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SENATE BILL NO. 34

Senate Amendments in [] — February 2, 1998

A *BILL to amend and reenact § 34-6 of the Code of Virginia, relating to homestead exemption; recordation.*

Patron—Quayle

Referred to the Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That § 34-6 of the Code of Virginia is amended and reenacted as follows:**

§ 34-6. How exemption of real estate secured; form to claim exemption of real property.

In order to secure the benefit of the exemptions of real estate under §§ 34-4 and 34-4.1, the householder, by a writing signed by him and duly admitted to record, to be recorded as deeds are recorded, in the county or city wherein such real estate or any part thereof is located [~~or~~ and] if such property is located outside of the Commonwealth, in the county or city where the householder resides, shall declare his intention to claim such benefit and select and set apart the real estate to be held by the householder as exempt, and describe the same with reasonable certainty, affixing to the description his cash valuation of the estate so selected and set apart. Equitable as well as legal estates may be so selected and set apart. The following form, or one which is substantially similar, shall be used and shall be sufficient for the writing required by this section:

HOMESTEAD DEED FOR REAL PROPERTY

Name of Householder

[Name of title holder of record (if different)]

Is the householder a disabled veteran entitled to claim the

additional exemption under § 34-4.1?.....

Address of Householder

Name(s) and age(s) of dependent(s)

County/city [/state] in which real property claimed as exempt

is located.....

Description of property claimed as exempt

.....

.....

Value of property described above

.....

..... (Signature of Householder)

[ACKNOWLEDGMENT]

Such writing or deed shall not be required to secure any exemption under this Code except those exemptions created by §§ 34-4 and 34-4.1.

ENGROSSED

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