

IN THE  
CIRCUIT COURT OF KANAWHA COUNTY  
STATE OF WEST VIRGINIA

DAVID L. MCKAIN

Plaintiff,

v.

Civil Action No. 12-C-913

PHYLLIS GATSON as Assessor of Kanawha County

Defendant.

COMPLAINT

For his claim for relief, plaintiff David McKain asserts the following:

PARTIES

1. Plaintiff David L. McKain is a citizen, resident and an owner of real property in the State of West Virginia.
2. Defendant Phyllis Gatson is the Assessor of Kanawha County, West Virginia.

## FACTS

### *Freedom of Information Act Request by Plaintiff*

3. The West Virginia Freedom of Information Act states:

“A request to inspect or copy any public record of a public body shall be made directly to the custodian of such public record.” (W.Va. Code §29B-1-3(2))

4. The West Virginia Freedom of Information Act states, in part, “*All requests for information must state with reasonable specificity the information sought.*” (W.Va. Code §29B-1-3(4))

5. On February 22, 2012, the Plaintiff made a Freedom of Information Act (FOIA) request to the Defendant for the residential review document data reports AP922WV (formerly known as “PF11”) for the residential property located in Kanawha County, Tax District 14 (CHAS 15), Map 7, Parcel 229 (1226 Oakmont Rd.) for the 2005 through 2012 tax years. (Attachment A). The Plaintiff’s FOIA request asked that the data be delivered in electronic format. An example of the documents requested is shown in Attachment B.

### *The Records Requested are Public Records*

6. The records requested are residential CAMA data prepared by the Defendant as the Kanawha County Assessor, a public body as defined by the W.Va. FOIA statute:

“‘Public body’ means every state officer, agency, department, including the executive, legislative and judicial departments, division, bureau, board and commission; every county and city governing body, school district, special district, municipal corporation, and any board, department, commission council or agency thereof; and any other body which is created by state or local authority or which is primarily funded by the state or local authority.” §29B-1-2(3)

7. The records requested are residential CAMA data and are information prepared, owned and maintained by the Defendant and related to conduct of the public business as defined in W.Va.

FOIA statute:

"Public record" includes any writing containing information relating to the conduct of the public's business, prepared, owned and retained by a public body W.Va. Code §29B-1-2(4).

"Writing" includes any books, papers, maps, photographs, cards, tapes, recordings or other documentary materials regardless of physical form or characteristics. W.Va. Code §29B-1-2(5)

*Defendant's Response to FOIA Request*

8. The West Virginia Freedom of Information Act prescribes actions required of the Defendant.

"The custodian, upon demand for records made under this statute, shall as soon as is practicable but within a maximum of five days not including Saturdays, Sundays or legal holidays:

(a) Furnish copies of the requested information;

(b) Advise the person making the request of the time and place at which he or she may inspect and copy the materials; or

(c) Deny the request stating in writing the reasons for such denial.

Such a denial shall indicate that the responsibility of the custodian of any public records or public body to produce the requested records or documents is at an end, and shall afford the person requesting them the opportunity to institute proceedings for injunctive or declaratory relief in the circuit court in the county where the public record is kept." (W.Va. Code §29B-1-3(4))

9. The Defendant responded to the Plaintiff's FOIA request via email on May 4, 2012

(Attachment C).

*Defendant's Reasons for Denial, Exemptions Claimed*

10. In her response, the Defendant denied the Plaintiff's request, in part, stating that the information requested, which the Defendant, defined as "CAMA data," was exempt from disclosure by statute W.Va. §29B-1-4(a)(2)

“Information of a personal nature such as that kept in a personal, medical or similar file, if the public disclosure thereof would constitute an unreasonable invasion of privacy, unless the public interest by clear and convincing evidence requires disclosure in the particular instance: Provided, That nothing in this article shall be construed as precluding an individual from inspecting or copying his or her own personal, medical or similar file.” W.Va. §29B-1-4(a)(2)

11. In her response, the Defendant denied the Plaintiff’s request, in part, stating “... that West Virginia Code §11-1A-23 required that her office maintain strict confidentiality of information concerning certain data collected during the appraisal of property in the county. That data is contained in the CAMA data you requested” and included text from W.Va. §11-1A-23(a)

“W.Va. Secrecy of returns and return information. -- Property tax returns and return information filed or supplied pursuant to this article and articles three, four, five and six of this chapter and information obtained by subpoena or subpoena duces tecum issued under the provisions of this article shall be confidential and except as authorized in this section, no officer or employee of the State Tax Department, county assessors, county commissions and the board of public works shall disclose any return or return information obtained by him or her, including such return information obtained by subpoena, in any manner in connection with his or her service as such an officer, member or employee: Provided, That nothing herein shall make confidential the itemized description of the property listed, in order to ascertain that all property subject to assessment has been subjected to appraisal: Provided, however, That the commissioner and the assessors shall withhold from public disclosure the specific description of burglar alarms and other similar security systems held by any person, stocks, bonds and other personal property held by a natural person, except motor vehicles and other tangible property utilized publicly, and shall withhold from public disclosure information claimed by any taxpayer to constitute a trade secret or confidential patent information: Provided further, That such property descriptions withheld from public disclosure shall be subject to production and inspection in connection with any review, protest or intervention in the appraisal or assessment process, under such reasonable limitations as the board of review, board of equalization and review or court shall require. The term officer or employee includes a former officer, member or employee.”

