ADMINISTRATIVE NOTICE 97-11

SUBJECT: Property Tax -- State Tax Commissioner's Policy Statement for Sales Analysis of Reserve Coal Properties Pursuant to CSR § 110-1I-4.1.9.2.

On July 26, 1992, the Department of Tax and Revenue filed Legislative Regulation CSR § 110-1I-1 et seq., relating to the appraisal of producing and reserve coal properties. This notice will address the sales analysis for reserve coal properties conducted by the State Tax Commissioner pursuant to CSR § 110-1I-4.1.9.2.

DISCUSSION

Legislative Regulation CSR § 110-1I-4.1.9.2 requires reserve coal properties to be appraised considering a review of sales reflecting arms-length, willing buyer-willing seller transactions and the market conditions in the region wherein the property is located. The regulations further require coal reserve values to be established as the product of the reserve acres multiplied by the regional reserve value per acre for the region in which the property is located. The regional value per acre for reserves is required to be established annually by the Tax Commissioner after review of recorded willing buyer-willing seller arms-length coal property sales. The following is a brief discussion of the sales analysis conducted by the Tax Commissioner and the resulting regional values per acre used in appraising reserve coal properties for Tax Year 1997.

RESERVE REGIONS

Legislative Regulation CSR § 110-1I-4.1.9.2.c requires that counties containing mineable coal seams shall be grouped into five (5) regions based on type of coal seams, location, ownership patterns, mining activity, and sales prices of reserves. The counties contained in each region are listed in CSR §§ 110-1I-4.1.9.2.c.1 through 4.1.9.2.c.5.

SALES ANALYSIS BY REGION

Legislative Regulations require that the source of information for sales analysis is to be "... recorded willing buyer-willing seller arms-length coal property sales ..." (see CSR § 110-1I-4.1.9.2.b). To this end the Department receives and reviews sales listing forms

or such other alternative forms required to be filed with the Department under provisions of West Virginia Code § 11-22-6 (see Exhibit I attached). Coal sales listed on these forms are inspected by reviewing the deed and other necessary information. The sales are entered to a sales listing system and reviewed through the process contained in the *"Reserve Coal Sales Validation Review"* form attached as Exhibit III. The sales report found in Exhibit II is generated from property sales that have been reviewed through this process.

Once the sales have been subjected to various validity tests, the arms-length reserve coal sales contained in Exhibit II are used to generate measures of central tendency for each coal sales region established in CSR § 110-1I-4.1.9.2.c. In this regard, different measures are developed to provide guidance in selecting the price per acre that best typifies the most probable selling price per acre for each region. First the Department develops a weighted arithmetic mean of sales--giving the more recent sales greater weighting. Second, an arithmetic mean of the sales is developed by dividing the aggregate of the sale prices by the aggregate acres transferred. Third, a straight average of the annual arithmetic means is developed. And, fourth, a median of the selling prices is developed. These measures of central tendency are developed for 8, 7, 6, and 5 years data with the median measures receiving primary consideration when establishing the value per region that best typifies the sales that have transacted in the region. Attached as Exhibit IV are the amended final variables for Tax Year 1997, which were filed on December 9, 1996.

For more information concerning the regional per acre values for reserve coal properties consult CSR § 110-1I-1 et seq. or contact the Department of Tax and Revenue at telephone number (304) 558-3940.

Issued: January 29, 1997

James H. Paige III
Secretary
Department of Tax and Revenue

Department of Tax and Revenue
Property Tax Division
P. O. Box 2389
Charleston, WV 25328-2389

Operator on Duty 8:30 am - 4:00 pm
Monday through Friday
Phone: (304) 558-3940
FAX: (304) 558-1843

STATE TAX COMMISSIONER OF WEST VIRGINIA
SALES LISTING FORM

West Virginia Code 11-22-6, 11A-3-2 & 11A-3-3 (Amended 3-11-95) CID Revised 7/95

County _____ Taxing District _____
Tax Map No.(s) _____ Parcel(s) _____
Tax Map No.(s) _____ Parcel(s) _____
Assessor Account No. _____
Grantor's Name _____
Grantee's Name _____
Mailing Address of New Owner _____
Most Recent Previous Deed Book No. _____ Page No. _____
Grantor's Source of Title: _____
(If not by "Previous Deed" referenced above)

(a) Real Estate (b) Other Valuable Goods/Services: (If Applicable

Consideration/Value $_____ $_____
Lot Size or Acreage Involved: _____
Estate(s) Transferred: _____
(Examples: Fee, Surface, Mineral, Coal, etc)

