jubal Early Drive, Suite 130
Winchester, Virginia 22601

Steven M. Prunty
Telephone — (304) 285-2505
Facsimile — (304) 285-2526

July 9, 2018

E-Mail Address:
sprunty@bowlesrice.com

County Commission of Jefferson County,
West Virginia
200 E. Washington Street
Charles Town, WV 25414

HAND DELIVERY

Re: Petition to Establish Statutory Road Maintenance Association pursuant to WV
Code 7-12A, with regard to Keyes Ferry Acres

Dear Counsellors:

On Thursday, September 17, 2015, Lee Snyder of Snyder Environmental appeared before the County Commission to request that it support the creation of a WV Code 7A-12A statutory Road Maintenance Association with regard Keyes Ferry Acres Subdivision. Mr. Snyder's request was made with the explanation that Keyes Ferry Acres is a 700+ lot subdivision created under the common law during the 1960s. The instruments creating Keyes Ferry Acres did not provide a mechanism whereby the owners of the 700+ lots would collectively maintain the common properties of the Subdivision as would be required by the County for the creation of a new Subdivision today. Thus, Mr. Snyder expressed his desire to try to secure support from the owners of 60% of the Keyes Ferry Lots for a petition asking the County Commission to form statutory Road Maintenance Association to provide a mechanism for all owners of all lots in Keyes Ferry Acres to collectively maintain their common properties. The Commission supported the proposal to potentially create a Road Maintenance Association in Keyes Ferry Acres Subdivision.

WV Code 7-12A-3 provides that:

(a) A petition in writing may be made to the county commission that duly verifies that sixty percent of the persons owning property on both sides of any orphan road, subdivision road, state road or public road in any unincorporated area request the approval of the formation of a maintenance association. The petition shall be accompanied by the proposed maintenance association's recordable documents that establish the association.

July 9, 2018

Page 2

(b) Upon the filing of such petition and the proposed maintenance association documents, the county commission shall fix a time and place for hearing protests and shall require the petitioners to post notice of such hearing in at least two conspicuous places on the state road, public road, orphan road or subdivision road of the area affected, and to give notice thereof by publication of such notice as a Class I legal advertisement in compliance with the provisions of article three, chapter fifty-nine of this code. The publication area for such publication shall be the county in which the maintenance association shall be located. The hearing shall be held not less than ten nor more than thirty days after the filing of such petition.

With the help of the Jefferson County Assessor's Office, Mr. Snyder ascertained that there are 756 total Lots in Keyes Ferry Acres Subdivision. With the help of legal counsel and input from other Keyes Ferry Acres lot owners Mr. Snyder prepared proposed maintenance association documents. Those documents were circulated, revised, and then presented for approval by owners of Keyes Ferry Acres lots. The same are now being submitted by this letter to the Commission with the support of the owners of 455 of the total 756 lots (60.317%).

Enclosed please find a Petition For Formation of Keyes Ferry Acres Maintenance Association Pursuant to WV Code 7-12A, et. seq. made by 455 of the 756 lots in Keyes Ferry Acres (60%) together with the Petitioners' proposed maintenance association documents and a proposed Commission Order setting a hearing and requiring posting of notices and the running of a Class I legal advertisement.

The Exhibits to the Petition are as follows:

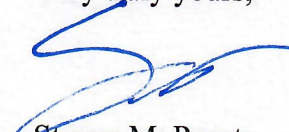
- Exhibit A – Maintenance Area Map**
- Exhibit B - List of Original Subdivision Maps**
- Exhibit C – Proposed Maintenance Association Declaration**
- Exhibit D – Proposed Maintenance Association Articles of Incorporation**
- Exhibit E – Proposed Maintenance Association Bylaws**
- Exhibit F – Signature Pages of Petitioning owners of 455 out of a total 756 lots**
- Exhibit G – Proposed Order Scheduling Public Hearing**

Please note that the Declaration is intended to be recorded as deed linking all the individual lots to the corporate Maintenance Association. Therefore, the proposed Maintenance Area Map, Subdivision Maps, Petition, and Order creating the Maintenance Association are also proposed Exhibits to the Declaration to be recorded in the County Clerk's Office.

July 9, 2018
Page 3

Please do not hesitate to call if you have any questions.

