

HB 2828

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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1997



ENROLLED

HOUSE BILL No. 2828

(By Delegate _____ Smirl _____)



Passed _____ April ¹² 11, _____ 1997

In Effect _____ From _____ Passage

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

ENROLLED

H. B. 2828

(BY DELEGATE SMIRL)

Smirl

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[Passed April 11, 1997; in effect from passage.]

AN ACT to amend article fourteen, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section six, relating to authorizing the university of West Virginia board of trustees on behalf of Marshall university to sell and convey a parcel of land located on the north side of U. S. Route 60 at University Heights in Huntington, Cabell County; and providing that the proceeds from the sale be deposited in a special revenue account for the development of parking on the downtown campus at Marshall university in Huntington.

Be it enacted by the Legislature of West Virginia:

That article fourteen, chapter eighteen-b of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section six, to read as follows:

ARTICLE 14. MISCELLANEOUS.

§18B-14-6. Marshall university authorization to sell property; use of net proceeds.

- 1 (a) Subject to the provisions of section five of this
- 2 article, relating to the authority of governing boards to sell
- 3 any surplus real property and deposit the net proceeds
- 4 into a special revenue account in the state treasury to be

5 appropriated by the Legislature for the purchase of addi-
6 tional real property or technology, or for capital improve-
7 ments at the institution that sold the surplus real property,
8 the board of trustees is hereby authorized and empowered
9 to sell those parcels of land situate along U. S. Route 60,
10 being a subdivision of a 2.75 acre tract into eight separate
11 lots situate on the waters of the Guyandotte River in
12 Guyandotte District, Cabell County, West Virginia, bound-
13 ed and described as follows:

14 Beginning at a 5/8" rebar with cap set on the north
15 side of U. S. Route 60 at a common corner to the property
16 the university of West Virginia board of trustees and Lam-
17 bert Construction; thence N. 43° 51' E. a distance of
18 167.99 feet to a 5/8" rebar with cap set in the boundary of
19 Lot 1 of the subdivision; thence N. 85° 52' E. a distance of
20 103.16 feet to 5/8" rebar with cap set in the common
21 corner to Lot 1 and Lot 2 of the subdivision; thence N.
22 85° 52' E. a distance of 129.37 feet to a 5/8" rebar with
23 cap set in the common corner to Lot 2 and Lot 3 of the
24 subdivision; thence N. 82° 52' E. a distance of 98.91 feet
25 to a 5/8" rebar with cap set in the common corner to Lot 3
26 and Lot 4 of the subdivision; thence N. 82° 52' E. a dis-
27 tance of 98.95 feet to a 5/8" rebar with cap set in the com-
28 mon corner to Lot 4 and Lot 5 of the subdivision; thence
29 N. 82° 52' E. a distance of 105.88 feet to a 5/8" rebar with
30 cap set in the common corner to Lot 5 and Lot 6 of the
31 subdivision; thence N. 82° 52' E. a distance of 105.96
32 feet to a 5/8" rebar with cap set in the common corner to
33 Lot 6 and Lot 7 of the subdivision; thence N. 82° 52' E. a
34 distance of 106.06 feet to a 5/8" rebar with cap set in the
35 common corner to Lot 7 and Lot 8 of the subdivision;
36 thence N. 82° 52' E. a distance of 162.16 feet to a 5/8"
37 rebar with cap set in the common corner to Lot 8 of the
38 subdivision and the Crans property; thence S. 09° 49' E. a
39 distance of 103.75 feet to a 5/8" rebar with cap set in the
40 line separating Lot 8 and the Crans property to a 5/8"
41 rebar with cap set in that line; thence S 09° 49' feet a dis-
42 tance of 25.00 feet to 5/8" rebar with cap set in the south-
43 eastern corner of Lot 8; thence S. 82° 02' W. a distance
44 166.00 feet and running with the chord of U. S. Route 60
45 to a 5/8" rebar with cap set in that line, which is a common

