

2008 MAR 27 PM 4:59

SECRETARY OF STATE
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
SEVENTY-EIGHTH LEGISLATURE
REGULAR SESSION, 2008

ENROLLED

Senate Bill No. 253

(BY SENATOR SYPOLT)

[Passed March 6, 2008; in effect ninety days from passage.]

2008 MAR 27 PM 4:59

WEST VIRGINIA
LEGISLATURE

ENROLLED

Senate Bill No. 253

(BY SENATOR SYPOLT)

[Passed March 6, 2008; in effect ninety days from passage.]

AN ACT to amend and reenact §30-13A-27 of the Code of West Virginia, 1931, as amended, relating to specifying the United States Survey foot and the associated conversion factor of one meter equals 39.37/12 feet for the purposes of the West Virginia Coordinate System of 1983.

Be it enacted by the Legislature of West Virginia:

That §30-13A-27 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 13A. LAND SURVEYORS.

§30-13A-27. West Virginia coordinate systems; definition; plane coordinates, limitations of use; conversion factor for meters to feet.

1 (a) The systems of plane coordinates which have been
2 established by the National Ocean Survey/National
3 Geodetic Survey (formerly the United States Coast and
4 Geodetic Survey) or its successors for defining and
5 stating the geographic position or locations of points on
6 the surface of the earth within West Virginia are to be
7 known and designated as the West Virginia Coordinate
8 System of 1927 and the West Virginia Coordinate
9 System of 1983.

10 (b) For the purpose of the use of this system the state
11 is divided into a North Zone and a South Zone.

12 The area now included in the following counties is the
13 North Zone: Barbour, Berkeley, Brooke, Doddridge,
14 Grant, Hampshire, Hancock, Hardy, Harrison,
15 Jefferson, Marion, Marshall, Mineral, Monongalia,
16 Morgan, Ohio, Pleasants, Preston, Ritchie, Taylor,
17 Tucker, Tyler, Wetzel, Wirt and Wood.

18 The area now included in the following counties is the
19 South Zone: Boone, Braxton, Cabell, Calhoun, Clay,
20 Fayette, Gilmer, Greenbrier, Jackson, Kanawha, Lewis,
21 Lincoln, Logan, McDowell, Mason, Mercer, Mingo,
22 Monroe, Nicholas, Pendleton, Pocahontas, Putnam,
23 Raleigh, Randolph, Roane, Summers, Upshur, Wayne,
24 Webster and Wyoming.

25 (c) As established for use in the North Zone, the West
26 Virginia Coordinate System of 1927 or the West Virginia
27 Coordinate System of 1983 shall be named and in any

28 land description in which it is used it shall be
29 designated the West Virginia Coordinate System of 1927
30 North Zone or West Virginia Coordinate System of 1983
31 North Zone.

32 As established for use in the South Zone, the West
33 Virginia Coordinate System of 1927 or the West Virginia
34 Coordinate System of 1983 shall be named and in any
35 land description in which it is used it shall be
36 designated the West Virginia Coordinate System of 1927
37 South Zone or West Virginia Coordinate System of 1983
38 South Zone.

39 (d) The plane coordinate values for a point on the
40 earth's surface, used to express the geographic position
41 or location of the point in the appropriate zone of this
42 system, shall consist of two distances, expressed in U.
43 S. Survey feet and decimals of a foot when using the
44 West Virginia Coordinate System of 1927 and
45 determined in meters and decimals when using the West
46 Virginia Coordinate System of 1983, but which may be
47 converted to and expressed in feet and decimals of a
48 foot. One of these distances, to be known as the x-
49 coordinate, shall give the position in an east-and-west
50 direction. The other, to be known as the y-coordinate,
51 shall give the position in a north-and-south direction.

52 These coordinates shall be made to depend upon and
53 conform to plane rectangular coordinate values for the
54 monumented points of the North American Horizontal
55 Geodetic Control Network as published by the National
56 Ocean Survey/National Geodetic Survey (formerly the
57 United States Coast and Geodetic Survey) or its
58 successors and whose plane coordinates have been
59 computed on the system defined by this section. Any

60 such station may be used for establishing a survey
61 connection to either West Virginia Coordinate System.

62 (e) For purposes of describing the location of any
63 survey station or land boundary corner in the State of
64 West Virginia, it shall be considered a complete, legal
65 and satisfactory description of the location to give the
66 position of the survey station or land boundary corner
67 on the system of plane coordinates defined in this
68 section. Nothing contained in this section requires a
69 purchaser or mortgagee of real property to rely wholly
70 on a land description, any part of which depends
71 exclusively upon either West Virginia Coordinate
72 System.

73 (f) When any tract of land to be defined by a single
74 description extends from one into the other of the
75 coordinate zones specified in this section, the position of
76 all points on its boundaries may refer to either of the
77 two zones. The zone which is being used specifically
78 shall be named in the description.

