

Legal Advertisements

LEGAL ADVERTISEMENT SURFACE MINING APPLICATION ADVERTISEMENT ADVERTISEMENT

Notice is hereby given that **Argus Energy WV, LLC, PO Box 299, Dunlow, WV 25511**, has submitted an application to the Department of Environmental Protection (DEP), Division of Mining and Reclamation located at 1101 George Kostas Drive, Logan, WV 25601 for Amendment No. 5 to Article 3 Permit Number **S-5026-98**, for the surface disturbance of approximately 18.80 additional acres for a new total of 817.07 acres in order to **Surface Mine and Highwall Mine in the 5 Block** and all associated splits and riders seams of coal.

The proposed operation will discharge into **MARE BRANCH, ALEX BRANCH, ANDY BRANCH, UNNAMED BRANCHES, and UNNAMED BRANCH OF LAUREL BRANCH, JIMS BRANCH, and COPLEY TRACE BRANCH OF KIAH CREEK, ALL OF EAST FORK OF TWELVEPOLE CREEK OF TWELVEPOLE CREEK and TRACE FORK, and UNNAMED BRANCHES OF TRACE FORK OF BIG HARTS CREEK OF THE GUYANDOTTE RIVER, all of the OHIO RIVER** and is located 3.5 miles East of Wilsondale in the Harts Creek, Harvey, and Guyan Districts of Mingo, Lincoln and Logan Counties, Longitude 82° 14' 10" and Latitude 37° 57' 34" (Coordinates from USGS Topographic Map).

Surface of the area associated herewith is owned by:

NAME	ADDRESS
Argus Energy WV, LLC	PO Box 200, Dunlow, WV 25511
Heartwood Forestland Fund III	1512 Franklin St., Suite 104, Chapel Hill, NC 27514
Don and Lori Ann Riffe	717 Jims Branch Rd., Harts, WV 25524
Gracie Kinser	Rt. 2 Box 282, Harts, WV 25524
Kenneth Browning	Rt. 2 Box 274, Harts, WV 25524
John E. Stender	509 Jims Branch, Harts, WV 25524
Walter Kinser Heirs:	
-Darren Kinser	River Ridge Shauls, Taylorsville, NC 28681
-Ossie Kinser	Rt. 1 Box 25, Wilsondale, WV 25699
-George and Charlotte Kinser	Rt. 2, Harts, WV 25524
-Clifford and Zola Bryant	PO Box 91, Verdunville, WV 25649
-Matt Kinser	PO Box 375, Hiddenight, NC 28636
-Pearlie Marcum	33031 Bagley Rd., N. Ridgely, OH 44039
-Edith Kinser	Rt. 2 Box 198, Harts, WV 25524
-Orville and Evelyn Kinser	PO Box 206, Peytona, WV 25154
-Wornie and Susan Meeks	Rt. 2 Box 279, Harts, WV 25524
-Chris Kinser	River Ridge Shauls, Taylorsville, NC 28681
-Lisa Kinser Farley	4540 Phoenix Drive, Newron, NC 28658
-Maxine Lucas	11912 Michael Ave., Taylor, MI 48180
-Robin Kinser	General Delivery, Turtle Creek, Madison
-Walter and Malta Williamson	Rt. 2 Box 210, Harts, WV 25524
Earl Riffe	298 Jims Branch, Harts, WV 25524
Dennis Vance	Rt. 1 Box 4010, Dingess, WV 25671
Delsie Vance	Box 45, Chapmanville, WV 25508
Kenneth Ferguson	Rt. 2 Box 4070, Dingess, WV 25671
Willie Paulson	Rt. 2 Box 252, Harts, WV 25524

*and the mineral associated herewith is owned by:

NAME	ADDRESS
Southern Region Industrial Realty	PO Box 1517, Bluefield, WV 24701
Argus Energy WV, LLC	PO Box 200, Dunlow, WV 25511
Heartwood Forestland Fund III	1512 Franklin St., Suite 104, Chapel Hill, NC 27514
Jim Adkins	PO Box 303, Harts, WV 25524
Maggie Altekruse	3234 W 111 Street, Cleveland, OH 44111

*and the mineral within 100 feet of the permit area is owned by:

NAME	ADDRESS
Southern Region Industrial Realty	PO Box 1517, Bluefield, WV 24701

Written comments and/or requests for an informal conference of the surface mining application shall identify the applicant and application number and will be received by the Permit Supervisor at the DMR office and address above until **June 18, 2010**, or thirty (30) days from date of final publication. A copy of the application will be available for review until **June 18, 2010**, or thirty (30) days from date of final publication in the DEP Regional Office located at the address above AND in the **Mingo, Lincoln, and Logan** Counties Clerk's Offices during normal business hours.