Financing Arrangements Materially Affecting Consideration: Yes / No (Circle one)
If "Yes" Use Appropriate Word or Phrase to Describe:

_____

Filed By: _____
Signature

LIENHOLDER INFORMATION (OPTIONAL)

☐ Check if change of name and/or address

Name: _____
Address for Notice: _____

INTEREST IN PROPERTY:

_____ Surface Owner's Rights Deed Book: _____ Page No. _____
_____ Fiduciary Interest Relationship to Owner: _____
_____ Lienholder Trust Deed Book No.: _____ Page No. _____
_____ Other _____

To be Completed by County Clerk:
Stamp Fee Paid:
Date Recorded:
New Deed Book No.:
New Deed Book Page No.:
Date of Transaction:

Sheriff's Use Only
Date Received:
Effective Dates of Lien:
Date Entered:
Entered By:
Tax Ticket No.:

RELEASE OF LIEN

COMPLETE THIS SECTION IF YOU ARE RELEASING THIS LIEN:

Date Lien Is Released: _____
Signature of Lienholder: _____

COPIES: WHITE - ASSESSOR; CANARY - SHERIFF; PINK - TAX COMMISSIONER; GOLDENROD - PREPARER

GASTON CAPERTON
GOVERNOR

State of West Virginia
Department of Tax and Revenue
TAX DIVISION
P. O. Box 2389
Charleston, WV 25328-2389

JAMES H. PAIGE III
SECRETARY

November 15, 1996

The Honorable Ken Hechler
Secretary of State
Building 1, Suite 157K
Capitol Complex
Charleston, West Virginia 25035

Dear Mr. Hechler:

On August 16, 1996, the Department of Tax and Revenue filed preliminary per acre values for reserve coal properties for use in the 1997 Tax Year. The Department received public comments (see attached as Attachment B) and based upon these public comments and the preliminary information, has established Final Reserve Coal Property Rates for Tax Year 1997 as reflected on Attachment A.

The past five to eight years have seen little, if any, activity in the reserve coal market in Region 2. The Department has therefore used sales occurring in the period 1976 through 1983 that typically reflected a level of approximately $200 per acre in establishing an appraisal rate for Region 2. For the other four regions the Department generated four measures of Central Tendency, for 8, 7, 6, and 5 years, placing most emphasis on the median when establishing the final values (the four measures of central tendency were the median, aggregate [weighted] mean, aggregate mean weighted by years, and arithmetic average of the annual aggregate means).

I am requesting that this information be filed, in its entirety, in the State Register.

