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HOUSE BILL NO. 2566

Offered January 12, 2005

Prefiled January 12, 2005

A BILL for the relief of Walter S. Lingeback.

Patron—Tata

Referred to Committee on Appropriations

Whereas, in 1971, the treasurer for Northumberland County sold a certain piece of real property to Walter S. Lingeback according to procedures set forth in the Code of Virginia at the time (former sections §§ 58-1029 through 58-1117) because of delinquent taxes owed on the property; and

Whereas, such real property is more particularly described as that certain piece of real property located in the Heathsville District in Northumberland County, consisting of approximately 22.7 acres and listed in the name of the Estate Edgar Crabbe; and

Whereas, pursuant to the law at the time, Mr. Lingeback was required to continue to pay the real estate taxes on the property for a period of years prior to being eligible to make application to receive clear title to the property, subject to certain redemption rights of the owners; and

Whereas, Mr. Lingeback has faithfully paid the real estate taxes on the property every year from 1971 through the present; and

Whereas, during this time there has been no claim by any person claiming any interest in the property; and

Whereas, unbeknownst to Mr. Lingeback, in 1973 the General Assembly repealed the laws setting forth the method that Mr. Lingeback was using to secure title and instituted a new proceeding for doing so; and

Whereas, in repealing the previous process, the General Assembly provided a savings provision in former § 58-1117.11 of the Code of Virginia for persons like Mr. Lingeback to continue to use the prior procedures; and

Whereas, in 1984, during the recodification of Title 58 of the Code of Virginia, the savings provision in former § 58-1117.11 of the Code was repealed because it was considered "obsolete" according to the recodification report; and

Whereas, Mr. Lingeback attempted to get title under the previous procedure but was advised by the appropriate local officials that such procedure was no longer law; and

Whereas, but for the repeal of § 58-1117.11 of the Code of Virginia, Mr. Lingeback would be eligible to make application to receive clear title to the property; now, therefore

Be it enacted by the General Assembly of Virginia:

1. §1. Any suit or proceedings which were of a continuing nature which were instituted prior to June 1, 1973, by Walter S. Lingeback regarding certain real property as described in § 2 under the provisions of former § 58-1027 or former §§ 58-1029 through 58-1117 of the Code of Virginia, regarding the disposition and sale of delinquent lands may be completed in accordance with such provisions for the purpose of effecting the objective of such suit or proceedings.

§ 2. The property set forth in § 1 is that certain piece of real property located in the Heathsville District in Northumberland County, consisting of approximately 22.7 acres and listed in the name of the Estate of Edgar Crabbe.

2. That the provisions of this act shall expire on July 1, 2007.

INTRODUCED

HB2566