

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963



ENROLLED

Committee Substitute For
HOUSE BILL No. 485

(By ~~AT~~ *The Committee on the Judiciary*)



PASSED March 6, 1963

In Effect July 1, 1964, ~~Passage~~



Filed in Office of the Secretary of State
of West Virginia 3-16-63

JOE F. BURDETT
SECRETARY OF STATE

485

ENROLLED

COMMITTEE SUBSTITUTE

For

House Bill No. 485

(Originating in the Committee on the Judiciary)

[Passed March 6, 1963; in effect July 1, 1964.]

AN ACT to amend and reenact sections nine, ten and sixteen, article one, chapter forty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to contracts, deeds and mortgages being invalid as to creditors and purchasers until recorded, when recordation in more than one county is necessary, and providing that certain sections of said article one shall have no application to the transfer or assignment of any interest created by a trust deed or mortgage.

Be it enacted by the Legislature of West Virginia:

That sections nine, ten and sixteen, article one, chapter forty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 9. Contracts and Deeds Invalid as to Creditors

2 and Purchasers Until Recorded.—Every such contract,
3 every deed conveying any such estate or term, and every
4 deed of gift, or trust deed or mortgage, conveying real
5 estate shall be void, as to creditors, and subsequent pur-
6 chasers for valuable consideration without notice, until
7 and except from the time that it is duly admitted to rec-
8 ord in the county wherein the property embraced in such
9 contract, deed, trust deed or mortgage may be.

Sec. 10. When Recordation in More Than One County

2 Necessary.—Notwithstanding any such writing shall be
3 duly admitted to record in one county wherein there is
4 real estate, it shall nevertheless be void as to such cred-
5 itors and purchasers in respect to other real estate with-
6 out the same, until it is duly admitted to record in the
7 county wherein such other real estate may be.

Sec. 16. Certain Sections Not to Apply to Transfer or
2 Assignment of Interest Created by Trust Deed or Mort-
3 gage.—The provisions of section⁸ eight, nine, ten, thirteen,
4 fourteen and fifteen of this article shall have no applica-
5 tion to the transfer or assignment of any interest created
6 by a trust deed or mortgage.

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

Ray Parker

Chairman Senate Committee

Ethel L. Crandall

Chairman House Committee

Originated in the House.

Takes effect July 1, 1964. ~~passage.~~

Howard Thayer

Clerk of the Senate

C A Blankenship

Clerk of the House of Delegates

Howard W. Carson

President of the Senate

Julius W. Bicketon Jr.

Speaker House of Delegates

The within approved this the 16th
day of March, 1963.

Howard W. Carson

Governor