DEP Telephone No.: (304) 792-7250
Permit No.: S-5026-98

*These items are to be completed only for operations involving mineral removal.

Include location map in accordance with regulations.

LOCATION MAP

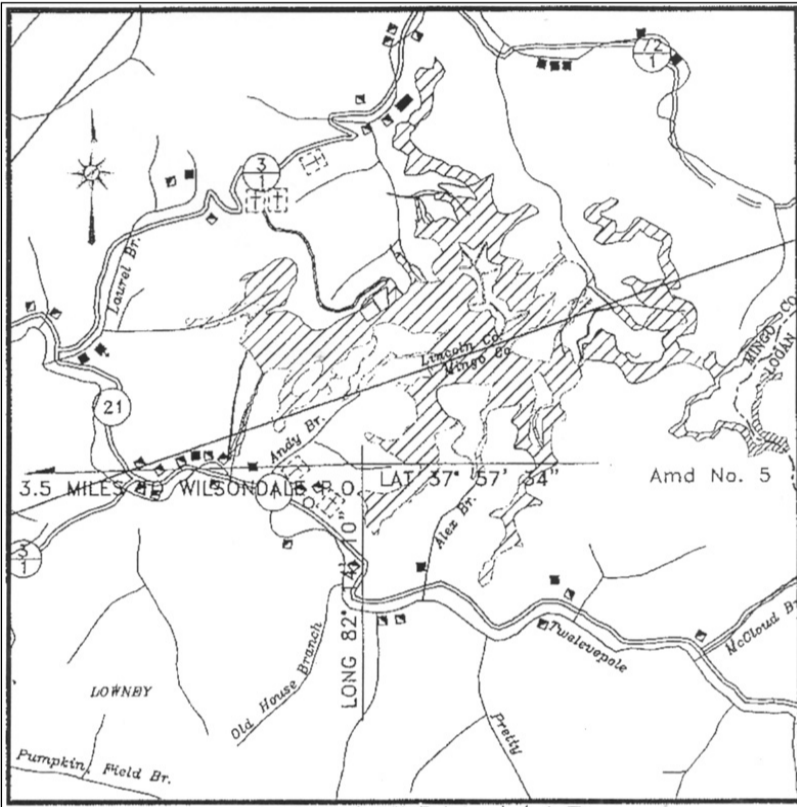
TRACE QUADRANGLE
G U Y A N ,
HARTS CREEK &
HARVEY DISTRICTS

LOGAN, LINCOLN & MINGO COUNTIES

RECEIVING STREAM: MARE BRANCH, ALEX BRANCH, ANDY BRANCH, UNNAMED BRANCHES, and UNNAMED BRANCH OF LAUREL BRANCH, JIMS BRANCH and COPLEY TRACE BRANCH OF KIAH CREEK OF EAST FORK OF TWELVEPOLE CREEK and TRACE FORK and UNNAMED BRANCHES OF TRACE FORK OF BIG HARTS CREEK OF THE GUYANDOTTE RIVER, all of the OHIO RIVER

Permit No. S-5026-98 AMD No. 5
NPDES No. WV1020013

Scale: 1" = 1 Mile
4/5-20



BRANCHES OF TRACE FORK OF BIG HARTS CREEK OF THE GUYANDOTTE RIVER, all of the OHIO RIVER

LEGAL ADVERTISEMENT 2010-2011 Fiscal Year LEVY ESTIMATE - BUDGET DOCUMENT

STATE OF WEST VIRGINIA
MUNICIPALITY OF Hamlin

In accordance with Code § 11-8-14, as amended, the Council proceeded to make an estimate of the amounts necessary to be raised by levy of taxes for the current fiscal year, and does determine and estimate the several amounts to be as follows:

The amount due and the amount that will become due and collectible from every source during the fiscal year INCLUDING THE LEVY OF TAXES, is as follows:

REVENUE SOURCE		
Unencumbered Balance (July 1)	\$ 72,000	
Property Taxes	71,709	
Gas & Oil Severance Tax	1,200	
Excise Tax on Utilities	30,000	
Wine and Liquor Tax	8,500	
Fines, Fees and Court Costs	4,500	
Parking Violation Fines	25	
Licenses	2,500	
Building Permit Fees	1,450	
Franchise Agreements	12,000	
Miscellaneous Permits	25	
IRP Fees	7,100	
Municipal Service Fees	29,000	
Rents and Concessions	5,000	
Parking Meter Revenues	1,500	
Gaming Income	1,800	
Charges to Other Entities	1,500	
Video Lottery	1,350	
Refunds	1,000	
Reimbursements	750	
Miscellaneous Revenue	650	
TOTAL ESTIMATED REVENUE (GENERAL FUND)		\$250,059

COAL SEVERANCE TAX FUND REVENUE SOURCE		
Unencumbered Balance (July 1)	\$ 8,000	
Coal Severance Tax	4,000	
TOTAL ESTIMATED REVENUE (COAL SEVERANCE FUND)		\$ 12,000

ESTIMATED CURRENT EXPENDITURES		
Mayor's Office	\$ 3,200	
City Council	4,000	
Recorder's Office	3,200	
City Attorney	2,000	
Regional Development		
Authority	450	
Printing	500	
City Hall	89,709	5,000
Police Department	93,983	3,000
Street Department	1,500	3,000
Street Lights	14,000	
Signs and Signals	1,500	
Storm Sewer	26,000	
Parks & Recreation	3,000	1,000
Library	7,017	
TOTAL ESTIMATED EXPENDITURES		\$ 250,059

LEVY PAGE - FISCAL YEAR 2010-2011
REGULAR CURRENT EXPENSE LEVY
Entity: Hamlin

Column E Certificate of Valuation Assessed Value for Tax Purposes	Levy Rate/\$100	Taxes Levied
Class 1		
Personal Property	\$ (12.50)	\$
Public Utility		
Total Class 1		\$
Class 2		
Real Estate	\$ 6,040,770	(25.00) \$15,102
Personal Property		
Total Class 2		\$15,102
Class 3		
Real Estate	\$ 4,263,780	(50.00) \$21,319
Personal Property	4,945,684	24,728
Public Utility	3,489,119	17,446
Total Class 3		\$63,493
Total Value & Projected Revenue		\$78,595
Less Delinquencies, Exonerations, & Uncollectible Taxes	5.00%	3,930
Less Tax Discounts	2.00%	1,483
Less Allowance for Tax Increment Financing - see worksheet (Subtracted from regular current expense taxes levied only.)		
Total Projected Property Tax Collection		73,172
Less Assessor Valuation Fund (Subtracted from regular current expense taxes levied only.)	2.00%	1,483
Net Amount to be Raised by Levy of Property Taxes For Budget Purposes (Transfer amount to #301-01 on page 4)		
TOTAL		\$71,709

STATE OF WEST VIRGINIA
COUNTY OF LINCOLN
MUNICIPALITY OF HAMLIN
I, ELIZABETH REXROAD, Recording Officer of said municipality, do hereby certify that the foregoing are true copies from the record of the orders made and entered by the council of the said municipality on the 18th day of March, 2010.