Sincerely,

James H. Paige III
Secretary/Tax Commissioner
Department of Tax and Revenue

JHPIII/jkp

Attachments

TY97 COAL SALES SURVEY

Sale No.	Region	County	DB/P	Date	Grantor	Grantee	Deed Acres	Reserve Coal Bed(s)	Reserve Coal Acres	Coal Price	Price Per Reserve Acre
1	3	Barbour	0330-0500	1990	Hildreth, Mabel Riggs & Denzil E.	Southern, Edgar W.	437.48	BT, UF	44.83	$30,625	$683.14
2	3	Barbour	0345-0289	1993	Pitman, Joseph et al	Andrick, Arnett Wayne.	10.88	MK	10.88	$4,000	$367.65
3	3	Barbour	0346-0419	1993	Bailey, Nancy H. et al	McConnell, Jude W. & Jo Anne S.	38.6	UK, MK	26.32	$8,763	$332.94
4	3	Barbour	0349-0377	1994	Rhodes College	Douglas, James P. & Elaine B.	59.50	MK	39.00	$3,140	$80.51
5	3	Barbour	0351-0151	1994	Poling, Herman & Jeanne E.	Bartlett, Stephen T. & Lois K.	319.8	UF	120.00	$82,828	$690.23
6	3	Barbour	0355-0122	1995	Shockey, William A. & Pauline B.	Cross, Ronald & Shelva E.	304	LK	252.64	$6,031	$23.87
7	3	Barbour	0356-0353	1995	Cross, Ron & Shelva E.	Mutschelknaus, Clarence W. et al.	1526	LK	616.15	$16,500	$26.78
8	5	Boone	0188-0122	1988	Meadows, Perry Jr. & Ellen	Oglebay Norton Company	36.00	CG, 2G	47.30	$7,084	$149.77
9	5	Boone	0190-0148	1989	Armco, Inc.	Drummond Co., Inc.	29,355.00	UF, 6B, 5B, ST, CB, CG, 2G	42712.77	$11,007,737	$257.72
10	5	Boone	0198-0203(2)	1992	Roberts, Glen C. & Glenna L.	Allegheny Land Co.	558.00	5B, ST, CH	107.13	$20,786	$194.03
11	5	Boone	0205-0262	1994	Greenbrier Land Co.	Raven Resources, Inc.	1,310.00	AL, 2G	887.00	$432,779	$487.91
12	4	Braxton	0455-0698(3)	1990	Winfree, Virginia Hoover et vir, ET AL.	Wolfpen Knob Devlp. Co.	99.50	PG, LK	23.70	$7,960	$335.86
13	4	Braxton	0457-0202(6)	1990	Hart, James & Sharron ET AL.	Wolfpen Knob Devlp. Co.	89.00	PG, LK	12.69	$4,855	$382.60
14	4	Braxton	0463-0454	1991	Nettles, Halman. et al.	Wolfpen Knob Devlp. Co.	79.20	LK	79.20	$31,680	$400.00
15	4	Braxton	0467-0742	1991	Hall, Herbert Ralph	Wolfpen Knob Dev	102.6	PG, LK	123.86	$41,036	$331.31
16	4	Braxton	0473-0110	1991	Murphey, Edward H.	Sizemore, Raymond	63	PG	1.18	$500	$423.73
17	4	Braxton	0475-0625	1992	Frame, Silas Mark	Wolfpen Knob Dev Co	86.17	PG, LK	33.56	$11,500	$342.67
18	4	Braxton	0501-0071	1995	Facemire, James A.	Brooks Run Coal Co.	110	UK, LK	8.14	$2,700	$331.70
19	4	Clay/Nicholas	0148-0310	1989	Western Pocahontas Properties, Ltd.	Bright Mining & Land Co. Ltd. Pshp.	8,900.00	UK, MK, 5B, ST, CB	12780.00	$6,131,739	$479.79
20	4	Clay	0150-0582	1989	Bright Mining & Land Co. Ltd. Pshp.	Prospect Land & Devlp. Co, Inc.	8,900.00	UK, MK, 5B, ST, CB	15518.00	$26,367,297	$1,699.14
21	4	Clay	0151-0073	1990	Board of Education, Clay Co	Indore Mining Inc	250	LK, ST, CB	231.29	$70,000	$302.65
22	4	Clay	0153-0027	1990	Dennison, Geraldine et al	Butler, J. Daniel	333	PG	39.47	$17,800	$450.98
23	4	Clay/Nicholas	0153-0120	1990	Pegasus Resources Co.	Prospect Land & Devlp. Co, Inc.	73,600.00	UK, MK, LK, ST, CB	19365.00	$6,729,477	$347.51
24	4	Clay/Nicholas	0159-0328	1993	Prospect Land & Devlp. Co., Inc.	Appalachian Land Co.	52,000.00	UK, MK, LK, ST, CB	16163.00	$18,091,381	$1,119.31
25	5	Fayette	0473-0205	1989	Mullins Coal Co.	Kanawha Services Corp.	3,092.00	CB, 2G, PW	3823.10	$4,755,813	$1,243.97
26	5	Fayette	0493-0200	1992	Tabit Enterprises	K L C Corp	311.00	PL	158.00	$290,523	$1,838.75
27	3	Grant	0176-0192	1991	Myers, Ruth E. et vir	New Allegheny, Inc.	163.66	UF	75.00	$26,699	$355.99
28	3	Grant	0185-0244	1994	Baker, Elizabeth	Buffalo Coal Co Inc	346	BT, UF	95.81	$6,708	$70.01
29	3	Grant	0187-0279	1994	Park, Harold M. & Janet L.	Slagle, Ronald L. & Norma J.	10	UF	10.00	$4,390	$439.00
30	4	Greenbrier et al.	0405-0277(4)	1991	Hewitt, T. Michael ET AL.	The Trust for Public Land	14,604.60	SW, FC	2921.00	$1,489,584	$509.96

