

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1965

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**ENROLLED**

SENATE BILL NO. 11

(By Mr. Tompoz, by request)

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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)

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

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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 Rec-**

**2 ord of Certain Instruments.—**In addition to the other re-

3 quirements prescribed by law, no instrument by which

4 the title to real estate or personal property, or any inter-

5 est therein or lien thereon, is conveyed, created, encum-

6 bered, assigned or otherwise disposed of, shall be recorded

7 or admitted to record, or filed by the county clerk unless

8 the name of the person who, and governmental agency,

9 if any, which, prepared such instrument appears at the

10 conclusion of such instrument and such name is either

11 printed, typewritten, stamped, or signed in a legible

12 manner: *Provided*, That the recording or filing of any

13 instrument in violation of the provisions of this section

14 shall not invalidate or cloud the title passing by or under

15 such instrument or affect the validity of such instrument

16 in any respect whatever, and such recorded or filed in-

17 strument shall constitute notice with like effect as if such

18 instrument fully complied with the provisions of this

19 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

*A. B. Blackenship*  
Clerk of the House of Delegates

*Howard W. Hanson*  
President of the Senate

*H. Laban White*  
Speaker House of Delegates

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

*Archie C. Smith*  
Governor



Presented to Governor's Office

Mar. 12, 1965

11:05 a.m.