Very truly yours,



Steven M. Prunty

SMP/smp
Enclosures

600 Quarrier Street
Charleston, West Virginia 25301

101 South Queen Street
Martinsburg, West Virginia 25401

501 Avery Street
Parkersburg, West Virginia 26101



7000 Hampton Center
Morgantown, West Virginia 26505
(304) 285-2500

www.bowlesrice.com

Southpointe Town Center
1800 Main Street, Suite 200
Canonsburg, Pennsylvania 15317

1217 Chapline Street
Wheeling, West Virginia 26003

480 West Jubal Early Drive, Suite 130
Winchester, Virginia 22601

Steven M. Prunty
Telephone — (304) 285-2505
Facsimile — (304) 285-2526

July 24, 2018

E-Mail Address:
sprunty@bowlesrice.com

County Commission of Jefferson County,
West Virginia
200 E. Washington Street
Charles Town, WV 25414

HAND DELIVERY

Re: Petition to Establish Statutory Road Maintenance Association pursuant to WV
Code 7-12A, with regard to Keyes Ferry Acres

Dear Counsellors:

This letter is submitted as a supplement to my letter of July 9, 2018, with regard to the Petition for creation of a WV Code 7A-12A statutory Road Maintenance Association with regard Keyes Ferry Acres Subdivision.

The initial submission made on July 9, 2018, was a Petition with lettered Exhibits. Exhibit C to that Petition was a Proposed Maintenance Association Declaration which also had lettered Exhibits. In addition, and as a convenience, we submitted a current tax map from the Assessor's Office and 36 original Keyes Ferry Subdivision maps which were summarized on Exhibit B to the Petition and Exhibit B to the Declaration.

Per a suggestion made during last Thursday's meeting, a non-substantive modification was made to change Declaration Exhibits from letters to numbers. This letter is for the purpose of transmitting the Declaration with that non-substantive change and also to more fully document the materials provided to the Commission.

The previously submitted Exhibits to the Petition are as follows:

- Exhibit A – Maintenance Area Map**
- Exhibit B - List of Original Subdivision Maps**
- Exhibit C – Proposed Maintenance Association Declaration**
- Exhibit D – Proposed Maintenance Association Articles of Incorporation**
- Exhibit E – Proposed Maintenance Association Bylaws**
- Exhibit F – Signature Pages of Petitioning owners of 455 out of a total 756 lots**

July 24, 2018

Page 2

Exhibit G – Proposed Order Scheduling Public Hearing

The Exhibits to the Proposed Maintenance Association Declaration (Exhibit C to the Petition) are now numbered as follows:

Declaration Exhibit 1 (formerly A) - Maintenance Area Map

Declaration Exhibit 2 (formerly B) - List of Original Subdivision Maps

Declaration Exhibit 3 (formerly C) - Spreadsheet List of Signature Pages which are Exhibit F to the Petition.

Declaration Exhibit 4 (formerly D) - is a place holder for the County Commission Order to be drafted at a later date if the Maintenance Association is created

Declaration Exhibit 5 (formerly E) - List of Common Areas

The following additional materials from the Jefferson County Courthouse were also submitted on July 9 as a convenience to the County Commission so that it would not have to spend time procuring the same copies:

1. The current tax map from the Assessor's Office which is the basis for the proposed Maintenance Area Map designated Exhibit A to the Petition and Exhibit 1 to the Proposed Declaration; and
2. The 36 original Keys Ferry Subdivision Maps from the Assessor's Office which are summarized in Exhibit B to the Petition and Exhibit 2 to the Proposed Declaration.

Please do not hesitate to call if you have any questions.

Very truly yours,



Steven M. Prunty

SMP/smp
Enclosures

INDEX TO KEYES FERRY DOCUMENTATION

| | |
|---|--|
| PETITION | |
| EXHIBIT A PROPOSED MAINTENANCE ASSOCIATION MAP <i>Same as Declaration Exhibit 1</i> | |
| EXHIBIT B LIST OF 36 ORIGINAL SUBDIVISION MAPS <i>Same as Declaration Exhibit 2</i> | |
| EXHIBIT C PROPOSED DECLARATION WITH EXHIBITS | |
| | DECLARATION EXHIBIT 1 PROPOSED MAINTENANCE ASSOCIATION MAP |
| | DECLARATION EXHIBIT 2 LIST OF 36 ORIGINAL SUBDIVISION MAPS |
| | DECLARATION EXHIBIT 3 SPREAD SHEET LIST OF LOT OWNERS SUPPORTING PETITION |
| | DECLARATION EXHIBIT 4 <i>ORDER ESTABLISHING MAINTENANCE ASSOCIATION TO BE PREPARED LATER IF APPROVED BY COUNTY COMMISSION.</i> |
| | DECLARATION EXHIBIT 5 <i>LIST OF COMMON AREAS</i> |
| EXHIBIT D ARTICLES OF INCORPORATION | |
| EXHIBIT E BYLAWS | |
| EXHIBIT F SIGNATURE PAGES OF LOT OWNERS SUPPORTING PETITION | |
| EXHIBIT G PROPOSED ORDER SETTING HEARING | |

ADDITIONAL MATERIALS PROVIDED:

1. All the original Subdivision Maps which are itemized on Exhibit B (from County Clerk's Office)
2. Current Tax Map (from County Assessor's Office)