TY97 COAL SALES SURVEY

Sale No.	Region	County	DB/P	Date	Grantor	Grantee	Deed Acres	Reserve Coal Bed(s)	Reserve Coal Acres	Coal Price	Price Per Reserve Acre
31	4	Greenbrier	0420-0883	1993	Graham Smokeless Coal Corp.	Georgia Pacific Corp.	3,170.27	BK, FC, P6	2381.18	$1,584,051	$665.24
32	1	Harrison	1195-0479	1989	White-Acker Co. et al.	Grafton Coal Co.	1,069.50	PG	1639.31	$117,000	$71.37
33	1	Harrison	1195-0890	1989	Lambert, Jack & Martha	E. & S. Coal Co	2.87	PG	2.87	$1,500	$522.65
34	1	Harrison	1224-0483	1991	TASA Corp.	Mike Ross Inc., et al	142.63	PG	64.10	$20,000	$312.01
35	1	Harrison	1233-0124	1992	Newton, Emily A. et al	Lewis, Gerald L. & Cheryl	44.79	PG	12.86	$5,000	$388.80
36	1	Harrison	1242-0489	1992	Protestant Episcopal Church of WV	Patricia Coal Co.	63.20	PG	27.50	$43,802	$1,592.80
37	1	Harrison	1245-0262	1993	Camicia, Nicholas T. & Virginia B.	LaRosa, James D.	875.00	PG	97.98	$106,073	$1,082.60
38	1	Harrison	1259-1201	1994	Crawford, Lawrence L. et al	Alonso, Greg A. & Montica J.	106.70	RS	18.55	$906	$48.84
39	5	Kanawha	2210-0261	1988	Huffman, T. et al	Armco, Inc	2,800.00	5B, ST, CB, WF	857.00	$682,193	$796.02
40	4	Lewis	0504-0256	1988	Hughes, David R. & Grace	Ten-A-Coal Co et al	5.8	PG	5.80	$35,000	$6,034.48
41	4	Lewis	0517-0409	1994	Lewis, Everett	Wilson, James H. &, Betty L.	67.25	RS	5.64	$805	$142.73
42	5	Logan	0458-0322	1988	Crystal Block Coal Co.	Cline Leasing Co.	171.13	WM, PL, 2G, PW	447.09	$35,571	$79.56
43	5	Logan	0460-0535(2)	1988	Ferrell, William et al., ET AL.	Mullins, Tennis Jr. & Jackie	324.93	AL	96.79	$13,000	$134.31
44	5	Logan	0474-0699	1990	Primeacre Land Corp.	Phoenix Coal Corp.	1,640.00	5B, ST, CB, BFC, WF	755.42	$141,562	$187.40
45	1	Marion	0883-0379	1989	Boice, Sarah Lee	Carr, Patrick & Dorothy	52.35	UK, LK	87.21	$23,868	$273.68
46	1	Marion	0890-0004	1989	Harbert, Richard & Martha L.	Jera Coal Co. Inc.	385.72	SWK, PG	126.45	$81,615	$645.43
47	1	Marion	0899-0616	1990	Eastern Assoc. Coal Corp.	Miami Coal Co., Inc.	158.78	SWK	127.47	$70,000	$549.15
48	1	Marion	0900-0613(2)	1991	Consolidation Coal Co./ DuPont Energy	Bell Mining Co.	940.00	SWK	926.86	$423,472	$456.89
49	1	Marion	0908-0870	1993	Simpson, Addie M. by atty.	Trio Petroleum et al.	340.84	PG	14.70	$2,000	$136.05
50	1	Marion	0913-0993	1993	Herwick, Marjorie	Glover, Elwood P. & Merrilee V.	649.58	SWK	309.13	$4,350	$14.07
51	1	Marion	0921-0919	1994	Allison, Doma	Glover, Elwood P. & Merrilee V.	516.83	SWK	253.00	$5,350	$21.15
52	1	Marion	0922-0303	1994	Jera Coal Co., Inc	Cole, Duane R. & Martine	41.69	PG	41.67	$7,740	$185.75
53	5	McDowell	0395-0528	1988	Forman, Louise M. et al	Jewell, Randell L. et al	244.50	IG	221.50	$29,388	$132.68
54	5	Mc Dowell	0410-0160	1991	Central West Virginia Energy Co.	Bankers Pocahontas Coal Ptshp	477.00	WCH	363.64	$160,000	$440.00
55	5	McDowell	0413-0684	1992	BCGL Partners	Bishop, Pamela	107.00	DGL	42.24	$35,100	$830.97
56	5	McDowell	0422-0580	1993	Pocahontas Land Corp.	Tug Fork Coal Corp & U S Steel	519.00	P4	496.00	$119,293	$240.51
57	5	McDowell	0431-0069	1995	Consolidation Coal Co.	Mega Minerals, Inc.	16,000.00	P6, P9	2519.00	$500,000	$198.49
58	5	Mercer	0694-0158	1989	Carter, Leslie R. & Ruby Anderson	Pack, Michael Lee	117.00	P2	93.45	$1,798	$19.24
59	3	Mineral	0251-0195	1988	Smith, R & Demoss, L	Mastellar Coal Co	53.00	UF	17.45	$9,420	$539.83

