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5, 14, 10

IN THE CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

LAMAR OUTDOOR ADVERTISING,

Petitioner,

v.

Civil Action No. 09-C-457

Judge: Hon. F. Jane Husted

WEST VIRGINIA DEPARTMENT OF
TRANSPORTATION, DIVISION OF
HIGHWAYS,

Respondent.

2010 MAY 14 P 2:23
FILED
CABELL CHANDLER
CIRCUIT CLERK
CABELL WV

**ORDER AFFIRMING THE ORDER
OF THE COMMISSIONER OF HIGHWAYS**

CAME this 14th day of January, 2010 the Petitioner, Lamar Outdoor Advertising, by its counsel and by Steven Morrison, and came the Respondent Agency, the West Virginia Department of Transportation, Division of Highways ("WVDOT,DOH"), by its counsel and by William Light, Chief, WVDOT,DOH Outdoor Advertising and Salvage Yard Enforcement, upon notice duly given for a hearing on Lamar Outdoor Advertising's Petition for Review and Motion to Stay Enforcement of Order;

AND the Court noting that the parties had previously stipulated to a stay of enforcement of the Commissioner's Order that is the subject of this administrative appeal pending resolution or dismissal of this appeal, the Motion to Stay Enforcement of the Order of the Commissioner of Highways is deemed moot.

WHEREUPON the Court, having examined and considered the complete record below, including the transcript and exhibits from the November 13, 2009 administrative hearing, as well as the submissions of the parties, the Hearing Examiner's Findings of Fact, Conclusions of Law, and Recommended Order and the Order of the Commissioner of Highways, heard the arguments and representations of the parties, and, after due

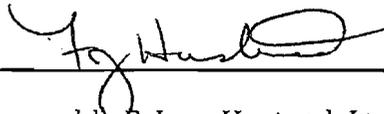
deliberation, cannot find any legal authority or grounds to reverse the findings of fact and conclusions of law of the Hearing Examiner below.

Accordingly, the Order of the Commissioner of Highways incorporating the findings of fact and conclusions of law of the Hearing Examiner is AFFIRMED.

The Court notes the objections and exceptions of the Petitioner.

ORDER

ENTER: May 14, 2010



Honorable F. Jane Husted, Judge

ENTERED Circuit Court Civil Order Book

No. _____ Page _____ this

STATE OF WEST VIRGINIA
COUNTY OF CABELL
I, ABELL CHANDLER, CLERK OF THE CIRCUIT
COURT FOR THE COUNTY AND STATE AFORESAID
DO HEREBY CERTIFY THAT THE FOREGOING IS
A TRUE COPY FROM THE RECORDS OF SAID COURT
ENTERED ON _____
GIVEN UNDER MY HAND AND SEAL OF SAID COURT
THIS _____
Abell Chandler CLERK
CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA