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SENATE BILL NO. 1270

Offered January 13, 2021

Prefiled January 12, 2021

A BILL to amend and reenact § 25.1-306 of the Code of Virginia, relating to eminent domain; notice of intent to file certificate.

Patron—Cosgrove

Referred to Committee on the Judiciary

Be it enacted by the General Assembly of Virginia:

1. That § 25.1-306 of the Code of Virginia is amended and reenacted as follows:

§ 25.1-306. Notice of intent to file certificate.

The authorized condemnor shall, between 30 and 45 days prior to the date on which any certificate will be filed or recorded pursuant to this chapter, give notice to the owner or tenant, if known, of the freehold by certified or registered mail that such certificate will be filed or recorded with respect to such person's property. *Such notice shall contain the following language, as appropriate: (i) "Between 30 and 45 days from the date of this notice, a certificate of take will be recorded in the land records of the circuit court" or (ii) "Between 30 and 45 days from the date of this notice, a certificate of deposit will be recorded in the land records of the circuit court." Such notice shall also state that upon recordation of the certificate, the defeasible title to the property shall transfer to the condemnor and that the owner has the right to petition the court for distribution of the funds represented by the certificate, subject to any preexisting liens or other encumbrances upon the property.* Additionally, within four business days of the filing or recording of a certificate, the authorized condemnor shall give notice of such filing or recording to the owner or tenant, if known, of the freehold by providing a copy of such certificate by certified or registered mail.

INTRODUCED

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