*The Records Requested are Public Records*

12. The records requested are composed of data collected by the Defendant during her official duties to maintain appraisals of property in Kanawha County as the publicly elected Assessor of Kanawha County.

*The Records Requested are Not Exempt From Disclosure*

13. The West Virginia Freedom of Information Act states that:

“Every person has a right to inspect or copy any public record of a public body in this state, except as otherwise expressly provided by section four of this article.” (W.Va. Code §29B-1-3(1))

14. The West Virginia Freedom of Information Act contains an exemption for information such as that kept in a personal, medical or similar file that the Defendant claimed in denying the Plaintiff’s FOIA request as follows:

“Information of a personal nature such as that kept in a personal, medical or similar file, if the public disclosure thereof would constitute an unreasonable invasion of privacy, unless the public interest by clear and convincing evidence requires disclosure in the particular instance: Provided, That nothing in this article shall be construed as precluding an individual from inspecting or copying his or her own personal, medical or similar file” (W.Va. Code §29B-1-4(a)(2))”

15. The information requested is associated with a parcel of real property located in Kanawha County. The only personally identifiable data in the information requested are the names of the persons responsible for the property taxes on the parcel and their mailing address for each tax year.

16. The name of the person(s) responsible for the property tax and their mailing address are the only personally identifiable data in the information requested. These pieces of information are included on publicly available tax tickets for every parcel of real property in Kanawha County from the Kanawha County Sheriff and are contained in the Kanawha County Property Books.

17. The West Virginia Supreme Court, in *Rose v. Fewell* found that “*The property books are public documents and as such are available to the public for inspection.*” (W.Va. 294 S.E.2d 434, 1982)

18. The West Virginia Freedom of Information Act contains an exemption for “Information specifically exempted from disclosure by statute” (W.Va. Code §29B-1-4(a)(5)). The Defendant claimed the information requested by the Plaintiff was exempt as it was considered confidential under W.Va. §11-1A-23(a).

19. The Property Tax Division of the West Virginia Tax Department addressed the confidentiality statute of West Virginia Code §11-1A-23 as it pertains to the disclosure of property record cards in a November 23, 2009 communication to all county assessors in West Virginia (Attachment D). In the communication, the Director of the Property Tax Division stated, in part, that “... the provisions of West Virginia Code §11-1A-23 do not protect appraisal records from disclosure, unless the records contain taxpayer return information that is specifically protected from disclosure statute.”

20. The Property Tax Division of the West Virginia Tax Department addressed the confidentiality statute of West Virginia Code §11-1A-23 in Section 3 of their 2011 Guide for County Assessors (Attachment E). The guide states, in part, that CAMA data may be released unless it contains specific confidential information such as descriptions of security systems or individual personal property.

*Public Release of West Virgini Residential CAMA Data*

21. Several West Virginia Counties including Raleigh, Marshall, Greenbrier, Jackson, Greenbrier, Ohio, Pocahontas and Cabell provide CAMA data for residential property to the public directly from their IAS database through internet sites (Attachment F). These data are provided through an IAS Web Portal that provides information including ownership, parcel, dwelling, sales and land information. Available dwelling information for a single residential property in Cabell county is shown in Attachment G).

22. Several West Virginia Counties including Berkeley, Calhoun, Gilmer, Greenbrier, Jackson, Mason, Jefferson, **Kanawha** (emphasis added), Lincoln, Marion, Morgan, Preston, Wayne, Webster and Wood provided CAMA data for residential property to SpecPrint (7R Aylesbury Road, Timonium, MD 21093; <http://specprint.com/>) who repackage the data and provide subscription services to the public for residential CAMA data from individual counties.

(Attachment H).

23. The Defendant released CAMA data from residential property in Kanawha County for the 2011 tax year to SpecPrint. Select CAMA data for three residential properties included in this release and obtained from the SpecPrint web site are shown in Attachment I. Select CAMA data for the property subject to this action (Tax District 14, Map 7, Parcel 229) for the 2011 tax year and obtained from the SpecPrint web site are shown in Attachment J. These data include many but not all of the data fields available on the AP922WV (PF11) that the Plaintiff requested. Only data from the 2011 tax year are available from the SpecPrint web site.

24. The Defendant released CAMA data from residential property in Kanawha County for the 2011 tax year to Gold Imaging. Gold Imaging, operating out of Charlotte, North Carolina, provides residential property assessment data from select counties and municipalities in several states including counties in West Virginia (Attachments K-1 & K-2). The Gold Imaging web site indicates that residential property assessment data are available for several West Virginia Counties including Berkeley, Brooke, Hancock, Harrison, Jefferson, **Kanawha** (emphasis added), Monongalia, Morgan, Preston, Putnam, Wayne and Wood counties.

25. Gold Imaging provides, as part of their product, detailed residential data from the 2011 tax year for property in Kanawha County (Attachment K-3 & K-4). This product was derived from residential review data stored in the IAS and provided to Gold Imaging by the Defendant.

26. The residential property example on the Gold Imaging web site (Attachment K-3) is a property in Kanawha County located in District 25, Map 16R, Parcel 9 and the data included in the example is from the 2011 tax year. The 2011 tax ticket for the Gold Imaging Kanawha County example property is included in Attachment L.

