

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-25-79

Time 1:15 p.m.

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1979



ENROLLED

Committee Substitute for
HOUSE BILL No. 703

No. 703

(By Mr. Allbright + Mr. Tompkins)



Passed March 10, 1979

In Effect Ninety Days From Passage



ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 703

(By MR. ALBRIGHT and MR. TOMPKINS)

[Passed March 10, 1979; in effect ninety days from passage.]

AN ACT to amend article eleven, chapter fifty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section three, relating to limitations on constructive notice to any pendente lite purchaser or encumbrancer of real estate upon the filing for recordation of a memorandum or notice of a suit, action, attachment or other proceeding affecting such real estate.

Be it enacted by the Legislature of West Virginia:

That article eleven, chapter fifty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended, by adding thereto a new section, designated section three, to read as follows:

ARTICLE 11. LIS PENDENS.

§55-11-3. Limitations on notice of lis pendens.

- 1 Constructive notice of the pendency of a suit, action, attach-
- 2 ment or other proceeding, arising from the filing for recorda-
- 3 tion of a notice or memorandum in accordance with the pro-

4 visions of section two of this article, shall continue to operate
5 as constructive notice thereof to any pendente lite purchaser
6 or encumbrancer of the real estate affected, for a period of ten
7 years next after the date when such notice was filed for re-
8 cordation. Where constructive notice arises as aforesaid, that
9 notice may be renewed or extended for additional ten year
10 periods by the filing for recordation, as provided in section
11 two of this article, a similar memorandum or notice of lis
12 pendens within ten years from the date of recordation of the
13 last such memorandum or notice..

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

James L. Davis
Chairman Senate Committee

Lawrence C. Chesterton Jr.
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

J. P. McLean Jr.
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

M. J. Brotherton Jr.
President of the Senate

John M. Lee, Jr.
Speaker House of Delegates

The within is approved this the 25
day of March, 1979.

John R. Rhyne
Governor

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OFFICE OF THE GOVERNOR

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MAR 27 10:42 AM '79

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