79 (g)(1) For purposes of more precisely defining the West
80 Virginia Coordinate System of 1927, the following
81 definition by the United States Coast and Geodetic
82 Survey (now National Ocean Survey/National Geodetic
83 Survey) is adopted:

84 The West Virginia Coordinate System of 1927 North
85 Zone is a Lambert conformal conic projection of the
86 Clarke Spheroid of 1866, having standard parallels at
87 north latitudes 39 degrees and 00 minutes and 40
88 degrees and 15 minutes, along which parallels the scale
89 shall be exact. The origin of coordinates is at the
90 intersection of the meridian 79 degrees 30 minutes west

91 of Greenwich and the parallel 38 degrees 30 minutes
92 north latitude. This origin is given the coordinates: x =
93 2,000,000 feet and y = 0 feet.

94 The West Virginia Coordinate System of 1927 South
95 Zone is a Lambert conformal conic projection of the
96 Clarke Spheroid of 1866, having standard parallels at
97 north latitudes 37 degrees 29 minutes and 38 degrees 53
98 minutes, along which parallels the scale shall be exact.
99 The origin of coordinates is at the intersection of the
100 meridian 81 degrees 00 minutes west of Greenwich and
101 the parallel 37 degrees 00 minutes north latitude. This
102 origin is given the coordinates: x = 2,000,000 feet and y
103 = 0 feet.

104 (2) For purposes of more precisely defining the West
105 Virginia Coordinate System of 1983, the following
106 definition by the National Ocean Survey/National
107 Geodetic Survey is adopted:

108 The West Virginia Coordinate System of 1983 North
109 Zone is a Lambert conformal conic projection of the
110 North American Datum of 1983, having standard
111 parallels at north latitudes 39 degrees and 00 minutes
112 and 40 degrees and 15 minutes, along which parallels
113 the scale shall be exact. The origin of coordinates is at
114 the intersection of the meridian 79 degrees 30 minutes
115 west of Greenwich and the parallel 38 degrees 30
116 minutes north latitude. This origin is given the
117 coordinates: x = 600,000 meters and y = 0 meters.

118 The West Virginia Coordinate System of 1983 South
119 Zone is a Lambert conformal conic projection of the
120 North American Datum of 1983, having standard
121 parallels at north latitudes 37 degrees 29 minutes and 38

122 degrees 53 minutes, along which parallels the scale shall
123 be exact. The origin of coordinates is at the intersection
124 of the meridian 81 degrees 00 minutes west of
125 Greenwich and the parallel 37 degrees 00 minutes north
126 latitude. This origin is given the coordinates: $x =$
127 600,000 meters and $y = 0$ meters.

128 (h) No coordinates based on the West Virginia
129 Coordinate System, purporting to define the position of
130 a point on a land boundary, may be presented to be
131 recorded in any public records or deed records unless
132 the point is based on a public or private monumented
133 horizontal control station established in conformity
134 with the standards of accuracy and specifications for
135 first order or better geodetic surveying as prepared and
136 published by the Federal Geodetic Control Committee
137 of the United States Department of Commerce.
138 Standards and specifications of the Federal Geodetic
139 Control Committee or its successor in force on the date
140 of the survey apply. The publishing of the existing
141 control stations, or the acceptance with intent to
142 publish the newly established control stations, by the
143 National Ocean Survey/National Geodetic Survey is
144 evidence of adherence to the Federal Geodetic Control
145 Committee specifications. The limitations specified in
146 this section may be modified by a duly authorized state
147 agency to meet local conditions.

148 (i) The use of the term "West Virginia Coordinate
149 System of 1927 North or South Zone" or "West Virginia
150 Coordinate System of 1983 North or South Zone" on
151 any map, report or survey or other document shall be
152 limited to coordinates based on the West Virginia
153 coordinate system as defined in this section.

154 (j) A plat and a description of survey must show the
155 basis of control identified by the following:

156 (1) The monument name or the point identifier on
157 which the survey is based;

158 (2) The order of accuracy of the base monument; and

159 (3) The coordinate values used to compute the corner
160 positions.

161 (k) Nothing in this section prevents the recordation in
162 any public record of any deed, map, plat, survey,
163 description or of any other document or writing of
164 whatever nature which would otherwise constitute a
165 recordable instrument or document even though the
166 same is not based upon or done in conformity with the
167 West Virginia Coordinate System established by this
168 section, nor does nonconformity with the system
169 invalidate any deed, map, plat, survey, description or
170 other document which is otherwise proper.

171 (l) For purpose of this section a foot equals a United
172 States Survey foot. The associated factor of one meter
173 equals 39.37/12 feet shall be used in any conversion
174 necessitated by changing values from meters to feet.



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

Randy White
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Darrell Holmes
.....
Clerk of the Senate

Dwight D. Smith
.....
Clerk of the House of Delegates

Earl Ray Tomblin
.....
President of the Senate

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

The within *is approved* this
the *27th* Day of *March*, 2008.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

MAR 21 2008

Time 9:40am