TY97 COAL SALES SURVEY

Sale No.	Region	County	DB/P	Date	Grantor	Grantee	Deed Acres	Reserve Coal Bed(s)	Reserve Coal Acres	Coal Price	Price Per Reserve Acre
60	5	Mingo	0298-0511	1988	USX Corp.	Robertson, F. D. & James O. Bunn	96.64	ST, CG, AL	187.64	$57,748	$307.76
61	5	Mingo	0306-0197	1990	Island Creek Coal Co.	Cumberland Village Mining Group	374.00	AL	263.58	$503,809	$1,911.41
62	5	Mingo	0306-0212(6)	1990	Queen, Delbert ET AL.	Freemont Coal	17.80	ST, CB, WF, CG, AL, EG	49.90	$15,894	$318.52
63	5	Mingo	0331-0677	1994	AgipCoal Holding USA, Inc.	Pocahontas Land Corp.	7902.4	CL, ST, CB, WF	3537.88	$13,026,440	$3,681.99
64	5	Mingo	0332-0168	1994	Laurel Creek Co, Inc.	Pocahontas Land Corp.	7690.75	5B, CB	5129.72	$11,360,000	$2,214.55
65	5	Mingo	0332-0201	1994	Laurel Creek Co, Inc.	Pocahontas Land Corp.	8316.18	CH, UCG, LCG	12595.70	$4,798,102	$380.93
66	5	Mingo	0343-0551	1995	Webb, Nelson R.	Maynard, Leonard J.	75.00	CG	19.00	$24,175	$1,272.37
67	1	Monongalia	0980-0160	1988	Elliot, Donald R. single	Consolidation Coal Co.	119.86	SWK	118.76	$9,501	$80.00
68	1	Monongalia	0981-0039(2)	1988	Trotter, Alice Davis Miller ET AL.	Dippel & Dippel Coal Co.	93.04	WB	19.87	$2,500	$125.82
69	1	Monongalia	0988-0089	1989	Raber, Willis & Evelyn	Laurita, John A.	47.25	SWK, RS	17.43	$400	$22.95
70	1	Monongalia	1013-0541	1990	Fox, Nancy B.	Solomon, Victor & Daniel	284.72	WB	76.88	$26,989	$351.05
71	1	Monongalia	1016-0624	1990	Martin, Hubert et al	Laurita, James L.	30.00	SWK	19.97	$22,000	$1,101.65
72	1	Monongalia	1036-0660	1991	Turner, D. et al	Matthew, Marvin L. & Janet M.	101.07	UF	49.00	$30,940	$631.43
73	1	Monongalia	1055-0555	1992	Williams, Milner & Eloise	Consolidation Coal Co.	2.23	PG	0.13	$200	$1,538.46
74	1	Monongalia	1060-0246	1993	Sisler, Glenn R. et al	Conrad, Carl & Tina M.	91.32	RS	47.03	$6,200	$131.83
75	1	Monongalia	1063-0013	1993	Eastham, Kenneth & Catharine	Consolidation Coal Co.	90.01	WB, SWK, PG	247.52	$42,694	$172.49
76	1	Monongalia	1072-0411(4)	1993	Young, Laura L. & Samuel J. Jr., ET AL.	Patriot Mining Co Inc	284.722	WB	153.75	$120,000	$780.49
77	1	Monongalia	1090-0262	1994	Consolidation Coal Co.	Patriot Mining Co., Inc.	50.54	WB	2.73	$32,250	$11,813.19
78	1	Monongalia	1103-0209	1995	Bland, Mark & Debra	Patriot Mining Co., Inc.	25.62	WB	14.45	$67,500	$4,671.28
79	4	Nicholas	0324-0325	1988	DHM Corp	VAR Mines & Minerals	376.50	CB, EG	411.00	$292,125	$710.77
80	4	Nicholas	0336-0040	1990	Hewitt, T. Michael et al	Williams, James et al	100.75	2G	52.00	$8,400	$161.54
81	4	Nicholas	0336-0775	1990	Hewitt, Ellen et al	Waggoner, Doyle & Pearl	75.00	ST	75.00	$6,000	$80.00
82	4	Nicholas	0346-0548	1992	Prospect Land & Development Co, Inc.	Nicco Corp.	14,646.00	MK, LK, ST, CB	3230.84	$2,067,471	$639.92
83	4	Nicholas	0359-0312(8)	1994	Davis, Frank McGee ET AL.	McCutcheon, Ann H. et al.	253.00	GB	111.94	$41,020	$366.45
84	4	Nicholas	0362--0684	1995	Lively, Richard M., Sr. & Nancy J.	K & P Mining, Inc.	88.00	SW	27.84	$4,733	$170.01
85	3	Preston	0541-0855	1988	Miller, Gertrude et al	Sims, Eric R. et al	102.7+46.02	UF, UK, LK	168.82	$53,666	$317.89
86	3	Preston	0544-0274	1988	Fairfax, William et al	Thomas, Paul & Lowell	13.00	UF	13.00	$13,000	$1,000.00
87	3	Preston	0546-0238	1989	Cale, William O. & Rebecca B.	Kingwood Mining Company	20.00	UF, UK, LK	55.00	$20,000	$363.64
88	3	Preston	0547-0787	1989	Feather, Wanda	Shrout, Donald et al	25.88	BT	23.29	$381	$16.36
89	3	Preston	0547-0822	1989	Methany, Howard & Betty	Shrout, Donald et al	25.07	BT	19.92	$2,725	$136.80

