

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #5

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1989 JAN 12 AM 8 51
OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW**

AGENCY: Secretary of State TITLE NUMBER: 153

CITE AUTHORITY: WV Code 47-9A-1, 31-1-67

RULE TYPE: PROCEDURAL XXX INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE _____
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES _____, NO xx

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

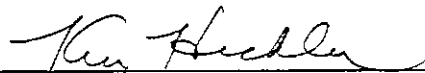
TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: Series 19

TITLE OF RULE BEING ADOPTED: Procedures for Filing for

Authorization to do Business by Voluntary Associations
and Business Trusts

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS February 13, 1989



Ken Hechler, Sec. of State

FILED

1989 JAN 12 AM 8:54

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

TITLE 153
PROCEDURAL RULES
SECRETARY OF STATE

SERIES 19
PROCEDURES FOR FILING FOR AUTHORIZATION TO DO BUSINESS BY
VOLUNTARY ASSOCIATIONS AND BUSINESS TRUSTS

§153-19-1. General.

1.1. Scope. -- This rule provides guidelines by which applications by business trusts and voluntary organizations to do business in West Virginia will be handled.

1.2. Authority. -- WV Code §47-9A-1 et seq. and §31-1-67.

1.3. Filing Date. --

1.4. Effective Date. --

§153-19-2. Definitions.

2.1. Business Trust. A voluntary association established for the purposes of doing business of carrying out a business transaction pursuant to the terms and provisions of a declaration or trust or any other agreement of association.

2.2. Massachusetts Trust. Any business trust formed under the agreements commonly designated as a Massachusetts Trust.

2.3. Voluntary Organization. Any association formed for the purposes of doing business in West Virginia.

2.4. Any of these organizations which purchases, acquires, holds, disposes, encumbers or any other way holds real or personal property in the state must reg-

ister with the Secretary of State and the county clerk of the county in which the property is located.

§153-19-3. Filing Procedure.

3.1. Any organization defined in §47-9A-1 of the code shall follow the following procedure:

3.1.1. The declaration of trust or articles of agreements shall be filed. This document shall include:

a. name(s) of the parties involved

b. address of organization

c. a clause stating the purpose(s) of the organization

d. a clause providing that all parties agree to abide by the laws of the State of West Virginia.

e. signature(s) and address(es) of the parties involved

f. appropriate notarial acknowledgement of this signature

g. person to whom notice of process is to be sent.

3.1.2. A filing fee of ten dollars (\$10.00) must be included.

KEN HECHLER
Secretary of State
MARY P. RATLIFF
Deputy Secretary of State
BARBARA STARCHER
Deputy Secretary of State
RICHARD S. STEPHENSON
Deputy Secretary of State
Telephone: (304) 345-4000
Corporations: 342-8000



STATE OF WEST VIRGINIA
SECRETARY OF STATE
Charleston 25305

WILLIAM H. HARRINGTON
Chief of Staff
RICH O. HARTMAN
Director, Administrative Law
DONALD R. WILKES
Director, Corporations
VIRGINIA SKEEN
Special Assistant
(Plus all the volunteer
help we can get)

TO: Bob
FROM: RICH O. HARTMAN, DIR. ADMIN. LAW DIV.
DATE: 4-6-89

THE ATTACHED RULE(S) RECENTLY FILED BY YOUR AGENCY HAVE BEEN ENTERED INTO THE COMPUTER. PLEASE REVIEW AND PROOF AND RETURN WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS PLEASE SIGN THIS MEMO AND RETURN TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF YOUR RULE(S) FOR YOUR RECORDS.
PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

THE ATTACHED RULE(S) HAVE BEEN REVIEWED AND ARE CORRECT.

SIGNED: _____
TITLE OF PERSON SIGNING: _____
DATE: _____

THE ATTACHED RULE(S) HAVE BEEN REVIEWED AND NEEDS CORRECTED. THESE CORRECTIONS HAVE BEEN MARKED.

SIGNED: [Signature]
TITLE OF PERSON SIGNING: Dir/Corp
DATE: 7 Apr 1989