WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1967

ENROLLED
SENATE BILL NO. 357

(By Mr. [Signature])

PASSED March 10, 1967
In Effect from Passage

FILED IN THE OFFICE
ROBERT D. BAILEY
SECRETARY OF STATE
THIS DATE 3-21-67
AN ACT to authorize and empower the county court of Raleigh county to transfer a certain parcel of land owned by the county of Raleigh to the state of West Virginia, authorizing the county court of Raleigh county to lease county properties and authorizing the sale of a certain parcel of land owned by the county of Raleigh for industrial development purposes.

Be it enacted by the Legislature of West Virginia:

Section 1. Authorized to Transfer Certain Real Estate

2 to the State of West Virginia.—The county court of the county of Raleigh is hereby authorized and empowered to sell and transfer to the state of West Virginia that cer-
tain tract and parcel of land owned by the county court of
Raleigh county situate in Shady Springs district therein
and commonly known and referred to as "Little Beaver
Park and Recreation Area", to be used by the state of West
Virginia through its department of natural resources as
a public park and recreation area and for other related
purposes.

Sec. 2. County Court of Raleigh County Authorized
to Lease County Property. The county court of Raleigh
county is hereby authorized to lease or rent any county-
owned real property that is determined by the county
court to be surplus to the present or immediate needs of
the county. Such property may be leased or rented to
any responsible person, firm or corporation as the county
court may select, and for such uses and at such rental fees
as the county court may deem proper. Such leases may
extend for periods in excess of one year.
All rentals or proceeds derived from such leases or
rentals shall be placed to the credit of the general county
fund of Raleigh county.
Sec. 3. County Court of Raleigh County Authorized to Convey Certain Real Property for Industrial Development Purposes. The Legislature hereby finds and declares that the sale and conveyance of that certain tract or parcel of land known as Fitzpatrick Park, located in Town District, Raleigh County, by the county court of said county for industrial development purposes for less than adequate consideration is for a public purpose, and is necessary for the public good. The Legislature hereby finds and declares that said land is peculiarly suited for such use and will, if so sold for such use, produce tax revenues for the said county equal to or in excess of the fair market value of the property. The Legislature hereby finds and declares that, in the particular circumstances existing in regard to the said property, the method of accomplishing its industrial development, which is hereby declared to be a public purpose, would be best accomplished by the method set forth in this section.

Based on the above legislative findings and declarations, the county court of Raleigh county is hereby authorized and empowered to sell and convey that certain tract or
parcel of land, known as Fitzpatrick Park, located in
Town District, Raleigh county, to any person, including,
but not limited to, a private or public corporation, under
such terms and conditions as, in the sole discretion of said
county court, will insure the use of the land for the public
purpose of industrial development.

Sec. 4. Severability. If any provision of this act or
the application thereof to any person or circumstance is
held unconstitutional or invalid, such unconstitutionality
or invalidity shall not affect other provisions or applica-
tions of the act, and to this end each and every provision
of this act is declared to be severable. The Legislature
hereby declares that it would have enacted the remaining
provisions of this act even if it had known that any pro-
visions thereof would be declared to be unconstitutional
or invalid, and that it would have enacted this act even if
it had known that the application thereof to any person
or circumstance would be held to be unconstitutional or
invalid.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

William Tampa
Chairman Senate Committee

Clayton C. Davidson
Chairman House Committee

Originated in the Senate.

To take effect from passage.

Howard M. Sears
Clerk of the Senate

Clerk of the House of Delegates

Howard R. Carson
President of the Senate

Willis W. White
Speaker House of Delegates

The within approved this the 17th
day of March, 1967.

Hueston M. Smith
Governor
PRESENTED TO THE GOVERNOR

Date: 3/7/67
Time: 2:30 pm