TY97 COAL SALES SURVEY

Sale No.	Region	County	DB/P	Date	Grantor	Grantee	Deed Acres	Reserve Coal Bed(s)	Reserve Coal Acres	Coal Price	Price Per Reserve Acre
90	3	Preston	0550-0892	1989	Preston County Coal & Coke Corp.	Volkstone Co.	109.38	BT	55.00	$20,083	$365.15
91	3	Preston	0561-0384	1990	Larke, Carroll & Jane	Bitely, E & Debra Paulson	224.27	LK	74.94	$79,100	$1,055.51
92	3	Preston	0563-0942	1991	Jenkins, Milford & Mary Joan	Mangus Coal, Inc.	281.00	UF	19.34	$20,000	$1,034.13
93	3	Preston	0564-0394	1991	Wigley, Harry D. & Shirley A.	Hemman, Wilbur & Judy	20.59	LK	20.59	$34,811	$1,690.68
94	3	Taylor	0221-0174	1989	Carl Knotts	Larry Lee Cooper	77.84	LK	77.84	$23,400	$300.62
95	3	Taylor	0227-0121	1991	Greathouse, Eleanor et al.	Pittsburgh Ligonier, Inc.	61.04	LK	61.04	$18,312	$300.00
96	3	Taylor	0234-0219	1992	Pittsburgh Ligonier, Inc.	Tygart East Co.	88.58	LK	88.58	$26,400	$298.04
97	3	Taylor	0245-0427	1995	Mayle, Jimmy C. & Robin L.	Tygart East Co.	52.69	LK	50.58	$7,468	$147.65
98	3	Upshur	0341-0445	1988	Upshur Coals Corp.	Buckhannon River Venture	1,590.52	UF	805.77	$30,091	$37.34
99	3	Upshur	0350-0044	1989	Renzelli, Mary Lou & Michael A. et vir	Yohe, Edward A. & Carol A.	49	EL	23	$26,254	$1,141.48
100	3	Upshur	0364-0248	1991	Yohe, Edward A. & Carol A. et ux	Carpino, Joseph T. II & Mary R.	48.89	EL	23	$16,650	$723.91
101	3	Upshur	0378-0062	1994	Feola, Antoniette	Southern Upshur Lumber Co.	57.63	LK, UM	65.00	$12,860	$197.85
102	3	Upshur	0384-0304	1995	Rohr, Lucille et al	Coastal Lumber Co.	50.0(69.59)	LK; UM	5.00	$23,886	$4,777.20
103	4	Webster	0213-0681	1988	Mower Limited Partnership	Pardee & Curtin Limber Co.	691.76	SW	123.00	$35,000	$284.55
104	4	Webster	0231-0681	1994	Radtka, William	Burton, Helen M.	157+25	UK, LK, UM	38.00	$600	$15.79
105	4	Webster	0232-0569	1993	Cool, Beulah	The Sun Lumber Co.	12.00	LK, ST	15.40	$600	$38.96
106	2	Wetzel	0338-0510	1993	Stansberry, Ella Mae. et al.	Johnson, Floyd B. & Harriet L.	375.27	PG	69.83	$1,253	$17.94
107	5	Wyoming	0381-0166	1994	E & E Land Co., Inc.	National Resources, Inc.	11,108.36	BK, FC, P9, P7, P6	1859.02	$1,500,000	$806.88

Attachment A

Explanations for TY97 Coal Sales Survey

Parentheses with a number after the Deedbook/Page Number shows the number of fractional interest sales of the same basic property, transacted at about the same time. For example, 0455-0698(3); this entry shows that there are a total of 3 different sales represented here.

