

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965

ENROLLED

SENATE BILL NO. 11

(By Mr. Tompaz, by request)

PASSED March 9, 1965

In Effect Ninety days from Passage

FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 3-15-65

ENROLLED

Senate Bill No. 11

(By Mr. TOMPOS, by request)

[Passed March 9, 1965; in effect ninety days from passage.]

AN ACT to amend article one, chapter thirty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section two-a, relating to the recordation of instruments passing title to real estate or personal property or interest therein or lien thereon, prohibiting the recording of such instruments unless the name of the person preparing same appears on said instrument, and providing exceptions thereto.

Be it enacted by the Legislature of West Virginia:

That article one, chapter thirty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended,

be amended by adding thereto a new section, designated section two-a, to read as follows:

Section 2-a. Other Requirements for Admission to Record of Certain Instruments.—In addition to the other requirements prescribed by law, no instrument by which the title to real estate or personal property, or any interest therein or lien thereon, is conveyed, created, encumbered, assigned or otherwise disposed of, shall be recorded or admitted to record, or filed by the county clerk unless the name of the person who, and governmental agency, if any, which, prepared such instrument appears at the conclusion of such instrument and such name is either printed, typewritten, stamped, or signed in a legible manner: *Provided*, That the recording or filing of any instrument in violation of the provisions of this section shall not invalidate or cloud the title passing by or under such instrument or affect the validity of such instrument in any respect whatever, and such recorded or filed instrument shall constitute notice with like effect as if such instrument fully complied with the provisions of this section. An instrument will be in compliance with this

20 section if it contains a statement in the following form:

21 "This instrument was prepared by (name)."

22 This section does not apply to any instrument executed
23 prior to the effective date hereof; to any decree, order,
24 judgment or writ of any court; to any will or death
25 certificate; to any financing, continuation or termination
26 statement permitted to be filed under chapter forty-six
27 of this code; or to any instrument executed or acknowl-
28 edged outside of this state.

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

Roy Parker
Chairman Senate Committee

James W. Loop
Chairman House Committee

Originated in the Senate.

Takes effect *Ninety days from* Passage.

Thomas H. ...
Clerk of the Senate

C. A. Blackenship
Clerk of the House of Delegates

Howard W. Benson
President of the Senate

H. Laban White
Speaker House of Delegates

The within *approved* this the *15*
day of *March*, 1965.

Hubert C. Smith
Governor

Presented to Governor's Office

Mar. 12, 1965

11:05 a.m.