WEST VIRGINIA CODE: §38-12-4

§38-12-4. Form of release; recordation of assignment with release by assignee.

Releases and their acknowledgments may be substantially in form or effect as follows:

(a) In case of a mortgage or trust deed: I, A..... B....., hereby release a mortgage (or trust deed) made by C..... D..... to me (or to E..... F....., my trustee, or to ....., and assigned to me) dated the ..... day of ....., recorded in the office of the clerk of the county court of ..... county, West Virginia, in trust deed book ....., page ..... (Or, in case the release is by the trustee, I, A..... B....., hereby release a trust deed made by C..... D..... to me as trustee, for the benefit of E..... F....., dated the ..... day of ....., recorded, etc., as in preceding form.) To be signed A..... B.....

Acknowledged before the subscriber, by A..... B....., this ..... day of ..... (or, in case the release be by a corporation, acknowledged before the subscriber, by ....., who signed the name of ....., a corporation, thereto, this ..... day of ....., ...)

(To be signed) G..... H....., a justice (or clerk of the county court, notary public, etc., as the case may be) of ..... county, West Virginia.

(b) In case of a lien for purchase money, reserved by conveyance:

I, A..... B....., hereby release the right reserved to me in a conveyance executed by me (or myself and wife) to C..... D....., dated the ..... day of ..... (Or, in case of an assignment, I, A..... B..... hereby release the right reserved by C..... D..... in a conveyance to E..... F....., dated the ..... day of ....., ..., which right was assigned by the said C..... D..... to me, the ..... day of ....., ...) To be signed and acknowledged as above.

(c) In case of a judgment or decree: I, A..... B....., hereby release a judgment (or decree) in my favor (or in favor of I..... K....., which has been assigned to me; or in favor of I..... K..... for my use) against C..... D....., for (stating the amount) with interest and costs, rendered by (stating the court by which, or the justice by whom, it was rendered, and the term or date at which it was rendered, to be signed and acknowledged as above.)

When such lien is released by the assignee thereof, the assignment thereof, whether of the lien or of the debt secured thereby, must be acknowledged in the same manner as the release, and recorded with such release: Provided, That if any such lien, or the debt secured thereby, shall have been assigned, the same may always be released by the assignee who receives satisfaction thereof, upon the assignor joining therein, without the recordation of the assignment as aforesaid.

WV Legislature