Thus, the 1997 coal sales survey is comprised of 138 sales, which after the consolidation of fractional interests resulted in 107 observations.

Reserve Coal Bed Abbreviations:

WB = Waynesburg	5B = No. 5 Block	CG = Cedar Grove	WCH = Welch
RS = Redstone	CL = Clarion	LCG = Lower Cedar Grove	BK = Beckley
SWK = Sewickley	ST = Stockton	AL = Alma	FC = Fire Creek
PG = Pittsburgh	UM = Upper Mercer	PL = Peerless	P9 = Pocahontas No. 9
BT = Bakerstown	CB = Coalburg	2G = No. 2 Gas	P7 = Pocahontas No. 7
EL = Elk Lick	BFC = Buffalo Creek	PW = Powellton	P6 = Pocahontas No. 6
UF = Upper Freeport	WF = Winifrede	EG = Eagle	P4 = Pocahontas No. 4
UK = Upper Kittaning	CH = Chilton	GB = Gilbert	P3 = Pocahontas No. 3
MK = Middle Kittaning	HN = Hernshaw	DGL = Douglas	P2 = Pocahontas No. 2
6B = No. 6 Block	WM = Williamson	IG = Iaeger	
LK = Lower Kittaning	UCG = Upper Cedar Grove	SW = Sewell	

RESERVE COAL SALES VALIDATION REVIEW

CODE

County: _____ District: _____

Deed Book: _____ Page: _____

Grantor: _____

Grantee: _____

SM Reference: _____

MM Reference: _____

Deed Sale Price: _____ Total Deed Acres: _____

1. Date of Transaction: _____ 2. Date of Record: _____

3. Is the date of transaction or record prior to January 1, 1989? . . . . . Y N

4. Are tax stamps missing or irregular? . . . . . Y N

5. Does the transaction involve a liquidation, forced sale, debt satisfaction, charitable organization and/or a government agency? . . . . . Y N

6. Is this a quitclaim or an unwarranted deed? (Justify further review.) . . . . . Y N

_____

_____

7. Is this a tax sale? . . . . . Y N

8. Are the parties involved affiliated? . . . . . Y N

9. Is this a straw party or a same-day sale? . . . . . Y N

10. Is this sale part of a sale listed in another county? . . . . . Y N
If yes, which county? _____

11. Is the coal on the property unmineable? . . . . . Y N

12. Is there consideration other than cash that cannot be quantified in dollars? . . . . . Y N

13. Does this involve a land contract or other special financing that is not quantifiable in dollars? . . . . . Y N

NOTE: If response to **all** of the above questions is "N", send questionnaire to both grantor and grantee and proceed with remainder of review.

14. Send a Questionnaire to:

(a) Grantor: Date Sent: _____ Date Received: _____
(b) Grantee: Date Sent: _____ Date Received: _____

15(a). Grantor Questionnaire Reviewed:

Reviewed By:							
Date:							

15(b). Grantee Questionnaire Reviewed:

Reviewed By:							
Date:							

16. After reviewing the deed and other reasonably accessible documents, were the conveyed estates/interest too ambiguous to identify or locate? Y N

Comments: (List Estates Conveyed)

17. Consider the estates conveyed:

a. Does this conveyance involve surface, improvements or non-coal property only? . . . . . Y N

b. Does surface, improvements, and/or other non-coal appraised value equal or exceed total sales price? . . . . . Y N

c. Does this conveyance involve active property only? . . . . . Y N

d. Does active coal equal or exceed total sales price? . . . . . Y N

Reviewed By:							
Date:							

18. Location and Geology:

The coal property is: producing ___ inactive ___ leased ___ permitted ___

Districts:	Topo Quads:

Source: Mineral Maps ___ County Reports ___ Published Information ___
Per Deed ___ Per T/P Return ___ Other ___

Reviewed by:	Date:

Coal Beds and Mineable Acres:

Coal Bed	Acres	Coal Bed	Acres	Coal Bed	Acres

19. Calculations for Valid Sales Only By: Date:

Estate(s)	Interests	Acres	Total Value	Source
Surface				
Oil & Gas				
Other Minerals				
Improvements				
Producing Coal				
Reserve Coal				

