WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1965

ENROLLED
SENATE BILL NO. 177
(By Mr. Martin)

PASSED March 13, 1965
In Effect Ninety Days from Passage

#177

FILED IN THE OFFICE OF
JOE F. BURDETT
SECRETARY OF STATE
THIS DATE 3-19-65
AN ACT to amend and reenact section one-a, article one, chapter thirty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to deeds of trust conveying real property and/or personal property and certain limitations on the application of said article one.

Be it enacted by the Legislature of West Virginia:

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

Section 1-a. Deeds of Trust Conveying Real and/or Personal Property; Limitations on Application of This Article.

2 A deed of trust may convey both real property or some
interest therein and personal property or only real property or some interest therein or only personal property in order to secure a debt. This article shall apply to deeds of trust that convey real property or some interest therein or both real property or some interest therein and personal property. Deeds of trust conveying only personal property are governed by article nine of chapter forty-six of this code. If the deed of trust conveys both real and personal property, a financing statement as to the personal property shall be required as specified in article nine, chapter forty-six of this code, and the trustee may proceed as to the sale or other disposition of the personal property involved under said article nine of chapter forty-six and of the real property involved under this article or he may proceed as to the sale or other disposition of both the real and personal property involved under this article. In all other respects this article is applicable to the conveyance of real property by deed of trust, and article nine of chapter forty-six is applicable to the conveyance of personal property by deed of trust. For purposes of this section, personal property is any
property right or interest in which a security interest
under article nine of chapter forty-six of this code may
be obtained or created.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

O. Ray Parker
Chairman Senate Committee

James E. Lepp
Chairman House Committee

Originated in the Senate.

Takes effect Immediately after Passage.

J. Howard Meyers
Clerk of the Senate

O. A. Blankenship
Clerk of the House of Delegates

Howard McCan
President of the Senate

N. Folmar White
Speaker House of Delegates

The within approved this the 19th day of March, 1965.

Hackett E. Smith
Governor