Elizabeth Rexroad
(Signature)

Town Recorder
(Official Title of Recording Officer)

LEGAL ADVERTISEMENT NOTICE OF TRUSTEE'S SALE

Notice is hereby given that Bruce G. Martin, Area Specialist of the USDA Rural Development, formerly the Farmers Home Administration, for the State of West Virginia, a resident of the State of West Virginia, residing in Putnam County, West Virginia, as Substitute Trustee under a Deed of Trust dated June 7, 1988, recorded with the Clerk of the County Court for Lincoln County, West Virginia, in Book 81, Page 740 executed by **Loris J. Altzman**, widow, (which was assumed by Edward A. Osborne, by Assumption Agreement, dated January 7, 2005), to John C. Musgrave, State Director of the Farmers Home Administration for the State of West Virginia and his successors in Office as State Director or Acting State Director and a Deed of Trust dated July 3, 1990 and recorded in the aforesaid Clerk's Office in Book 86, Page 643, executed by **Loris J. Altzman Darby and Wayne Darby**, her husband, (which were assumed by Edward A. Osborne, by Assumption Agreement, dated January 7, 2005), to John C. Musgrave, State Director of the Farmers Home Administration for the State of West Virginia and his successors in Office as State Director or Acting State Director, Trustee for the benefit of the United States of America, acting through the United States Department of Agriculture Rural Development Rural Housing Service, will sell the following described real estate:

All the surface rights and interest in and to those two (2) tracts or parcels of real estate, together with the improvements thereon and the appurtenances thereunto belonging, situate near Branchland, in Sheridan District of Lincoln County, West Virginia, more particularly bounded and described as follows:

PARCEL NO. 1:
BEGINNING at an iron pin set on the western side of West Virginia State Route No. 10, which also represents a point in the common line between the "Old Tom Sias Property" and the "Old Willa McComas Property"; thence running parallel with said State Route No. 10 in a Northerly direction for a distance of 125 feet to a second pin set; thence, up the hill in a Westerly direction for a distance of 120 feet to a third pin set; thence, running in a Southwesterly direction for a distance of 109 feet to a fourth pin set; thence, running down the hill in an Easterly direction for a distance of 175 feet to the place of **BEGINNING**, containing 16,512 square feet, more or less, and,

PARCEL NO. II:
BEGINNING at an iron pin set on the western side of West Virginia State Route No. 10, which also represents a point in the common line between the "Old Tom Sias Property" and the "Old Willa McComas Property"; thence running parallel with said State Route No. 10 in a Southerly direction for a distance of 130 feet to a second pin set; thence, up the hill in a Westerly direction for a distance of 230 feet to a third pin set; thence running in a Northeasterly direction for a distance of 75 feet to a fourth pin set (being the same fourth pin referred to in **PARCEL NO. I**); thence, running down the hill in an Easterly direction for a distance of 175 feet to the place of **BEGINNING**, containing 19,748 square feet, more or less, and lying adjacent to and contiguous with Parcel No. 1; and,

Being the same real estate conveyed unto **Loris Altzman**, by deed from T. W. Miller and Frances Miller, his wife, dated March 13, 1986, of record in the Office of the Clerk of the County Commission of Lincoln County, West Virginia, in Deed Book 234, at Page 73, to which reference is here made for all pertinent purposes.

This real estate, being the same property described in said Deed of Trust, will be sold to the highest bidder at public auction on the **18th day of May, 2010, at 10:00 a.m., at the door of the Courthouse in and for said County.**

TERMS OF SALE:
1) The property will be conveyed in an "AS IS" physical condition by Deed containing no warranty, express or implied, subject to the Internal Revenue Service right of redemption, all property taxes, prior Deeds, liens, reservations, encumbrances, restrictions, rights-of-ways, easements, covenants, conveyances and conditions of record in the Clerk's office or affecting the subject property.
2) The Purchaser shall be responsible for the payment of the transfer taxes imposed by the West Virginia Code § 11-22-1.
3) The Beneficiary and/or the Servicer of the Deed of Trust and Note reserve the right to submit a bid for the property at sale.
4) The Trustee shall be under no duty to cause any existing tenant or person occupying the property to vacate said property, and any personal property and/or belongings remaining at the property after the foreclosure sale will be deemed to constitute **ABANDONED PROPERTY AND WILL BE DISPOSED OF ACCORDINGLY.**
5) The total purchase price is payable to the Trustee by certified or cashier's check within thirty (30) days of the date of sale, with ten (10%) of the total purchase price payable to the Trustee at sale by certified or cashier's check. Title will be conveyed by Trustee's Deed upon payment of balance. Minimum acceptable bid will be **\$7,400.00.**

CONTINUANCE OR ADJOURNMENT OF SALE:
The Trustee or his assigns has the right to continue the sale or to adjourn the sale for a time or from time to time without further notice other than oral public announcement at the time and place appointed for such sale or at any continuance or adjournment thereof and correction made on the posted notices, which continuance shall be in the sole discretion of the Trustee.
Dated this 15th day of

NON-PARTISAN BALLOT OF ELECTION OF MEMBERS OF THE LINCOLN COUNTY BOARD OF EDUCATION PRIMARY ELECTION, MAY 11, 2010

To vote for a candidate mark an (X) in the square opposite to and at the left of the name.

