

## NOTICE OF SALE

Please take notice that The Board of Education of the County of Clay ("Board") has determined that the below-described real estate is no longer needed for school purposes and that beginning at 11 o'clock a.m. on the 4<sup>th</sup> day of January, 2025, at the former H. E. White Elementary School building located at 501 Bomont Road, Bomont, Clay County, West Virginia 25030, the Board will proceed to sell WITHOUT WARRANTY at public auction, subject to all the terms and conditions set forth in this Notice of Sale, and subject to chapter 18, article 5, section 7 of the Code of West Virginia of 1931, as amended, all of its right, title and interest in and to that certain real estate lot containing approximately 4.87 acres ("Property"), situate in Union District, Clay County, West Virginia, more particular described as follows:

BEGINNING at stake on the northeast bank of said Porters Creek at the mouth of a small drain flowing into said Creek from the northeast, in a line of the tract of which the property hereby conveyed is a part, thence with a line thereof down said Porters Creek N. 22 – 06 minutes W., 1,000.5 feet to the two hemlocks, a corner to the Bomont Church property; thence up the hill with a line of said Church property S. 86 – 23 E., 261 feet to a stake near a 14 inch black oak; thence around the hill S. 21 – 47 E., 817.2 feet to a 12 inch white oak standing about 20 feet northwest of a small drain; thence S. 50 – 58 W., 241 feet to the place of beginning, containing 4.87 acres, more or less, according to a survey made on the 15th day of February, 1950, by W. Herbert King, Engineer, and being a part of that certain tract of 85 acres, more or less, conveyed to Carl B. Young and C. M. Young by T. R. Hanson and wife by their deed dated the 29th day of May, 1946, and recorded in Deed Book 52, at page 261, in the office of the Clerk of the County Court of Clay County; the said C. M. Young having conveyed his interest therein to the said Carl B. Young by deed dated the 3rd day of July, 1947, recorded in Deed Book 55, at page 547, in said Clerk's office.

Being the same property conveyed to the Board by deed dated February 22, 1950, from Carl B. Young and Lela W. Young of record in the office of the Clerk of the County Commission of Clay County, West Virginia in Deed Book 63, page 239. The Property is designated for tax assessment purposes Tax Parcel 91, Tax Map 13, Union District, Clay County, West Virginia.

The Property will be sold and conveyed by quitclaim deed, WITHOUT WARRANTY, "AS IS" and "WITH ALL FAULTS" and subject to any and all validly continuing and existing rights of way, easements, reservations, exceptions, restrictions, covenants, conditions, conveyances, encumbrances, liens, agreements, leases and other matters affecting the Auction Property.

The sale will further be made subject to (a) such facts as might be revealed by an accurate survey and visual inspection of the Property, (b) the purchaser assuming and the quitclaim deed shall provide that the purchaser assumes all responsibility and liability for hazards associated with the Auction Property (whether past, present, future, known or unknown), including but not limited to, environmental, and (c) the purchaser indemnifying the Board for any loss, claims or demands arising out of or related to purchaser's use of the aforesaid right of way and easement area.

Bidding on the Auction Property shall begin at One Hundred Thousand Dollars (\$100,000.00). The Board reserves the right to refuse any and all bids and to adjourn the sale from time to time without any other notice other than oral proclamation at the time and place of the sale or any continuance or adjournment thereof. The sale shall be to the highest responsible bidder, but all bids are conditioned upon (a) the acceptance thereof by the Board at its first regular meeting following the auction, which acceptance by the Board may be withheld for any reason or no reason whatsoever, and (b) the below terms and conditions regarding the sale and its consummation.

The sale shall be made upon the following additional terms: Ten (10%) percent of the sales price shall be paid to the Board by the high bidder in cash at the time of the auction and the balance in cash is due simultaneously with the tender by the Board of the quitclaim deed, and such other terms as may be ordered by The Board.

In advance of the auction date, inquiries concerning the Property may be directed to Philip Dobbins, Superintendent of Clay County Schools, at (304) 587-1179.

THE BOARD OF EDUCATION OF THE  
COUNTY OF CLAY

By: Philip R. Dobbins  
Philip R. Dobbins, Superintendent