Reserve Coal Value Per Acre: _____

STATE OF WEST VIRGINIA
DEPARTMENT OF TAX AND REVENUE

GASTON CAPERTON
GOVERNOR

Charleston, West Virginia

JAMES H. PAIGE III
SECRETARY

December 9, 1996

The Honorable Ken Hechler
Secretary of State
Building 1, Suite 157K
Capitol Complex
Charleston, West Virginia 25305

HAND DELIVERED

Dear Mr. Secretary:

On November 15, 1996, I filed in the *West Virginia Register* final per acre values for reserve coal properties for use in the 1997 property tax year. These values were based upon the preliminary per acre values filed on August 16, 1996, and public comments we received concerning those preliminary values. The value per seam acre of reserve coal in Region 5 was fixed at $800.00.

Recently, I learned that the data Property Tax Division analyzed to establish the final value in Region 5 improperly included a sale that should have been excluded and erroneously excluded a sale that should have been included.

More specifically, the TY97 Coal Sales Survey filed on August 16, 1996, included as items 12 and 13:

12 Boone County 0205-0262 1994 Greenbrier Land Co. to Raven Resources 1,310.00 AL, 2G 887.00 $432,779 $487.91

13 Boone County 0205-0656 1995 Mason, Eva S., Jack & Carolyn to Boone East Development Co. 24 UCG, LCG, 2G 26.50 $20,936 $790.04

The TY97 Coal Sales Survey filed on November 15, 1996, includes as item 11 the following sale to Raven Resources:

11 Boone County 0205-0262 1994 Greenbrier Land Co. to Raven Resources 1,310.00 AL, 2G 887.00 $432,779 $487.91

P. O. Box 963
Charleston, WV 25324-0963

(304) 558-0211

FAX (304) 558-2324

The November 15th listing does not include the following sale to Boone East Development Co. because public comments and further investigation by Property Tax Division staff disclosed that it was a forced purchase rather than an arms-length transaction:

Boone County 0205-0656 1995 Mason, Eva S., Jack & Carolyn to Boone East Development Co. 24 UCG, LCG, 2G 26.50 $20,936 $790.04

Unfortunately, the data analyzed for Region 5 erroneously excluded the Boone County sale to Raven Resources and erroneously included the sale to Boone East Development Co. This resulted in the several measures of central tendency developed using such data to be overstated, except for the 8-year median number. This is demonstrated by the following comparison of median numbers for 5 years, 6 years, 7 years and 8 years data for Region 5:

	November 15, 1996	November 27, 1996
8 Years	$349.72	$349.72
7 Years	$615.02	$463.95
6 Years	$790.04	$487.91
5 Years	$798.46	$647.39

Analysis of the correct data for Region 5, with greater emphasis being placed on more recent sales, indicates that the value that best typifies transactions in Region 5 is $600 per seam acre and not $800 per seam acre as originally filed.

Attached for filing in the *West Virginia Register* is an "Amended Attachment A" reflecting correction of the per seam acre value for Region 5. I request that this information be printed in its entirety in the *West Virginia Register.*

Sincerely,

James H. Paige III
Secretary/Tax Commissioner

JHP/dws

"AMENDED ATTACHMENT A"

TAX YEAR 1997

Final Reserve Coal Property Rates

Region 1. $400 per acre

Region 2. $200 per acre

Region 3. $350 per acre

Region 4. $375 per acre

Region 5. $600 per acre

Region 1 (Brooke, Harrison, Marion, Marshall, Monongalia, Ohio)

Region 2 (Berkeley, Cabell, Calhoun, Doddridge, Hampshire, Hancock, Hardy, Jackson, Jefferson or Kanawha*, Monroe, Morgan, Pendleton, Pleasants, Pocahontas, Putnam, Ritchie, Roane, Tyler, Wetzel, Wirt, Wood)

* Kanawha County = Poca, Union, Jefferson and part of Big Sandy and Elk Districts that lie north of the Elk River.

Region 3 (Barbour, Grant, Mineral, Preston, Randolph, Taylor, Tucker, Upshur)

Region 4 (Braxton, Clay, Gilmer, Greenbrier, Lewis, Mason, Nicholas, Webster)

Region 5 (Boone, Fayette, Kanawha**, Lincoln, Logan, McDowell, Mercer, Mingo, Raleigh, Summers, Wayne, Wyoming)

** Kanawha County = Washington, Malden, Louden, Cabin Creek and part of Big Sandy and Elk districts that lie south of the Elk River.