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OFFICE OF WEST VIRGINIA
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WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1999



ENROLLED

House Bill No. 2455

(By Delegates Smirl and Romine)



Passed March 11, 1999

In Effect from Passage

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OFFICE OF THE CLERK
SENATE OF WEST VIRGINIA

ENROLLED
H. B. 2455

(BY DELEGATES SMIRL AND ROMINE)

[Passed March 11, 1999; in effect from passage.]

AN ACT to amend article fourteen, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section seven, relating to authorizing the university of West Virginia board of trustees on behalf of Marshall university to sell and convey a parcel of land located at University Heights in Huntington, Cabell County; and providing that the proceeds from the sale be deposited in a special revenue account for capital development on the downtown campus at Marshall university in Huntington.

Be it enacted by the Legislature of West Virginia:

That article fourteen, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section seven, to read as follows:

ARTICLE 14. MISCELLANEOUS.

§18B-14-7. Marshall university authorization to sell property; use of net proceeds.

- 1 (a) Subject to the provisions of section five of this article,
- 2 relating to the authority of governing boards to sell any surplus
- 3 real property and deposit the net proceeds into a special revenue
- 4 account in the state treasury to be appropriated by the Legisla-

5 ture for the purchase of additional real property or technology,
6 or for capital improvements at the institution that sold the
7 surplus real property, the board of trustees is hereby authorized
8 and empowered to sell a parcel of land situate in Guyandotte
9 District, Cabell County, West Virginia, containing 8.31 acres,
10 more or less, bounded and described as follows:

11 A certain tract of land situate in the State of West Virginia,
12 Cabell County, Guyandotte District, and being more particu-
13 larly bounded and described as follows:

14 BEGINNING at a 5/8" x 32" rebar (recovered) on the
15 northwesterly right-of-way line of Norway Avenue, marking a
16 corner common to the lands now or formerly owned by R&J
17 Development (D.B. 1014, Pg.504), and the lands now owned by
18 the State of West Virginia (D.B.116,Pg.304); thence, leaving
19 the northwesterly right-of-way line of the said Avenue, and
20 with the lands of the said R&J Development as follows:

21 North 22 degrees 01'00" East 71.69 feet to a 30" black
22 walnut tree (found),

23 North 00 degrees 25'00" East 336.64 feet to a 5/8" x 32"
24 rebar (recovered in a 30" white oak tree stump (found).),

25 North 65 degrees 35'00" East 42.00 feet to a 5/8" x 32"
26 rebar (recovered),

27 North 00 degrees 55'00" West 339.00 feet to a 5/8" x 32"
28 rebar (recovered),

29 North 02 degrees 36'00" East 111.60 feet to a 5/8" x 32"
30 rebar (recovered),

31 North 56 degrees 11'00" West 88.38 feet to a 5/8" x 32"
32 rebar (recovered),

33 North 77 degrees 51'00" West 152.51 feet to a 5/8" x 32"
34 rebar (recovered),

35 North 48 degrees 22'00" West 187.95 feet to a 5/8" x 32"
36 rebar (recovered),

37 North 25 degrees 23'00" West 109.01 feet to a 5/8" x 32"
38 rebar (recovered),

39 North 01 degrees 15'00" East 128.60 feet to a 5/8" x 32"
40 rebar (recovered),

41 North 24 degrees 14'57" East 117.90 feet to a 5/8" x 32"
42 rebar (set), marking a corner common to the lands now or
43 formerly owned by the Department of Public Safety of the State
44 of West Virginia, (D.B.606,Pg.267); thence, leaving the lands
45 of the said R&J Development, and with the lands of the said
46 Department of Public Safety,

47 North 87 degrees 09'00" East 50.35 feet to a 5/8" x 32"
48 rebar (set); thence, leaving the lands of the said Department of
49 Public Safety, and severing the lands of the said State of West
50 Virginia as follows:

51 South 12 degrees 21'49" East 96'88" feet to a 5/8" x 32"
52 rebar (set),

53 South 00 degrees 55'43" East 152.71 feet to a 5/8" x 32"
54 rebar (set),

55 South 42 degrees 36'21" East 47.57 feet to a 5/8" x 32"
56 rebar (set),

57 South 65 degrees 00'12" East 258.00 feet to a 5/8" x 32"
58 rebar (set),

59 North 88 degrees 43'34" East 123.41 feet to a 5/8" x 32"
60 rebar (set),

61 South 71 degrees 32'21" East 198.72 feet to a 5/8" x 32"
62 rebar (set),

63 South 83 degrees 20'07" East 198.91 feet to a 5/8" x 32"
64 rebar (set),

65 South 33 degrees 20'08" East 47.95 feet to a 5/8" x 32"
66 rebar (set),

67 South 10 degrees 49'48" East 92.63 feet to a 5/8" x 32"
68 rebar (set),

69 North 64 degrees 45'39" East 155.66 feet to a 5/8" x 32"
70 rebar (set),

71 North 53 degrees 59'35" East 128.14 feet to a 5/8" x 32"
72 rebar (set),

73 South 59 degrees 57'02" East 81.48 feet to a 5/8" x 32"
74 rebar (set),

75 South 24 degrees 28'34" East 85.49 feet to a 5/8" x 32"
76 rebar (set) on the north right-of-way line of the said Norway
77 Avenue; thence, with the north right-of-way line of the said
78 Avenue, with a curve to the right, having a radius of 694.80
79 feet, and an arc length of 163.20 feet, the long chord of which
80 bears:

81 South 70 degrees 17'04" West 162.82 feet; thence,

82 South 77 degrees 00'49" West 94.74 feet; thence, with a
83 curve to the left, having a radius of 620.00 feet, and an arc
84 length of 43.17 feet, the long chord of which bears:

85 South 75 degrees 01'08" West 43.17 feet; thence,

86 South 73 degrees 01'26" West 248.30 feet; thence, with a
87 curve to the left, having a radius of 320.00 feet, and an arc
88 length of 279.62 feet, the long chord of which bears:

89 South 47 degrees 59'27" West 270.81 feet; thence,

90 South 22 degrees 57'28" West 488.53 feet; thence,

91 South 41 degrees 00'52" West 53.78 feet to the BEGIN-
92 NING, containing 8.31 acres, more or less, as surveyed by
93 Ronald L. Eastham, West Virginia Registered Professional
94 Surveyor No. 150, on October 22, 1998.

95 The above described tract is a part of the same land as that
96 described in a deed from the Colored Orphans Home and
97 Industrial School, The State of West Virginia, dated August 4,
98 1911, and recorded in Deed Book 116, Page 304, in the office
99 of the Clerk of the County Commission of Cabell County, West
100 Virginia.

101 And being subject to all restrictions, reservations, rights-of-
102 ways, easements, utilities, covenants, exceptions, conveyances,
103 leases and exclusions previously imposed and appearing of
104 record.

105 (b) Prior to the sale, the board of trustees shall cause the
106 property to be appraised by two independent licensed appraisers
107 and may not sell the property for less than the average of the
108 two appraisals.

109 (c) The proceeds from the sale of the property referred to
110 shall be deposited in a special revenue account from which the
111 board of trustees is hereby authorized to expend funds for
112 capital development on the downtown campus at Marshall
113 university in Huntington.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



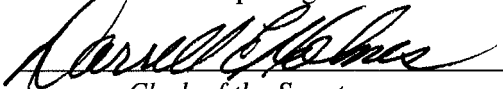
Chairman Senate Committee



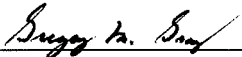
Chairman House Committee

Originating in the House.

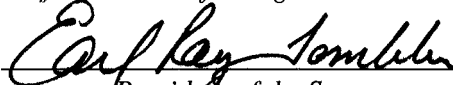
Takes effect from passage.



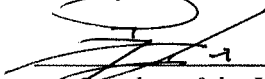
Clerk of the Senate



Clerk of the House of Delegates

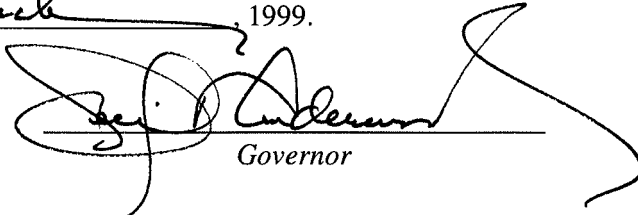


President of the Senate



Speaker of the House of Delegates

The within approved this the 27th
day of March, 1999.



Governor

PRESENTED TO THE

GOVERNOR

Date 3/23/99

Time 3:55 pm