27. Those wishing to obtain CAMA data for residential properties in Kanawha County must receive approval for its release from the Defendant. In the case that these data were released directly by personnel in the Defendant's office, she would have to provide that authorization. In the case that these data were released by the State Tax Department, who has access to Kanawha County residential CAMA data, the Defendant would have had to authorize its release as it is the policy of the State Tax Department that the Defendant is the custodian of CAMA data for Kanawha County would not release CAMA data without the Defendant's authorization.

#### CLAIMS FOR RELIEF

28. The Plaintiff made a specific request for public records to the custodian of that information as required by statute (W.Va. §29B-1-3(2));

29. The information the Plaintiff requested are public records, prepared owned and retained by a public body (W.Va. Code §29B-1-2(3-5));

30. The public records requested by the Plaintiff are not exempted from disclosure by statute (W.Va. §29B-1-4);

31. The Defendant has previously authorized release of the public records requested by the Plaintiff to commercial entities;

32. The Defendant is required to make copies of the public records available to the Plaintiff in electronic form (W.Va. §29B-1-3(3));



33. The Plaintiff has a right to inspect or copy the public records requested (W.Va. §29B-1-3(1));

34. Any person who successfully brings suit pursuant to W.Va. FOIA statute is entitled to reimbursement of reasonable costs, expenses and attorney fees incurred in bringing that action.

“Any person who is denied access to public records requested pursuant to this article and who successfully brings a suit filed pursuant to section five of this article shall be entitled to recover his or her attorney fees and court costs from the public body that denied him or her access to the records.” W.Va. §29B-1-7

#### REQUEST FOR RELIEF

A. Court to find that Computer Assisted Mass Appraisal (CAMA) data prepared by the Defendant and utilized for appraisal of residential property in Kanawha County is public record.

B. Court to grant Plaintiff declaratory or injunctive relief by directing the Defendant to provide Plaintiff the requested information or to enjoin Defendant from withholding authorization;

C. Court to issue order requiring the Defendant to reimburse the Plaintiff all reasonable costs, expenses, and attorney fees; and

D. All other relief that the Court shall find the Plaintiff to be entitled.

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David L. McKain (pro se)  
145 Hoffman Ave.  
Morgantown, WV 26505  
(304) 216-5533

ATTACHMENT A – PLAINTIFF’S FREEDOM OF INFORMATION ACT REQUEST – FEBRUARY 22,  
2012

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145 Hoffman Ave  
Morgantown, WV  
26505  
304 216-5533 (cell)  
david.mckain@gmail.com

Phyllis Gatson  
Kanawha County Assessor  
Kanawha County Courthouse  
409 Virginia Street East  
Charleston, WV 25301

February 22, 2012

Mrs. Gatson,

Pursuant to the West Virginia Freedom of Information Act, W. Va. Code § 29B-1-3, I am hereby requesting electronic copies of the following public records:

**Residential review document data report AP922WV (formerly known as “PF11”) for the residential property located in Kanawha County, Tax District 14 (CHAS 15), Map 7, Parcel 229 (1226 Oakmont Rd.) for the 2005 through 2012 tax years.**

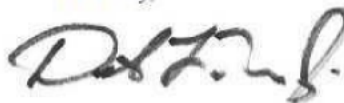
I would request that the data be in electronic format and delivered via email.

I am willing to pay a reasonable fee for the cost of reproducing these records. Please notify me of the cost of reproduction and delivery. If this fee will be more than ten dollars (\$10.00), I would request that you provide me with both the reproduction costs and justification for said costs before producing the data in question. In the event that the data do not contain that requested above the responsibility and cost of producing and delivering the corrected data would be the responsibility of your office.

If you have any questions or need clarification from me, I may be reached through email ([david.mckain@gmail.com](mailto:david.mckain@gmail.com)) or by telephone at 304-216-5533 at any time.

Thank you for your prompt attention to my request.

Sincerely,



David L. McKain Jr.

# ATTACHMENT 1 – RESIDENTIAL REVIEW DOCUMENT FOR THE PLAINTIFF’S PROPERTY FOR THE 2012 TAX YEAR

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| RESIDENTIAL REVIEW DOCUMENT   |  |  |  |  |  |  |  |  |  |
| FEB.02, 2012  |  |  |  |  |  |  |  |  |  |
| 10:07 AM  |  |  |  |  |  |  |  |  |  |
| PARCEL ID 12- 14-0390-0000-0000 DEED B/P 1334 / 1555 CARD NO. 1 OF 1 TAX YEAR: 2012 TIERBACK 0000 |  |  |  |  |  |  |  |  |  |
| ADDRESS 145 HOFFMAN AVE   |  |  |  |  |  |  |  |  |  |
| NBRD 005A   |  |  |  |  |  |  |  |  |  |
| LIVE UNIT 1   |  |  |  |  |  |  |  |  |  |
| ZONING  |  |  |  |  |  |  |  |  |  |
| PROP. CL R  |  |  |  |  |  |  |  |  |  |
| TOPO 3  |  |  |  |  |  |  |  |  |  |
| UTILITY 1   |  |  |  |  |  |  |  |  |  |
| RDS/TRF 1   |  |  |  |  |  |  |  |  |  |
| FRT 9   |  |  |  |  |  |  |  |  |  |
| BL G LOTS 4 THRU 7  |  |  |  |  |  |  |  |  |  |
| 145 HOFFMAN AVE   |  |  |  |  |  |  |  |  |  |
| (CA12)---PROPERTY FACTORS---  |  |  |  |  |  |  |  |  |  |
| TOPO 3  |  |  |  |  |  |  |  |  |  |
| UTILITY 1   |  |  |  |  |  |  |  |  |  |
| RDS/TRF 1   |  |  |  |  |  |  |  |  |  |
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| (CA12)---LEGAL---   |  |  |  |  |  |  |  |  |  |
| BL G LOTS 4 THRU 7  |  |  |  |  |  |  |  |  |  |
| 145 HOFFMAN AVE   |  |  |  |  |  |  |  |  |  |
| (CA14)---LAND DATA---   |  |  |  |  |  |  |  |  |  |
| QTY 1   |  |  |  |  |  |  |  |  |  |
| PE IN CD FRONT DEPTH  |  |  |  |  |  |  |  |  |  |
| F 1 1 175 120   |  |  |  |  |  |  |  |  |  |
| REGULAR LOT   |  |  |  |  |  |  |  |  |  |
| (CA13)---SALES INFORMATION---   |  |  |  |  |  |  |  |  |  |
| DATE 02/06/07   |  |  |  |  |  |  |  |  |  |
| TX CLASS 2  |  |  |  |  |  |  |  |  |  |
| ZONING  |  |  |  |  |  |  |  |  |  |
| PROP. CL R  |  |  |  |  |  |  |  |  |  |
| (CA16)---ENTRANCE INFO---   |  |  |  |  |  |  |  |  |  |
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| RDS/TRF 1   |  |  |  |  |  |  |  |  |  |
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| (CA68)---REMARKS---   |  |  |  |  |  |  |  |  |  |
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Reply to Charleston

