

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963



ENROLLED

HOUSE BILL No. 50

(By Mr. Ford)



PASSED July 11 1963

In Effect from Passage



Filed in Office of the Secretary of State  
of West Virginia 2-18-63

JOE F. BURDETT  
SECRETARY OF STATE

#50

**ENROLLED**  
**House Bill No. 50**

(By MR. FORD)

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[Passed February 11, 1963; in effect from passage.]

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AN ACT to amend and reenact section twenty-one, article six, chapter thirty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to building and loan associations and the conditions and circumstances under which such associations may take mortgages and deeds of trust.

*Be it enacted by the Legislature of West Virginia:*

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

**Section 21. Conditions on Which Association May**

**2 Take Mortgage or Deed of Trust.—**No building and loan  
**3 association shall:**

4     First: Take a mortgage or deed of trust upon real estate  
5 unless a written application is first made for the loan de-  
6 scribed in such mortgage or deed of trust, showing the  
7 date, name of applicant, amount of loan desired, descrip-  
8 tion of the real estate offered, and other information  
9 necessary, and unless a written report thereon shall have  
10 been made by at least two members of the appraisal  
11 committee, signed by them, stating that they have exam-  
12 ined the real estate described in such application and  
13 that in their judgment it affords adequate security for  
14 such loan. Such report shall show separately the value of  
15 the land and the value of the improvements and of the  
16 building or buildings erected thereon. The application  
17 and the report shall be filed and preserved with all the  
18 other papers relating to the loan.

19     Second: Take a mortgage or deed of trust upon im-  
20 proved real estate if the amount secured by such mort-  
21 gage or deed of trust, plus any prior liens, exceeds ninety  
22 per centum of the appraised value thereof as shown by  
23 such report, unless said excess be secured by a pledge of  
24 free stock or notes of the association, or unless said

25 excess is insured or guaranteed by the United States or  
26 any instrumentality thereof, or there is a commitment to  
27 so insure or guarantee. No loan shall be made on the  
28 security of vacant real estate if the amount so secured,  
29 plus any prior liens, exceed fifty per centum of the ap-  
30 praised value thereof as shown by such report.

31 Third: Take a mortgage or deed of trust upon real  
32 estate unless the title to such real estate is approved by  
33 the attorney of the association or some other competent  
34 authority on titles.

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

*O. Roy Parker*  
Chairman Senate Committee

*Ethel L. Randall*  
Chairman House Committee

Originated in the House.

Takes effect From ..... passage.

*Howard Thayer*  
Clerk of the Senate

*A. Blankenship*  
Clerk of the House of Delegates

*Howard Larson*  
President of the Senate

*Julius W. Singleton*  
Speaker House of Delegates

The within approved this the 15<sup>th</sup>  
day of February, 1963.

*W. W. Bannon*  
Governor

