

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1951

ENROLLED

SENATE BILL NO. 24

(By Mr. Love)

PASSED February 27 1951

In Effect Ninety days from Passage



401

ENROLLED

Senate Bill No. 24

(By MR. LOVE)

[Passed February 27, 1951; in effect ninety days from passage.]

AN ACT to amend and reenact section twenty-four, article three, chapter eleven-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the service of notices in connection with tax deeds made by county clerks.

Be it enacted by the Legislature of West Virginia:

That section twenty-four, article three, chapter eleven-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 24. *Service of Notice.*—As soon as the clerk
2 has prepared the notice provided for in the preceding
3 section, he shall cause it to be served upon the following
4 persons: (1) The person in whose name the real estate
5 was returned delinquent and sold, or, in case of his death,

6 his heir or devisee and his personal representative, if such
7 there be; (2) any grantee of such person, or his heir or
8 devisee and his personal representative, if such there be,
9 if a conveyance of such real estate is recorded or filed for
10 record in the office of the clerk; (3) any person having a
11 lien upon such real estate disclosed by any paper recorded
12 in the clerk's office; and (4) any other person having such
13 an interest in the property as would entitle him to re-
14 deem, if the existence of such interest appears of record.

15 The notice shall be personally served upon all such
16 persons residing or found in the state in the manner
17 provided for serving process commencing a suit, on or
18 before the first day of April following the request for
19 such notice. If any person entitled to notice is a non-
20 resident of the state or if his residence is unknown to the
21 clerk and cannot by due diligence be discovered, the
22 notice shall be served by publication once a week for
23 three successive weeks in some newspaper published in
24 the county in which such real estate is located, or if no
25 newspaper is published in the county, then in some news-
26 paper of general circulation in the county. If service by

27 publication is necessary, publication shall be commenced
28 within two weeks after April first, and a copy of the
29 notice shall at the same time be sent by registered mail,
30 return receipt requested, to the last known address of
31 the person served. The return of service of such notice
32 and the affidavit of publication, if any, shall be in the
33 manner provided for process generally and shall be filed
34 and preserved by the clerk in his office, together with
35 any return receipts for notices sent by registered mail.

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

John C. Byrd
Chairman Senate Committee

James M. Loop
Chairman House Committee

Originated in the Senate.

Takes effect Seventy days from passage.

Frank Miller
Clerk of the Senate

J. R. Adiff
Clerk of the House of Delegates

Frank B. Hunter
President of the Senate

W. E. Ramo
Speaker House of Delegates

The within approved this the 6th
day of MARCH, 1951.

Okuy L. Pattison
Governor.



Filed in the Office of the Secretary of State
of West Virginia **MAR 6 1951**
D. PITT O'BRIEN,
SECRETARY OF STATE