

IN THE COUNTY COMMISSION OF JEFFERSON COUNTY, WEST VIRGINIA
IN THE MATTER OF
PETITION FOR FORMATION OF KEYES FERRY ACRES MAINTENANCE ASSOCIATION
PURSUANT TO WV CODE 7-12A, et. seq.

**Residents of Jefferson County Owning Real Property
In Keyes Ferry Acres Subdivision,**

Petitioners.

ORDER

WHEREAS, the Jefferson County Commission is duly empowered by the West Virginia legislature to order the creation of statutory Maintenance Associations pursuant to WV Code 7-12A, et. seq.; and

WHEREAS, the Petition pertains to real property situate within Jefferson County, West Virginia, outside of the limits of any municipality, which is subject to the jurisdiction and authority of the County Commission of Jefferson County, West Virginia; and

WHEREAS, the real estate subject of the Petition is subdivision Lots, roads and common property in Keys Ferry Acres Subdivision, a residential development situated in the Harpers Ferry Magisterial District of Jefferson County, West Virginia; and

WHEREAS, at the Third Quarterly Session of the County Commission of Jefferson County, West Virginia, held at the County Commission Meeting Room on July 19, 2018, the County Commission Received the Petition pursuant to WV Code 7-12A et. seq. for the establishment of Keys Ferry Acres Subdivision Maintenance Association; and

WHEREAS, the Petition was accompanied by proposed Maintenance Association Documents in the form of a Declaration, Articles of Incorporation, Bylaws, and Maintenance Area Map for of Keyes Ferry Maintenance Association, Inc.; and

WHEREAS, the County Commission fixed 7:00 pm on August 16, 2018, as the date and time of, and the County Commission Meeting Room as the place for, hearing protests relating to the Petition, required the petitioners to post notice of the August 16, 2018 hearing in at least two conspicuous places on each subdivision road within the Maintenance Area, and to give notice of the August 16, 2018 hearing by publication of a Class I legal advertisement in compliance with WV Code 59-3; and

WHEREAS, prior to the August 16, 2018 hearing, Petitioners provided photographic evidence that two notices were posted in conspicuous places on each subdivision road within the Maintenance Area and that notice was also given by Class I legal advertisement published multiple times between July 19, 2018, and August 16, 2018; and

WHEREAS, at a Special Session of the County Commission of Jefferson County, West Virginia, held at the County Commission Meeting Room at 7:00 pm on August 16, 2018, the County Commission heard public comment and protests with regard to the Petition, examined witnesses and the Petitioners and considered evidence presented with regard to the Petition; and

WHEREAS, at a Special Session of the County Commission of Jefferson County, West Virginia, held at the County Commission Meeting Room at 9:30 am on August 21, 2018, the County Commission considered the Petition, Maintenance Association Documents, evidence, witnesses, and protests; and

WHEREAS, at the August 21, 2018 Special Session of the County Commission of Jefferson County, West Virginia, the County Commission made findings of fact that Petitioners satisfied the following requirements of WV Code 7-12A-3:

- 1) the Petition was filed in good faith;
- 2) The Petition includes signatures of persons owning more than 60% of all residential Lots and properties on both sides of the subdivision roads in the proposed Maintenance Area of Keyes Ferry Acres Subdivision;
- 3) the proposed Maintenance Association Documents address the Maintenance Association Purpose; and
- 4) the proposed Maintenance Association will result in special benefits to all owners of all residential Lots and properties on both sides of the subdivision roads in the proposed Maintenance Area of Keyes Ferry Acres Subdivision; and

WHEREAS, at the August 21, 2018 Special Session of the County Commission of Jefferson County, West Virginia, the County Commission unanimously voted to approve formation pursuant to the Maintenance Association Documents of Keyes Ferry Acres Maintenance Association, Inc., a West Virginia non-profit corporation.

NOW THEREFORE, the Jefferson County Commission hereby enters this Order within ten (10) days subsequent to the August 16, 2018 Special Session and directs and Orders that:

1. The Petition for Formation of Keyes Ferry Acres Maintenance Association, Pursuant to WV Code 7-12A, et. seq., is approved; and
2. The Maintenance Association Documents are approved; and
3. The Petitioners shall proceed to implement the Maintenance Association Documents by incorporating Keyes Ferry Acres Maintenance Association, Inc. as a West Virginia non-profit corporation, and recording in the Jefferson County Clerk's Office both this Order and also the Declaration of Keys Ferry Acres Maintenance Association, Inc.; and
4. The Petitioners shall take such reasonable steps in furtherance hereof as may be necessary to carry-out the purposes of this Order.

IN WITNESS WHEREOF the Jefferson County Commission has caused Order to be hereunto signed by its properly and duly authorized Commissioner:

**THE COUNTY COMMISSION OF JEFFERSON
COUNTY, WEST VIRGINIA,**

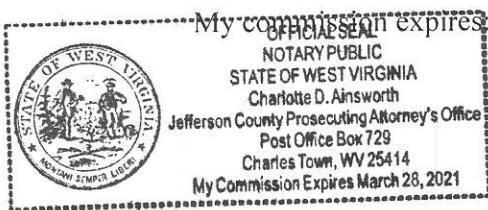
By: *Caleb Wayne Hudson*
Caleb Wayne Hudson, Commissioner

Date: August 24th, 2018

STATE OF WEST VIRGINIA,
COUNTY OF JEFFERSON, to-wit:

I, *Charlotte Ainsworth*, a Notary Public in and for the County and State aforesaid do hereby certify that Caleb Wayne Hudson, County Commissioner of Jefferson County, West Virginia, did acknowledge the foregoing Order before me, the undersigned Notary Public, this 24th day of August, 2018, for and in behalf of the County Commission of Jefferson County, West Virginia.

Given under my hand this 24th day of August, 2018.



Charlotte Ainsworth
Notary Public

This instrument was prepared by:
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