May 4, 2012

David L. McKain, Jr.  
145 Hoffman Ave.  
Morgantown, WV 26505  
[david.mckain@gmail.com](mailto:david.mckain@gmail.com)

**Re: FOIA Request For CAMA Data**  
**SMS File No. 10070-5**

**Via US Mail and Email**

Dear Mr. McKain:

This letter is in response to your request made under the West Virginia Freedom of Information Act, W.Va. Code §29B-1-3 (“FOIA”), dated February 22, 2012, made to the Kanawha County Assessor. Jason Wandling, an associate from my office, has had several telephone conversations with you pertaining to your request, and we appreciate your agreement to give us some additional time in which to respond to your request.

Your request asks for “Residential review document data report AP922WV (formerly know as “PF 11”) for the residential property located in Kanawha County, Tax District 14 (CHAS 15), Map 7, Parcel 229 (1226 Oakmont Rd.) For the 2004 through 2012 tax years.” It is not clear from your request whether you are requesting the information provided on the tax books, or the Computer Assisted Mass Appraisal (CAMA) Data. However, I understand from your conversations with Mr. Wandling that you intended your request to pertain only to the CAMA data for the subject property. If that understanding is incorrect, please advise and we will make the information on the tax books available to you.

With respect to your request for the CAMA data, the CAMA used for the calculation of the assessment contains information gathered about each individual property in Kanawha County. West Virginia Code §29B-1-4(a)(2) (Freedom of Information Act Exemptions) exempts from disclosure “Information of a personal nature such as that kept in a personal,

David L. McKain  
May 4, 2012  
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medical or similar file, if the public disclosure thereof would constitute an unreasonable invasion of privacy, unless the public interest by clear and convincing evidence requires disclosure in the particular instance...”. Judge Steptoe in Metropolitan Regional Information Systems v. Mary R. Bordier, Assessor of Jefferson County, et al. (Civil Action 99-C-20, Jefferson County Circuit Court) ruled that CAMA data was personal in nature and without a showing by clear and convincing evidence that that disclosure of such data is in the public’s interest, is exempt from disclosure pursuant to this section of the code. While we recognize that this ruling is not binding outside of that circuit, it does have precedential value, and the Kanawha County Assessor agrees with the decision. A copy of that decision is enclosed with this response.

I also note that West Virginia Code § 11-1A-23 requires that this office maintain strict confidentiality of information concerning certain data collected during the appraisal of property in the county. That data is contained in the CAMA data you requested. The relevant code section states as follows:

(a) Secrecy of returns and return information. -- Property tax returns and return information filed or supplied pursuant to this article and articles three, four, five and six of this chapter and information obtained by subpoena or subpoena duces tecum issued under the provisions of this article shall be confidential and except as authorized in this section, no officer or employee of the State Tax Department, county assessors, county commissions and the board of public works shall disclose any return or return information obtained by him or her, including such return information obtained by subpoena, in any manner in connection with his or her service as such an officer, member or employee: Provided, That nothing herein shall make confidential the itemized description of the property listed, in order to ascertain that all property subject to assessment has been subjected to appraisal: Provided, however, That the commissioner and the assessors shall withhold from public disclosure the specific description of burglar alarms and other similar security systems held by any person, stocks, bonds and other personal property held by a natural person, except motor vehicles and other tangible property utilized publicly, and shall withhold from public disclosure information claimed by any taxpayer to constitute a trade secret or confidential patent information.

W. Va. Code § 11-1A-23(a).

ATTACHMENT C (cont.) – DEFENDANT’S RESPONSE TO PLAINTIFF’S FOIA REQUEST

David L. McKain

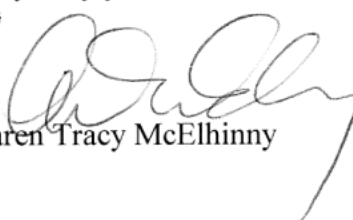
May 4, 2012

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For the reasons explained above, your request for the Kanawha County CAMA information is denied. If you are interested in purchasing any of the assessment data or maps for the subject property, as opposed to the CAMA data, please contact us and we will make it available.

