

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1959



ENROLLED

HOUSE BILL No. 15

(By Mr. Myler + Stahl)



PASSED Feb 12 1959

In Effect 90 days from Passage



Filed in Office of the Secretary of State
of West Virginia **FEB 20 1959**
JOE F. BURDETT
SECRETARY OF STATE

ENROLLED

House Bill No. 15

(By MR. MYLES and MR. DAHILL)

[Passed February 12, 1959; in effect ninety days from passage.]

AN ACT to amend and reenact section two, article three, chapter eleven-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to sale of property for nonpayment of taxes.

Be it enacted by the Legislature of West Virginia:

That section two, 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 2. *Second Publication and Posting of List of Delinquent Real Estate; Notice.*—On or before November tenth of each year the sheriff shall prepare a second list of delinquent lands, which shall include all real estate in his county remaining delinquent as of November first, together with a notice of sale, in form or effect as follows:

Notice is hereby given that the following described

9 tracts or lots of land or undivided interests therein in the
 10 county of....., which are delinquent
 11 for the nonpayment of taxes for the year (or years)
 12 19....., will be offered for sale by the undersigned
 13 sheriff (or collector) at public auction at the front door of
 14 the courthouse of the county either inside or outside the
 15 front door, between the hours of ten in the morning and
 16 four in the afternoon on the ...day of, 19....

17 Each unredeemed tract or lot, or each unredeemed
 18 part thereof or undivided interest therein, or so much
 19 thereof as may be necessary, will be sold for the amount
 20 due thereon, as set forth in the following table:

Name of person charged with taxes	Quantity of land	Local description	Total amount of taxes, interest and charges due to date of sale

21 Any of the aforesaid tracts or lots, or part thereof or
 22 an undivided interest therein, may be redeemed by the
 23 payment to the undersigned sheriff (or collector) before

24 sale, of the total amount of taxes, interest and charges
25 due thereon up to the date of redemption.

26 Given under my hand this day of,
27 19.....

28 _____

29 Sheriff (or collector).

30 The sheriff shall publish the list and notice, once a
31 week for four successive weeks prior to the sale date
32 fixed in the notice, in two newspapers of opposite politics,
33 if such there be in the county, and the costs of printing,
34 not to exceed forty cents per item for each insertion in
35 each newspaper, shall be paid out of the county treasury.
36 He shall also post a copy of such list and notice at the
37 front door of the courthouse at least four weeks before
38 the sale. If there is no newspaper published in the county,
39 or if no such newspaper will publish the list and notice
40 for the compensation provided by law, then the sheriff
41 shall also post a copy of the notice, but not of the delin-
42 quent list, at some public place in each magisterial dis-
43 trict at least twenty days before the sale. In such case

44 the notice shall also state that the delinquent list has
45 been posted at the front door of the courthouse.

46 To cover the costs of preparing, publishing and posting
47 the delinquent list, a charge of two dollars and fifty cents
48 shall be added to the taxes, interest and charges already
49 due on each item listed. The sum of the taxes, interest
50 to the date of sale, and other charges shall be stated in
51 the list as the total amount due.

52 Any person, whose taxes were delinquent on Novem-
53 ber first, may have his name removed from the delin-
54 quent list prior to the time the same is delivered to the
55 newspaper or newspapers for publication by paying to
56 the sheriff the full amount of taxes and costs owed by such
57 person at the date of such redemption. In such cases,
58 the sheriff shall include but fifty cents of the costs pro-
59 vided in this section in making such redemption. Costs
60 collected by the sheriff hereunder which are not expended
61 for publication shall be paid into the general county
62 fund.

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

W. J. Jasper
Chairman Senate Committee

Eudora Andrews
Chairman House Committee

Originated in the House of Delegates.

Takes effect *90 days from* passage.

Thomas Meyer
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Ralph Bean
President of the Senate

W. H. Cawley
Speaker House of Delegates

The within *approved* this the *20th*

day of *February*, 1959.

W. H. Cawley
Governor

