WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1963

ENROLLED

Committee substitute for
HOUSE BILL No. 485

(By the Committee on the Judiciary)

PASSED March 6, 1963

In Effect July 1, 1964

Filed in Office of the Secretary of State of West Virginia 3-16-63
JOE F. BURDETT
SECRETARY OF STATE
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 and Purchasers Until Recorded.—Every such contract, every deed conveying any such estate or term, and every deed of gift, or trust deed or mortgage, conveying real estate shall be void, as to creditors, and subsequent purchasers for valuable consideration without notice, until and except from the time that it is duly admitted to record in the county wherein the property embraced in such contract, deed, trust deed or mortgage may be.

Sec. 10. When Recordation in More Than One County Necessary.—Notwithstanding any such writing shall be duly admitted to record in one county wherein there is real estate, it shall nevertheless be void as to such creditors and purchasers in respect to other real estate without the same, until it is duly admitted to record in the county wherein such other real estate may be.
Sec. 16. Certain Sections Not to Apply to Transfer or Assignment of Interest Created by Trust Deed or Mortgage.—The provisions of sections eight, nine, ten, thirteen, fourteen and fifteen of this article shall have no application to the transfer or assignment of any interest created by a trust deed or mortgage.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

O. Ray Parker  
Chairman Senate Committee

Ethel L. Chandler  
Chairman House Committee

Originated in the House.

Takes effect July 1, 1964.

Howard Myer  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

Howard W. Carver  
President of the Senate

Julius W. Bright, Jr.  
Speaker House of Delegates

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

Governor