

SB 722

FILED

2006 APR -3 P 4: 18

CLERK OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
Regular Session, 2006



ENROLLED

SENATE BILL NO. 722

(By Senator CARLITH)



PASSED MARCH 11, 2006

In Effect 90 days from Passage

FILED

2006 APR -3 P 4: 18

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

Senate Bill No. 722

(BY SENATOR CARUTH)

[Passed March 11, 2006; in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §38-1-4a, relating to providing a statute of limitations for sales by a trustee.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §38-1-4a, to read as follows:

ARTICLE 1. VENDOR'S AND TRUST DEED LIENS.

§38-1-4a. Statute of limitations for sales by trustees.

- 1 Provided the grantor on the deed of trust or the agent or
- 2 personal representative of the grantor is provided notice as
- 3 required by section four of this article, no action or
- 4 proceeding to set aside a trustee's sale due to the failure to
- 5 follow any notice, service, process or other procedural

6 requirement relating to a sale of property under a trust
7 deed shall be filed or commenced more than one year from
8 the date of the sale.

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

Chand White
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Nasser Ghannouchi
.....
Clerk of the Senate

Samuel S. S. S.
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this the *3rd*
Day of *April*, 2006.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

APR 03 2006

Time

2:15 pm