

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

Senate Bill 430

BY SENATOR WELD

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

1 A BILL to amend and reenact §36-3-5 of the Code of West Virginia, 1931, as amended, relating
2 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.

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

6 (b) All deeds, except for a transfer on death deed made pursuant to §39-12-1 et seq. of
7 this code, must contain the notarized acknowledgement of the grantee(s) evidencing the
8 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.