Very truly yours,



Karen Tracy McElhinny

Enclosure

/KTM

cc: Stephen Sluss, Esq.  
Stephen Duffield

ATTACHMENT D – WEST VIRGINIA TAX DEPARTMENT, PROPERTY TAX DIVISION  
COMMUNICATION TO DEFENDANT

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Joe Manchin III  
Governor

STATE OF WEST VIRGINIA  
Department of Revenue  
State Tax Department



Christopher G. Morris  
State Tax Commissioner

November 23, 2009

TO ALL COUNTY ASSESSORS  
STATE OF WEST VIRGINIA

Ladies and Gentlemen:

Recently, I have had calls concerning the disclosure of property record cards. Our position is that the provisions of West Virginia Code § 11-1A-23 do not protect appraisal records from disclosure, unless the records contain taxpayer return information that is specifically protected from disclosure statute.

As a practical matter, a taxpayer needs this information to fully judge whether they are treated fairly. Many county assessors freely disclose most appraisal data or ask that the Tax Department do so on their behalf.

Should you have questions specific to your situation you should consult your legal advisor. If your questions are more general in nature, feel free to contact me at 304-558-3940.

Sincerely,

Jeffrey A. Amburgey  
Director  
Property Tax Division

JAA/sh  
Enclosure

Property Tax Division  
P. O. Box 2389  
Charleston, WV 25328-2389  
Phone (304) 558-3940 FAX (304) 558-1843

## SECTION 3

### 3. CONFIDENTIALITY (W. Va. Code § 11-1A-23 & 11-1C-14)

- Property returns and return information are not public information and must be treated confidentially.
- Property taxpayer information obtained by subpoena is also to be treated as return information.
- Itemized listings of property may be released so long as the lists do not describe security systems, individual personal property, and stocks or bonds. Generally if the listings contain property that is used publicly, it may be released.
- Trade secrets or patent information must be treated confidentially.
- Confidential information may be disclosed to the Tax Department.
- Confidential information may be disclosed to the county commission in conjunction with an appeal of the assessment or appraisal.
- CAMA data may be released unless any of the above confidential information would appear on the document(s) to be released.
- Appraised values that have been used for assessment purposes may be released.
- Confidential property tax returns, map and geological information and property tax audit information may be shared with the West Virginia Geological and Economic Survey. Specific oil and gas return data can be supplied to Department of Environmental Protection (DEP).
- West Virginia Uniform Motor Vehicle Records Disclosure Act. W. Va. Code § 17A-2A-1 and agreement between the WVDMV and County Assessor. (See Appendix A)
- The Tax Commissioner may provide to the county assessor, county sheriff, or mayor of a municipality the federal employer identification number (FEIN) of any business being carried on within the jurisdiction of the requesting assessor, sheriff or mayor. (W. Va. Code § 11-10-5d)



ATTACHMENT F – COUNTIES WHICH MAKE RESIDENTIAL CAMA DATA PUBLICLY AVAILABLE  
ONLINE DIRECTLY FROM THEIR IAS DATABASE

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|             |   |
|-------------|---|
| Raleigh:    | <a href="http://mapping.raleighcountyassessor.com/portal">http://mapping.raleighcountyassessor.com/portal</a> |
| Marshall:   | <a href="http://portal.marcoassessor.org/portal/">http://portal.marcoassessor.org/portal/</a>                 |
| Fayette:    | <a href="http://www.fayetteassessor.com/portal/">http://www.fayetteassessor.com/portal/</a>                   |
| Greenbrier: | <a href="http://www.greenbrierassessor.com/portal/">http://www.greenbrierassessor.com/portal/</a>             |
| Jackson:    | <a href="http://portal.mercerassessor.com/portal/">http://portal.mercerassessor.com/portal/</a>               |
| Ohio:       | <a href="http://ohiocountywvassessor.com/portal/">http://ohiocountywvassessor.com/portal/</a>                 |
| Pocahontas: | <a href="http://www.pocahontascountyassessor.com/portal/">http://www.pocahontascountyassessor.com/portal/</a> |
| Cabell:     | <a href="http://maps.cabellassessor.com/portal/">http://maps.cabellassessor.com/portal/</a>                   |

