IN THE COUNTY COMMISSION OF MARION COUNTY, WEST VIRGINIA

IN RE: FORFEITURE OF CHARTER OR CERTIFICATE OF INCORPORATION OF THE TOWN OF WORTHINGTON, WEST VIRGINIA

**PETITION FOR FORFEITURE AND DISSOLUTION**
**PURSUANT TO W. VA. CODE § 8-35-1**

Petitioner, Deborah Heflin, a qualified voter of the Town of Worthington, Marion County, West Virginia, petitions the County Commission of Marion County pursuant to W. Va. Code § 8-35-1 for forfeiture of the charter or certificate of incorporation of the Town of Worthington and dissolution of the municipal corporation, and states as follows:

1. Petitioner is a qualified voter residing within the corporate limits of the Town of Worthington, Marion County, West Virginia.

2. The Town of Worthington is a municipal corporation located in Marion County, West Virginia.

3. W. Va. Code § 8-35-1(b) gives the County Commission of Marion County jurisdiction to hear and determine matters relating to forfeiture and dissolution of the charter or certificate of incorporation of the Town of Worthington upon the petition of one or more qualified voters of the municipality.

4. The Town of Worthington conducted its last municipal election on June 10, 2025.

5. The official election return and canvass for that election establishes that eight (8) legal votes were cast. A copy of the official Certificate of Result is attached as Exhibit A and incorporated herein by reference.

6. W. Va. Code § 8-35-1(a) provides that a municipality in which fewer than twenty legal votes were cast at its last election shall have its charter or certificate of incorporation, together with the rights, powers, and privileges conferred upon the municipality, forfeited and declared dissolved.

7. Eight legal votes are fewer than the twenty legal votes specified in W. Va. Code § 8-35-1(a).

8. The statutory condition for forfeiture and dissolution therefore exists.

9. W. Va. Code § 8-35-1(b) provides that, upon proper proof of the allegations of the petition, the charter or certificate of incorporation shall be declared forfeited and the municipal corporation dissolved.

10. Petitioner will cause a filed copy of this Petition to be served upon the mayor and recorder, or the last mayor or recorder as applicable, and will provide the ten days' notice required by W. Va. Code § 8-35-1(b) and (c).

11. W. Va. Code § 8-35-1(d) requires the State Auditor promptly to examine the financial condition of the municipality, and W. Va. Code § 8-35-4 provides that, upon declaration of forfeiture, the State Auditor acts by operation of law as special receiver for the dissolved municipality.

**WHEREFORE**

Petitioner respectfully requests that the County Commission of Marion County:

A. Find from the official election return or canvass that fewer than twenty legal votes were cast at the Town of Worthington's last municipal election;

B. Declare the charter or certificate of incorporation of the Town of Worthington forfeited and the municipal corporation dissolved pursuant to W. Va. Code § 8-35-1;

C. Order the debts of the municipality paid in accordance with W. Va. Code § 8-35-1(b), with forfeiture and dissolution to become effective as provided by that section; and

D. Cause a certified copy of the Commission's order to be transmitted to the West Virginia State Auditor for the examination and receivership required by W. Va. Code §§ 8-35-1(d) and 8-35-4.

**REQUEST FOR HEARING**

After the ten days' notice required by W. Va. Code § 8-35-1(b) has been served, Petitioner requests a hearing before the County Commission on this Petition.

Respectfully submitted,

_____

Deborah Heflin, Petitioner

Post Office Box 346
Worthington, West Virginia 26591-0346

deborahkheflin@gmail.com

Dated: _____, 2026

# EXHIBIT A

Certificate of Result

Town of Worthington Municipal Election

June 10, 2025

# CERTIFICATE OF RESULT

We, the undersigned Commissioners and Poll Clerks of the Election, held at Precinct No. 51, of Worthington District of Marion County, W. Va., on the 06/10/25 day of _____, _____ do certify that, having been first duly sworn, we have carefully and impartially ascertained the results of said election at said precinct for the candidates on the official ballot, and the same is as follows:

| FOR THE OFFICE OF NAMES OF CANDIDATES | ✓ | RECEIVED VOTES – FIRST IN WORDS | THEN IN FIGURES | FOR THE OFFICE OF NAMES OF CANDIDATES | ✓ | RECEIVED VOTES – FIRST IN WORDS | THEN IN FIGURES |
|---|---|---|---|---|---|---|---|
| Mayor: Deborah K. Heflin | | Eight | 8 | | | | |
| Recorder: Melvin B. Lindsey | | Eight | 8 | | | | |
| Council: Trudy Cain | | Eight | 8 | | | | |
| Council: Janet K. Lindsey | | Eight | 8 | | | | |
| Council: Michael A. Basnett | | Eight | 8 | | | | |

Given under our hands this ___ day of _____, ___

RECEIVING BOARD Clerks: _____

Jessee McCann

Sharon Martin

RECEIVING BOARD Commissioner: _____

Given under our hands this 10 day of 06, 2025

Nellie Ford P.C.

Sharon Solomon PC

COUNTING BOARD: _____

COUNTING BOARD: _____

#C-9 | 1/2015

**IMPORTANT:** Election official should write-in all candidates' names which appear on ballot and are not printed on this Certificate of Result.