46 corner to Lot 8 and Lot 7 of the subdivision; thence S. 82°
47 44' W. a distance of 107.00 feet and running with the
48 chord of U. S. Route 60 to a 5/8" rebar with cap set in that
49 line, which is a common corner to Lot 7 and Lot 6 of the
50 subdivision; thence S. 83° 16' W. a distance of 107.00 feet
51 and running with the chord of U. S. Route 60 to a 5/8"
52 rebar with cap set in that line, which is a common corner
53 to Lot 6 and Lot 5 of the subdivision; thence S. 83° 45'
54 W. a distance of 89.06 feet and running with the chord of
55 U. S. Route 60 to a rebar with cap stamped "WV DOH";
56 thence N. 06° 01' W. a distance of 20.00 feet to a rebar
57 with cap stamped "WV DOH"; thence S. 84° 06' W. a
58 distance of 17.91.00 feet to a 5/8" rebar with cap set, which
59 is a common corner to Lot 5 and Lot 4 of the subdivision;
60 thence S. 84° 06' W. a distance of 31.79 feet to a rebar
61 with cap stamped "WV DOH"; thence S. 05° 46' E. a
62 distance of 20.00 feet to a rebar with cap stamped "WV
63 DOH"; thence S. 84° 24' W. a distance of 68.21 feet and
64 running with the chord of U. S. Route 60 to a 5/8" rebar
65 with cap set in that line, which is a common corner to Lot
66 4 and Lot 3 of the subdivision; thence S. 84° 39' W. a
67 distance of 31.35 feet to a rebar with cap stamped "WV
68 DOH"; thence N. 05° 16' W. a distance of 8.00 feet to a
69 rebar with cap stamped "WV DOH"; thence S. 84° 57' W.
70 a distance of 68.65 feet running parallel to U. S. Route 60
71 to a 5/8" rebar with cap set in that line, which is a common
72 corner to Lot 3 and Lot 2 of the subdivision; thence S. 84°
73 57' W. a distance of 20.89 feet to a rebar with cap stamped
74 "WV DOH"; thence S. 04° 57' W. a distance of 8.00 feet
75 to a rebar with cap stamped "WV DOH"; thence S. 85°
76 27' W. a distance of 110.00 feet and running with the
77 chord of U. S. Route 60 to a 5/8" rebar with cap set in that
78 line, which is a common corner to Lot 2 and Lot 1 of the
79 subdivision; thence S. 84° 54' W. a distance of 64.24 feet
80 and running with the chord of U. S. Route 60 to a 5/8"
81 rebar with cap set in that line; thence N. 03° 57' W. a dis-
82 tance of 10.00 feet to 5/8" rebar with cap set; thence S. 86°
83 16' W. running parallel to U. S. Route 60 a distance of
84 84.55 feet to 5/8" rebar with cap set; thence N. 03° 31' W.
85 a distance of 10.00 feet to a 5/8" rebar with cap set; thence
86 S. 86° 59' W. running parallel to U. S. Route 60 a distance
87 of 79.66 feet to the place of beginning, containing 2.75

88 acres as described in a deed to the university of West Vir-
89 ginia board of trustees recorded in the county clerk's
90 office in Cabell County in deed book 116 at page 304;
91 and being the same property shown on a map of the sub-
92 division of the 2.75 acre tract entitled "Plat of Survey
93 Showing Subdivision Of A 2.75 Acre Tract described in
94 deed book 116 at page 304 for university of West Virginia
95 board of trustees located along U. S. Route 60 situate on
96 the waters of the Guyandotte River in Guyandotte District,
97 Cabell County, West Virginia" dated March 13, 1997, as
98 surveyed by Mark C. Shamblin land surveyor, the subdivi-
99 sion being eight lots from this real property.

100 (b) Prior to the sale, the board of trustees shall cause
101 the property to be appraised by two independent licensed
102 appraisers and may not sell the property for less than the
103 average of the two appraisals.

104 (c) The proceeds from the sale of the property re-
105 ferred to shall be deposited in a special revenue account
106 from which the board of trustees is hereby authorized to
107 expend funds for development of parking on the down-
108 town campus at Marshall university in Huntington.

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

Way Schover
Chairman Senate Committee

Nick Santoro
Chairman House Committee

Originating in the House.

Takes effect from passage.

Russell P. Thomas
Clerk of the Senate

Bryan W. Gray
Clerk of the House of Delegates

Carl Ray Tomblin
President of the Senate

R. K.
Speaker of the House of Delegates

The within *is approved* this the *6th*
day of *May*, 1997.

[Signature]
Governor

PRESENTED TO THE
GOVERNOR

Date 5/1/97

Time 3:47 pm