WEST virginia legislature

2021 regular session

Introduced

Senate Bill 430

By Senator Weld

[Introduced February 23, 2021; referred  
to the Committee on the Judiciary]

A BILL to amend and reenact §36-3-5 of the Code of West Virginia, 1931, as amended, relating to modifying the form of certain deeds.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. FORM AND EFFECT OF DEEDS AND CONTRACTS.

§36-3-5. Form of deed.

(a) A deed may be made in the following form, or to the same effect: “This deed made the ........ day of ........., in the year ........, between (here insert names of parties), witnesseth: That in consideration of (here state the consideration), the said ............... grants unto the said ............... all, etc. (Here describe the property, and insert covenants or any other provisions.) Witness the following signature.”

(b) All deeds, except for a transfer on death deed made pursuant to §39-12-1 *et seq.* of this code, must contain the notarized acknowledgement of the grantee(s) evidencing the acceptance of the conveyance of the real property being conveyed by the deed.

NOTE: The purpose of this bill is to modify the form of certain deeds.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.