ATTACHMENT G – ONLINE DWELLING CAMA DATA SAMPLE FROM CABELL COUNTY PUBLIC DATABASE

| Dwelling                 |                  |                        |              |
|--------------------------|------------------|------------------------|--------------|
| Jurisdiction             | 06               | Wbfp_pf                |              |
| Parcel ID (Account)      | 02 9002500000000 | Bsmt Car               |              |
| Card                     | 1                | Bgarval                | 0            |
| Tax Year                 | 2012             | Msc1 Des               |              |
| Seq                      | 15               | Msc1 Num               |              |
| Status                   | 7                | Msc1 Val               | 0            |
| Stories                  | 2.0              | Msc2 Des               |              |
| Exterior Walls           | 03               | Msc2 Num               |              |
| Style                    | Conventional     | Msc2 Val               | 0            |
| Year Built               | 1905             | Condo Lvl              |              |
| Effective Year           |                  | Condo Type             | 0            |
| Year Remodeled           |                  | Condo VW               |              |
| Total Rooms              | 5                | CndCmplx               |              |
| Bed Rooms                | 2                | Unit No                |              |
| Family Rooms             |                  | Cnd Base Val           |              |
| Full Baths               | 1                | Cnd Adjval             |              |
| Half Baths               | 1                | Grm Units              |              |
| Addn Fixtures            | 2                | Grm Rent               |              |
| Total Fixtures           | 7                | ResGrMVal              | 0            |
| Remodeled Kitchen        |                  | Main Ground Floor SqFt | 656          |
| Remodeled Bath           |                  | Living Area (SF)       | 1747         |
| Basement                 | Crawl            | 1st Floor Sq Ft        | 1091         |
| Heating                  | Hot Water        | Construction Value     | \$ 51,800.00 |
| Heating Fuel Type        | Gas              | Subtotal               | \$ 52,060.00 |
| Heating A/C              | Non Central      | Grade                  | C            |
| Attic Type               | None             | CdDesc                 |              |
| Int Cond relative to Ext | Same             | CdPct                  |              |
| MasTrimW                 |                  | User Amt               | 0            |
| MasTrimL                 |                  | CDU                    | FR           |
| MasTrimArea              |                  | Mkt Rsn                |              |
| TrimVal                  | 0                | Additions Sq Ft        | 435          |
| UnFinished W             |                  | Additions              | 8900         |
| UnFinished L             |                  | Pct Complete           |              |
| UnFinished Area          |                  | Tax Class              |              |
| UnFinished Val           | 0                | Degrem                 |              |
| Rec Room W               |                  | Physical Condition     | AV           |
| Rec Room L               |                  | Val Meth               |              |
| Rec Room Area            |                  | Record Type            | Real Estate  |
| RecVal                   | 0                | RESMOD                 | 1            |
| Finished Basement W      |                  | Mod Over               |              |
| Finished Basement L      |                  | Total Area             | 1747         |
| Finished Basement        |                  | Bldg Use               |              |
| UFeatW                   |                  | Dep Rt                 |              |
| UFeatL                   |                  | Plat Book              |              |

ATTACHMENT H – WEST VIRGINIA CAMA DATA AVAILABLE FOR SPECIFIC TAX YEARS FROM SPECPRINT (Retreived from SpecPrint 5/15/2012 - <http://data.specprint.com/onlinecounties1.php?com=SPEC>)

| <b>WEST VIRGINIA</b>                     |      |
|--|------|
| <a href="#">BERKELEY COUNTY WV</a>       | 2012 |
| <a href="#">CALHOUN/GILMER COUNTY WV</a> | 2011 |
| <a href="#">GREENBRIER COUNTY WV</a>     | 2010 |
| <a href="#">JACKSON/MASON COUNTY WV</a>  | 2011 |
| <a href="#">JEFFERSON COUNTY WV</a>      | 2009 |
| <a href="#">KANAWHA COUNTY WV</a>        | 2011 |
| <a href="#">LINCOLN COUNTY WV</a>        | 2011 |
| <a href="#">MARION COUNTY WV</a>         | 2011 |
| <a href="#">MORGAN COUNTY WV</a>         | 2012 |
| <a href="#">PRESTON COUNTY WV</a>        | 2011 |
| <a href="#">WAYNE COUNTY WV</a>          | 2012 |
| <a href="#">WEBSTER COUNTY WV</a>        | 2011 |
| <a href="#">WOOD COUNTY WV</a>           | 2011 |

ATTACHMENT I – ONLINE 2011 DWELLING CAMA DATA FROM RESIDENTIAL PROPERTY IN  
KANAWHA COUNTY (Retreived from SpecPrint web site on 5/15/2012)

|                      |  |                                   |  |
|----------------------|--|-----------------------------------|--|
| District             | 11                                     | 15                                | 15   |
| Town Name            | EAST CHARLESTOWN                       | ELK                               | ELK  |
| Map                  | 28                                     | 37C                               | 37C  |
| Parcel               | 215.719B                               | 31                                | 32   |
| Owner Name           | GATSON CATHY S                         | GATSON PHYLLIS                    | GATSON PHYLLIS J LIF   |
| Owner Address        | 2106 KANAWHA BLVD E APT B              | 2 ELDER DR                        | 2 ELDER DR   |
| Owner City           | CHARLESTON                             | CHARLESTON                        | CHARLESTON   |
| Owner State          | WV                                     | WV                                | WV   |
| Owner Zip            | 25311                                  | 25302                             | 25302  |
| Number               | 2106                                   | 4                                 | 2  |
| Direction            | E                                      |                                   |  |
| Property Street Name | KANAWHA                                | ELDER                             | ELDER  |
| Type                 | BLVD                                   | DR                                | DR   |
| Validity             | 1                                      | 1                                 | 1  |
| Property Description | UNIT 719 BLDG 2 TERRACE PARK<br>EAST C | LT 78 GLEN ELK ELDER DRIVE #<br>4 | LTS 76-77 FEE GLEN ELK ADN   |
| Total Value          | 52800                                  | 8600                              | 68700  |
| Land Value           | 15700                                  | 8600                              | 16500  |
| Building Value       | 37100                                  |                                   | 52200  |
| Assessed Value       | 92900                                  | 10700                             | 50167  |
| Map File             | 11CE028-                               | 09EL037C                          | 09EL037C   |
| Sale Price           | 65000                                  |                                   |  |
| Sale Date            | 6/30/2005                              |                                   |  |
| Sale Code            | 2                                      |                                   | 0  |
| Deed Book/Page       | 2635/488                               | 2611/500                          | 2489/195   |
| Account              | 7391805                                | 6245039                           | 6236888  |
| Land Sq.Ft.          |  | 40X120                            | 157X122  |
| Acreage              |  | 0.1101                            | 0.4397   |
| Land Use             | 107                                    | 100                               | 101  |
| Neighborhood         | 200P                                   | 322Z                              | 322Z   |
| Property Type        | R                                      | R                                 | R  |
| Tax Class            | 4                                      | 3                                 | 2  |
| Year Built           | 1970                                   |                                   | 1957   |
| Building Area        | 624                                    |                                   | 1620   |
| Stories              | 1                                      |                                   | 1  |
| Basement             | NO                                     |                                   | CRAWL  |
| Rooms                | 3                                      |                                   | 6  |
| Bedrooms             | 1                                      |                                   | 3  |
| Baths                | 1                                      |                                   | 1.1  |
| Exterior Walls       | BRICK                                  |                                   | AL-VNL   |
| Heat Type            | ELEC                                   |                                   | HT PMP   |
| Fuel Type            | ELEC                                   |                                   | ELEC   |
| Air                  |  |                                   |  |
| Fireplace            |  |                                   |  |
| Building Style       | CONDO                                  |                                   | RANCH  |
| Condition            | AVERGE                                 |                                   | AVERGE   |
| Seller               | JAMON REAL ESTATE CORP                 | GREEN TREE SERVICING LLC          |  |
| FPTRANS1             | A0CR24U26L24D26A1CD4R24U4L24           |                                   | A0CR28U56L30D26R2D30A1R2C<br>D27R24U27L24A2U20CL8U6R8D<br>6A3R28U10CR4U4L4D4A4R28U2<br>9CR8U16L8D16A5R28U56L8CU8<br>L5D8R5 |

