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# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 2000



# ENROLLED

*Committee Substitute for*  
SENATE BILL NO. 501

(By Senators Bowman and Plymale)



PASSED March 11, 2000  
In Effect from Passage

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OFFICE OF THE CLERK  
SENATE OF WEST VIRGINIA

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OFFICE OF THE CLERK  
HOUSE OF DELEGATES  
WEST VIRGINIA

## ENROLLED

COMMITTEE SUBSTITUTE

FOR

# Senate Bill No. 501

(SENATORS BOWMAN AND PLYMALE, *original sponsors*)

[Passed March 11, 2000; in effect from passage.]

AN ACT giving the secretary of administration options on how to dispose of the land, together with the improvements thereon, known as Morris Square in Charleston, Kanawha County; and authorizing same.

*Be it enacted by the Legislature of West Virginia:*

### **SALE OF PROPERTY.**

#### **§1. Land sale; description.**

- 1 (a) The secretary of administration is hereby authorized
- 2 to negotiate a financial proposal for the property described
- 3 in subsection (b) of this act with the city of Charleston
- 4 which arrangement shall be in the best financial interest
- 5 for the state. Any financial proposal shall be funded either

6 in cash or by a purchase money mortgage at a value  
7 acceptable to the secretary. The financial proposal must be  
8 made within ninety (90) days of the effective date of this  
9 section. Any contract, sale or lease shall be approved by  
10 the joint committee on government and finance.

11 (b) The secretary is authorized to sell, grant and convey  
12 or lease to the city of Charleston, all of those certain lots  
13 or parcels of land, together with the improvements thereon  
14 and the appurtenances thereunto belonging, being known  
15 as Lot "A-1" containing 1.118 acres, more or less; and Lot  
16 "A-2" containing 0.587 acre, more or less, being situate in  
17 the city of Charleston, Charleston East tax district,  
18 Kanawha County, West Virginia; which property is more  
19 particularly bounded and described in a deed dated  
20 October 29, 1996, from the Charleston building corpora-  
21 tion to the state building commission of West Virginia, of  
22 record in the office of the clerk of the county commission  
23 of Kanawha County, West Virginia, in Deed Book 2399 at  
24 page 79. Any sale and conveyance of the property is  
25 subject to all restrictions, reservations, rights-of-way,  
26 easements, utilities, covenants, leases, exclusions and other  
27 matters duly of record affecting the property.

28 (c) If the subject property is not transferred to the city of  
29 Charleston pursuant to subsections (a) and (b) of this act,  
30 then the secretary shall solicit bids for sale by auction, sell,  
31 grant and convey, for good and valuable consideration to  
32 the highest responsible bidder, the property described in  
33 subsection (b) of this act. Any sale and conveyance of the  
34 property is subject to all restrictions, reservations, rights-  
35 of-way, easements, utilities, covenants, leases, exclusions  
36 and other matters duly of record affecting the property.

37 (d) The secretary is authorized to contract with an  
38 auction company to sell the property. The auction may be  
39 oral, silent or on the internet. The cost of the auction, as  
40 contracted by the secretary with the auction company, is  
41 to be paid from the proceeds of the sale.

42 (e) The property shall have a minimum bid price which  
43 shall be set by the secretary, regardless of the appraised  
44 value, for sale and conveyance of the property.

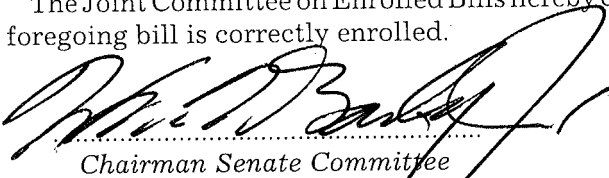
45 (f) The sale by auction shall take place no less than once  
46 a year until the time the property is successfully sold.

47 (g) The money obtained from the property shall be  
48 deposited in a special fund of the department of adminis-  
49 tration to be known as "the Morris Square property fund"  
50 and is to be used for improvements and renovations of the  
51 state capitol complex.

52 (h) Notwithstanding any other provision of law to the  
53 contrary, the state, its subdivisions, agencies and instru-  
54 mentalities, except for the city of Charleston, are prohib-  
55 ited from obtaining any interest, by way of purchase, lease,  
56 trade, donation, condemnation, tax sale, or any other  
57 means whatsoever in the property described in subsection  
58 (b) of this act, or any interest therein, for so long as any  
59 building or structure or any portion thereof situate on the  
60 property on the date of the enactment of the provisions of  
61 this act remains so situated.

62 (i) Notwithstanding anything in the code of West Vir-  
63 ginia, one thousand nine hundred thirty-one, as amended,  
64 to the contrary, the provisions of this section prevail.

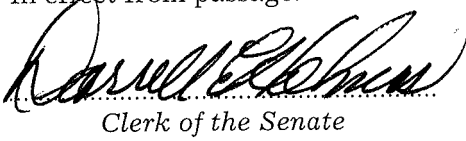
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

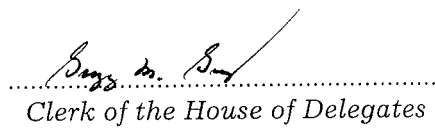
  
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Chairman Senate Committee

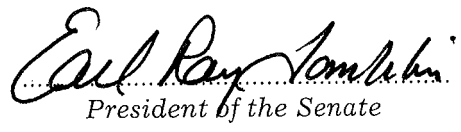
  
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Chairman House Committee

Originated in the Senate.

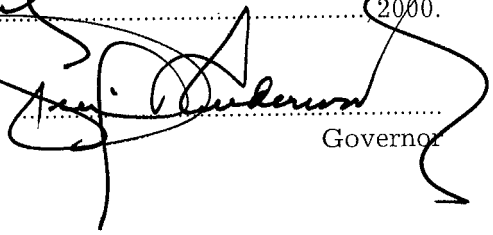
In effect from passage.

  
.....  
Clerk of the Senate

  
.....  
Clerk of the House of Delegates

  
.....  
President of the Senate

  
.....  
Speaker House of Delegates

The within..... *approved* ..... this the *3rd*  
Day of..... *April* ..... 2000.  
  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date

3/20/00

Time

3:15 pm