(Vote For Not More Than THREE)

Maximum eligible to be elected from districts:
Carroll - 2; Duval - 2; Harts - 2; Laurel Hill - 1;
Sheridan - 1; Washington - 2

<input type="checkbox"/>	AMANDA MEANS Tornado	Washington Dist.
<input type="checkbox"/>	CHRIS FLEMING Harts	Harts Dist.
<input type="checkbox"/>	FRED CURRY Hamlin	Carroll Dist.
<input type="checkbox"/>	ROD BAKER Ranger	Harts Dist.
<input type="checkbox"/>	STEVE PRIESTLEY Hamlin	Carroll Dist.
<input type="checkbox"/>	CASSIE PAULEY Sod	Washington Dist.
<input type="checkbox"/>	KK MATTHEWS Yawkey	Duval Dist.

FOR CONSERVATION DISTRICT SUPERVISOR

GUYAN DISTRICT
(Vote For ONE)

NO CANDIDATE FILED

April, 2010 certain Deed of Trust dated December 10, 2008, of record

OFFICIAL NON-PARTISAN BALLOT LINCOLN COUNTY, WV

PRIMARY ELECTION, MAY 11, 2010

Poll Clerks

Robert D. Lewis, State Director of the USDA Rural Development, formerly the Farmers Home Administration, for the State of West Virginia, Trustee
2/5-6

**LEGAL ADVERTISEMENT
ORDER OF PUBLICATION
CIRCUIT COURT OF
LINCOLN COUNTY, WEST VIRGINIA**

**Eliza Evans, Plaintiff
v.
Ezekiel Evans III,
Defendant**
Civil Action No. 09-D-114

THE OBJECT OF THIS SUIT IS TO OBTAIN A DIVORCE.

To the Above Named Defendant:

It appearing by affidavit filed in this action that **Ezekiel Evans III** is a non-resident of the State of West Virginia, it is hereby ordered that **Eliza Evans** serve upon **Ezekiel Evans III**, an Answer, including any related counter claim of defense you may have to the Complaint filed in this action on or before **May 24, 2010**. If you fail to do so, there-after judgment, upon proper hearing and trial, may be taken against you for the relief demanded in the Complaint.

A copy of said Complaint can be obtained from the undersigned Clerk at his/her office.
Entered by the Clerk of said Court **Family Court of Lincoln County, WV, Charles Brumfield**, Clerk of Court

IN THE FAMILY COURT OF LINCOLN COUNTY, WEST VIRGINIA
Civil Action No. 09-D-114

**IN RE
THE MARRIAGE OF:
Eliza Evans, PETITIONER
and
Ezekiel Evans III,
RESPONDENT**

NOTICE OF HEARING
You are hereby given notice that the undersigned will bring the above-styled action on for final hearing before the Family Court Judge. The hearing will be on the **26th day of May, 2010, at 11:30am**, or as soon thereafter as may be heard. Hearings before the Family Court Judge shall be held at the following location: **Lincoln County Courthouse, Hamlin, WV**. You may be present to protect your interests.
Elizabeth Callen
2/5-6

**LEGAL ADVERTISEMENT
NOTICE OF TRUSTEE'S SALE**
Under authority of that

December 10, 2008, from **Barry G. Stowers** to Cassie McGee, Trustee, of record in the office of the Clerk of the County Commission of Lincoln County, West Virginia in Trust Deed Book No. 210, at page 400, securing a promissory note in the principal amount of \$100,648.28, payable to Vanderbilt Mortgage and Finance, Inc., and default having been made pursuant to the promissory note secured by the aforesaid Deed of Trust and sale requested by Vanderbilt Mortgage and Finance, Inc., the undersigned Substitute Trustee will offer for sale at the front door of the **Lincoln County Courthouse on May 25, 2010 at 11:00 a.m.** subject to all reservations, exceptions, easements and other matters which appear of record, and subject to all unpaid taxes, if any, the following described real estate:

All of that certain tract or parcel of land, together with the improvements thereon and appurtenances thereunto belonging, situate in Washington Tax District, Lincoln County, West Virginia, and more fully described as follows:
BEGINNING at a 24' beech tree that is a common corner to the Turley heirs, also labeled on this map as the point of beginning, thence S 73-15-49 E 122.09' to a set 5/8" rebar, thence N 16-26-08 E 57.09' to a set 5/8" rebar that is located on the right-of-way line of Lincoln County Route 14/2; thence following the same right-of-way line downstream approximately 400' to a point located on the right-of-way line; thence S 55-05 W 199.42' to a point in drain; thence N 75-12-30 W 72.61' to a point in drain, thence S 34-37 W 82.56' to a point in drain; thence S 24-24 W 114.87' to a point in drain; thence S 11-55 W 51.63' to a point in drain; thence S 06-17-30 E 80.80' to a point in drain; thence S 26-20 W 65.93' to a point in drain; thence S 36-27-30 W 115.40' to a point in drain; thence S 10-29 W to a point at the base of a waterfall; thence S 22-49-30 W 84.16' to a point by a rock in the bend of the drain; thence S 48-24 W 88.98' to a 20' poplar tree; thence S 33-51-30 W 193.72' to a 3/4" iron rod in base of 32' white oak; thence N 07-22 W 301.50' to a 26' maple with 3 hack marks; thence N 16-34-30 E 245.01' to a black oak with 3 hack marks, thence N 10-20-09 E 397.42' back to the point of beginning containing 5.51 acres. Survey by Tapan K. Baksi dated 10/9/08.

Being the same property conveyed from Joshua A. Sharps and Candice Sharps, husband and wife, to Barry G. Stowers by Deed dated

in the office of the Clerk of the County Commission of Lincoln County, West Virginia in Deed Book 325, at page 181.

Terms of the sale: cash on date of sale.
Given under my hand this 23rd day of April, 2010.
Marc B. Lazenby,
Substitute Trustee
2/5-6

**LEGAL ADVERTISEMENT
PUBLIC HEARING NOTICE**
Adoption of Ten Year Comprehensive Educational Facility Plan

In accordance with WV Code 18-5-13a and SBA regulations, the Lincoln County Board of Education will conduct a public hearing at Lincoln County High School **ON May 27, 2010 AT 6:00 P.M.** for the **PROPOSED PLAN for the Board's TEN YEAR COMPREHENSIVE EDUCATIONAL FACILITY PLAN (CEFP)**. Following this meeting and the securing of public comment, it is the intent of the Lincoln County Board of Education to approve a new Ten Year Comprehensive Educational Facility Plan. The CEFP includes, but is not limited to, grade configurations, enrollment history, projections and enrollment sizes for schools, number of schools that can be operated within the school budget, and conditions of schools.

Members of the public have the right to be present at this public hearing, to submit statements and testimony, and to question county officials at this public hearing. Individuals desiring to speak at this public hearing must register fifteen (15) minutes prior to the beginning of the scheduled 6:00 p.m. meeting. Speakers will be limited to five (5) minutes per person. **WRITTEN COMMENTS / SUGGESTIONS ARE REQUESTED.**

The **PROPOSED CEFP** is available for public inspection at the Lincoln County Board of Education office, 10 Marland Avenue, Hamlin, WV 25523, Monday-Friday 9:00 a.m. to 3:00 p.m. commencing May 5 through May 27, 2010.
4/5-20

LEGAL ADVERTISEMENT
West Hamlin WV Storage unit contents for sale: #7 Gwen Hager Nelson, #17 Crystal Oliver, #29 Jessica Carr, #32 John Plumley, #39 Jennifer Scarberry, #60 Tina Williamson; #670 Kenneth McCloud.
This sale is at the storage units on Friday, May 14th at 10am. For questions, call: 304-525-6497.
2/5-13