ATTACHMENT J – ONLINE 2011 DWELLING CAMA DATA FROM FOIA SUBJECT PROPERTY  
(Retrieved from SpecPrint web site May 15, 2012)

5/15/12

1226 OAKMONT ROAD-Property Record Card

PROPERTY CARD - KANAWHA COUNTY WV 2011

GEOGRAPHIC LOCATION: DISTRICT 14 TOWN NAME 15TH WARD MAP 7 PARCEL 229

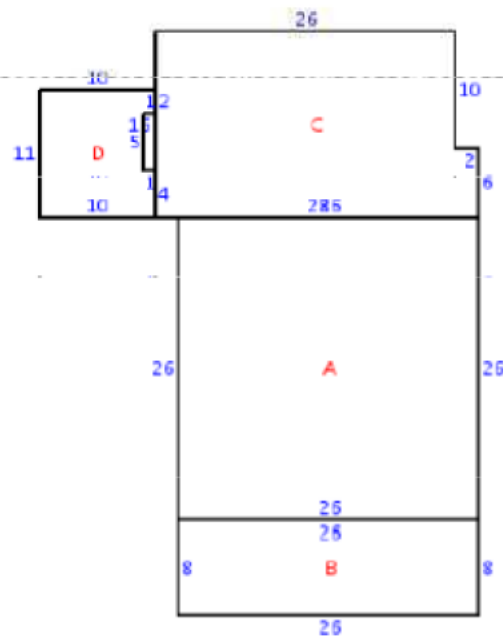
OWNER: HUGHES CHARLES R JR & AMANDA S  
1226 OAKMONT RD  
CHARLESTON, WV 25314

PROPERTY: 1226 OAKMONT ROAD STREET VALIDITY 1  
DESCRIPTION: PT LTS 6-7 GOSHORN ADN 42X145 OAKMONT ROAD 1226

|                |           |                |          |
|----------------|-----------|----------------|----------|
| TOTAL VALUE    | \$115,100 | SALE CODE      | 0        |
| LAND VALUE     | \$20,000  | DEED BOOK/PAGE | 2584/887 |
| BUILDING VALUE | \$95,100  | ACCOUNT        | 06222580 |
| ASSESSED VALUE | \$113,900 | LAND SQ.FT.    | 42X141   |
| MAP FILE       | 14WC007-  | ACREAGE        | 0.1359   |
| SALE PRICE     | \$117,500 | LAND USE       | 101      |
| SALE DATE      | 9/1/03    | NEIGHBORHOOD   | 301D     |
| RECENT         |           | PROPERTY TYPE  | R        |
|                |           | TAX CLASS      | 02       |

|                |        |                |                          |
|----------------|--------|----------------|--------------------------|
| YEAR BUILT     | 1920   | HEAT TYPE      | HT AIR                   |
| BUILDING AREA  | 1780   | FUEL TYPE      | GAS                      |
| STORIES        | 2      | AIR            |                          |
| BASEMENT       | PART   | FIREPLACE      | 1                        |
| ROOMS          | 7      | BUILDING STYLE | CONV                     |
| BEDROOMS       | 3      | CONDITION      | AVERGE                   |
| BATHS          | 1.1    | SPECIAL ID     | 0000                     |
| EXTERIOR WALLS | AL-VNL | SELLER         | COOK NANCY H & CHESTER H |

SKETCH:  
A0CR26U26L26D26A1CD8R26U8L26A2U26L2CU16B26D10R2D6L28A3U26L2CL10U11R10D2L1D5R1D4...  
MAP 7  
PARCEL 229  
ACCOUNT 06222580





## **Property Cards & Tax Maps On CD!**

Gold Imaging was established in 1997. We operate out of Charlotte, North Carolina.

