WEST VIRGINIA CODE CHAPTER 43

WV Legislature

§43-1-1. Dower and curtesy abolished.

The estates of dower and curtesy are abolished.

WV Legislature

§43-1-2. Notice of conveyance.

(a) For purposes of this section, "conveyance" means a dispositive act intended to create a property interest in land and includes the creation of a security interest in real estate.

(b) Any married person who conveys an interest in real estate shall notify his or her spouse prior to or within thirty days of the time of the conveyance if the conveyance involves an interest in real estate to which dower would have attached if the conveyance had been made prior to the date of enactment of this statute.

(c) A person making a conveyance described in the previous sections shall have the burden of proof to show compliance with this section. Such burden shall be met either by:

(1) The signature of the spouse of the conveying party on the conveyance instrument; or

(2) Such other forms of competent evidence as are admissible in a court of general jurisdiction in this state under the rules of evidence.

(d) When a married person fails to comply with the notification requirements of this section, then in the event of a subsequent divorce within five years of said conveyance, the value of the real estate conveyed, as determined at the time of the conveyance, shall be deemed a part of the conveyancer's marital property for purposes of determining equitable distribution or awards of support, notwithstanding that any consideration for said interest in the real estate may already be included in the marital property.

(e) Nothing in this section shall be construed to create a lien or claim against the interest in real estate conveyed in violations of this provision.

WV Legislature

§43-1-3.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-4.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-5.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-6.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-7.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-8.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-9.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-10.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-11.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-12.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-13.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-14.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-15.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-16.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-17.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-18.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-19.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-1-20.

Repealed.

Acts, 1992 Reg. Sess., Ch. 75.

WV Legislature

§43-2-1. Gross sum in payment of life estates.

When a party as a tenant for life, or in dower, or otherwise, is entitled to the annual interest on a sum of money, or is entitled to the use of any estate, or any part thereof, or of the proceeds arising therefrom by a sale or otherwise, and is willing to accept a gross sum in lieu thereof, or the party liable for such interest, or affected by such claim, has the right to pay a gross sum in lieu thereof, or if a court in any proceeding decrees a gross sum to be paid in lieu thereof, or if it shall be desirable for any purpose to ascertain the value thereof, the sum to be paid or the present value thereof shall be calculated according to the following chart:

Age Annuity Life Estate Remainder

0 17.1944 .96289 .03711

1 17.3242 .97015 .02985

2 17.3073 .96921 .03079

3 17.2851 .96797 .03203

4 17.2597 .96654 .03346

5 17.2316 .96497 .03503

6 17.2014 .96328 .03672

7 17.1690 .96146 .03854

8 17.1346 .95954 .04046

9 17.0977 .95747 .04253

10 17.0582 .95526 .04474

11 17.0162 .95291 .04709

12 16.9720 .95043 .04957

13 16.9261 .94786 .05214

14 16.8796 .94526 .05474

15 16.8330 .94265 .05735

16 16.7865 .94004 .05996

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17 16.7398 .93743 .06257

18 16.6926 .93479 .06521

19 16.6439 .93206 .06794

20 16.5932 .92922 .07078

21 16.5401 .92625 .07375

22 16.4849 .92315 .07685

23 16.4270 .91991 .08009

24 16.3663 .91651 .08349

25 16.3022 .91292 .08708

26 16.2348 .90915 .09085

27 16.1636 .90516 .09484

28 16.0890 .90099 .09901

29 16.0109 .89661 .10339

30 15.9293 .89204 .10796

31 15.8442 .88728 .11272

32 15.7555 .88231 .11769

33 15.6627 .87711 .12289

34 15.5659 .87169 .12831

35 15.4645 .86601 .13399

36 15.3589 .86010 .13990

37 15.2486 .85392 .14608

38 15.1333 .84747 .15253

39 15.0130 .84073 .15927

40 14.8872 .83369 .16631

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41 14.7556 .82632 .17368

42 14.6182 .81862 .18138

43 14.4748 .81059 .18941

44 14.3255 .80223 .19777

45 14.1707 .79356 .20644

46 14.0104 .78458 .21542

47 13.8449 .77532 .22468

48 13.6741 .76575 .23425

49 13.4978 .75588 .24412

50 13.3158 .74568 .25432

51 13.1281 .73518 .26482

52 12.9355 .72439 .27561

53 12.7380 .71333 .28667

54 12.5356 .70199 .29801

55 12.3284 .69039 .30961

56 12.1163 .67851 .32149

57 11.8995 .66637 .33363

58 11.6787 .65400 .34600

59 11.4545 .64145 .35855

60 11.2273 .62873 .37127

61 10.9968 .61582 .38418

62 10.7622 .60268 .39732

63 10.5234 .58931 .41069

64 10.2809 .57573 .42427

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65 10.0348 .56195 .43805

66 9.7847 .54794 .45206

67 9.5299 .53367 .46633

68 9.2709 .51917 .48083

69 9.0085 .50448 .49552

70 8.7440 .48966 .51034

71 8.4785 .47480 .52520

72 8.2128 .45991 .54009

73 7.9474 .44505 .55495

74 7.6815 .43016 .56984

75 7.4142 .41520 .58480

76 7.1449 .40011 .59989

77 6.8735 .38491 .61509

78 6.6006 .36964 .63036

79 6.3280 .35437 .64563

80 6.0577 .33923 .66077

81 5.7918 .32434 .67566

82 5.5314 .30976 .69024

83 5.2765 .29549 .70451

84 5.0255 .28143 .71857

85 4.7769. 26750 .73250

86 4.5327 .25383. 74617

87 4.2964 .24060 .75940

88 4.0679 .22780 .77220

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89 3.8473 .21545 .78455

90 3.6348 .20355 .79645

91 3.4338 .19229 .80771

92 3.2479 .18188 .81812

93 3.0765 .17229 .82771

94 2.9171 .16336 .83664

95 2.7660 .15490 .84510

96 2.6241 .14695 .85305

9 72.4928 .13960 .86040

98 2.3696 .13270 .86730

99 2.2496 .12598 .87402

100 2.1329 .11944 .88056

101 2.0180 .11301 .88699

102 1.9052 .10669 .89331

103 1.7935 .10043 .89957

104 1.6743 .09376 .90624

105 1.5578 .08724 .91276

106 1.4085 .07887 .92113

107 1.2279 .06876 .93124

108 .9484 .05311 .94689

109 .4735 .02652 .97348

WV Legislature

§43-2-2. Rule of calculation.

Calculate the interest at five and six-tenths percent upon the sum to the income of which or upon the value of the property to the use of which the person is entitled. Multiply this interest by the present value of an annuity of $1 as set opposite the person's age in the table and the product is the gross value of the life estate of such person therein.

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§43-2-3. Examples.

Suppose a person whose age is fifty is tenant for life in the whole of an estate worth $18,000. The annual interest on that sum at five and six-tenths percent is $1,008. The present value of an annuity of $1 at the age of fifty, as appears by the table in the annuity column, is $13.3158, which multiplied by $1,008, the amount of the annual interest, gives $13,422.33 as the gross value of such life estate in the premises or the proceeds thereof.

WV Legislature

§43-2-4.

Repealed.

Acts, 2007 Reg. Sess., Ch. 162.

WV Legislature

§43-2-5.

Repealed.

Acts, 2007 Reg. Sess., Ch. 162.

WV Legislature