

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1962



ENROLLED

HOUSE BILL No. *69*.....

(By Mr. *Haythe & Mr. Goldenberg*)



PASSED *February 8,* 1962

In Effect *from* Passage



Filed in Office of the Secretary of State
of West Virginia *2-15-62*

JOE F. BURDETT
SECRETARY OF STATE

69

ENROLLED

House Bill No. 69

(By MR. HAYTHE and MR. GOLDENBERG)

[Passed February 8, 1962; in effect from passage.]

AN ACT to amend and reenact section three, article three, chapter seven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the manner in which county or district property can be sold by county courts, and specifically extending the exception to the requirement of public auctions to the sale or disposition of such property for public use to the United States of America, its instrumentalities, agencies or political subdivisions for an adequate consideration.

Be it enacted by the Legislature of West Virginia:

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

Article 3. County Property.

Section 3. Sale of County or District Property.—In all

2 instances where the county court of a county is by law
3 authorized to sell or dispose of any property, either real
4 or personal, belonging to the county or held by it for the
5 use of any district thereof, the same shall be sold at
6 public auction, at the front door of the courthouse of the
7 county, and such sale shall be conducted by the president
8 of the county court, but before making any such sale,
9 notice of the time, terms and place of sale shall be given
10 by publication thereof once each week for two consecu-
11 tive weeks in some newspaper of general circulation in
12 said county, which notice shall contain a brief description
13 of the property to be sold: *Provided, however,* That this
14 section shall not apply to the sale of any one item of
15 property of less value than one thousand dollars: *Pro-*
16 *vided further,* That the provisions of this section con-
17 cerning sale at public auction shall not apply to a county
18 court selling or disposing of its property for a public use
19 to the United States of America, its instrumentalities,
20 agencies or political subdivisions or to the state of West
21 Virginia, or its political subdivisions, including county
22 boards of education, for an adequate consideration with-

23 out considering alone the present commercial or market
24 value of the property.

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

James Davis, Jr.
Chairman Senate Committee

Mrs. W. W. Withrow
Chairman House Committee

Originated in the House.

Takes effect *from* passage.

Howard Myers
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Howard W. Carson
President of the Senate

Julius W. Singleton Jr.
Speaker of the House of Delegates

The within *approved* this the *Fifteenth*
day of *February*, 1962.

Tom Barron
Governor