**Gold Imaging offers tax maps and property data on CD for over 160 counties in the following states:**

[Connecticut](#) [Delaware](#) [New Hampshire](#) [North Carolina](#)  
[Pennsylvania](#) [South Carolina](#) [Virginia](#) [West Virginia](#)

**We are adding new counties and states every month!**

Gold Imaging encourages everyone who visits this site to [contact us](#) and let us know how we can improve your visit.

Thank you for visiting Gold Imaging.

## Gold Imaging CD Product List

*Italics* = New Version under development. Previous version no longer supported.

\* = CD complete and available for Advanced Sales.

Dates represent CD completion date.

### West Virginia Products

|                                     |          |
|-------------------------------------|----------|
| <a href="#">Berkeley</a>            | 03/21/12 |
| <a href="#">Brooke/Hancock</a>      | 04/13/12 |
| <a href="#">Harrison</a>            | 04/12/11 |
| <i><a href="#">Jefferson</a></i> *  | 09/09/11 |
| <a href="#">Kanawha</a> *           | 11/04/11 |
| <i><a href="#">Monongalia</a></i> * | 02/17/12 |
| <a href="#">Morgan</a>              | 03/09/12 |
| <a href="#">Preston</a>             | 08/30/10 |
| <a href="#">Putnam</a>              | 09/01/11 |
| <i><a href="#">Wayne</a></i> *      | 09/09/11 |
| <a href="#">Wood</a>                | 03/24/11 |



ATTACHMENT K-3 – GOLD IMAGING KANAWHA COUNTY PRODUCT DESCRIPTION – PROPERTY DATA (Retrieved May 8, 2012: <http://www.goldimaging.com/KanawhaWV.htm>)

Gold Imaging Property Cards & Tax Maps - [Search Screen]

Form View Datasheet View Export... Options Help

## KANAWHA COUNTY WV 2011

District: 25 Town Name: UNION Map: 16R Parcel: 9  
 Owner Name: DUNCAN JANELDA R  
 Owner Address: 5405 DOC BAILEY RD  
 Owner City: CHARLESTON Owner State: WV Owner Zip: 25313  
 Number: 5405 Direction: Property Street Name: DOC BAILEY Type: ROAD Validity: 1  
 Property Description: LT 5 BROOKSIDE VILLAGE SUB WTS CLAYBANK BR BAILEY RD  
 Total Value: 161500 Land Value: 26700 Building Value: 134800 Assessed Value: 159400  
 Map File: 14UN016R.TIF Sale Price: 165000 Sale Date: 10/1/2002 Sale Code: 1  
 Deed Book/Page: 2560/494 Account: 07412105 Land Sq.Ft.: 125X314 Acreage: 0.901  
 Land Use: 101 Neighborhood: 604K Property Type: R Tax Class: 02  
 Year Built: 1983 Building Area: 2485 Stories: 1 Basement: CRAWL Rooms: 8  
 Bedrooms: 4 Baths: 2 Exterior Walls: BRICK Heat Type: HT WTR Fuel Type: ELEC  
 Air: CNTRL Fireplace: 1 Building Style: RANCH Condition: AVERAGE Special ID: 0000  
 Seller: HARBERT CHILTON W & JANE A

Search Clear Previous Show All Data Card Map All Maps Exit

Record 47 of 52

Record: 47 of 52 (Filtered)

Form View FLTR



## ATTACHMENT L – TAX TICKET FOR PROPERTY OF ATTACHMENTS 9C AND 9D

5/9/12

Kanawha County Sheriff's Tax Office Real Property Ticket # 2011-0000109209

**Kanawha County Sheriff's Tax Office****Kanawha County Real Property**

Tax Year: 2011 Account Number: 07412105  
 Ticket #: 0000109209 Taxpayer I.D.:  
 District: 25 - UNION

| Property Owner  | Property Description   |
|---|--|
| DUNCAN JANELDAR<br>5405 DOC BAILEY RD<br>CHARLESTON, WV 25313<br>Lending Institution: | LT 5 BROOKSIDE VILLAGE SUB<br>WTS CLAYBANK BR BAILEY RD<br>Map/Parcel: 16R / 0009 0000 0000<br>Lot Size: Acreage:<br>Book: 2560 Page: 0494 |

Tax Class: 2  
 Homestead Exemption: None  
 Back Tax: None  
 Exoneration: None  
 Prior Delinquents: None  
 Special Disposition: None

**ASSESSMENT:**

| Assessment | GROSS | NET   | TAX (1/2 Year) |
|------------|-------|-------|----------------|
| Land       | 16020 | 16020 |                |
| Building   | 79620 | 79620 |                |
| Total      | 95640 | 95640 | 545.15         |

**AMOUNTS DUE:** First Half: none due Second Half: none due Total Due: none due

**PAYMENTS RECEIVED:**

|          | First Half | Second Half |
|----------|------------|-------------|
| Net      | 545.15     | 545.15      |
| Discount | 13.63      | 13.63       |
| Interest | .00        | .00         |
| Total    | 531.52     | 531.52      |
| Date     | 08/08/2011 | 08/08/2011  |

Please Remit Payment (if any) to: Kanawha County Sheriff's Tax Office  
 409 Virginia Street East  
 Room 120  
 Charleston, WV 25301  
 Or call (304) 357-0210 with questions.