

15-0694

IN THE CIRCUIT COURT OF MINERAL COUNTY, WEST VIRGINIA

TIMBERLAKE ESTATES HOMEOWNER'S
ASSOCIATION, INC.,

Plaintiff,

v.

CIVIL ACTION NO. 15-C-13

TERRY S. MANGOLD AND
CHARLES A. STICKLER,

Defendants.

ORDER GRANTING DEFENDANTS' MOTIONS TO DISMISS WITH PREJUDICE

This matter came on for a properly noticed hearing before the Honorable Phil B. Jordan, Jr. this 16th day of June, 2015. The Plaintiff was present by its President, Tony Francis, and its counsel, Agnieszka Collins. The Defendants were present in person and by their counsel, John D. Athey.

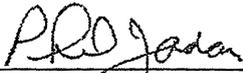
The Court noted the filing of the Defendants' Motions to Dismiss With Prejudice and Memorandums in Support Thereof and then listened to oral arguments from counsel, which are incorporated herein by reference as though textually set forth. After a careful review of the Court file and due consideration of the arguments propounded by counsel, the Court finds good cause for granting the Defendants' motions and hereby dismisses this lawsuit with prejudice as to both Defendants. In so ruling, the Court finds that the Right-of-Way Deed from Charles A. Stickler to Terry S. Mangold dated August 13, 2014 and recorded in Deed Book 361, Page 866 in the Office of the Clerk of the County Commission of Mineral County, West Virginia is lawful and valid and does not violate or contravene any restrictions, encumbrances, or restrictive covenants of the Timberlake Estates Subdivision.

The Court notes the objection and exception of Plaintiff's counsel to all adverse rulings.

Athey
A. Collins

The Clerk is directed to provide copies of this Order to Attorneys John D. Athey and Agnieszka Collins.

Entered this 17th day of June, 2015.



Phil B. Jordan, Jr., Circuit Judge

TESTE COPY



Clerk of Court of Maryland, Baltimore, Md. Vs.