

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO.

Introduced by

Senator Holmberg

1 A BILL for an Act to amend and reenact section 47-19-02 of the North Dakota Century Code,
2 relating to recording instruments without acknowledgement.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 47-19-02 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **47-19-02. Instruments entitled to record without acknowledgment.** The following
7 instruments may be recorded without acknowledgment or further proof:

- 8 1. ~~Any judgment affecting the title to or the possession of real property authenticated~~
9 ~~by the certificate of the clerk of the court in which such judgment is rendered.~~
- 10 2. ~~Any letters patent from the United States.~~
- 11 3. ~~Any duplicate final register's receipt.~~
- 12 4. ~~A certificate from the United States land office.~~
- 13 5. ~~A contract between the state and a purchaser of school and institutional lands for~~
14 ~~the purchase and sale of such lands.~~
- 15 6. ~~An assignment of any such contract when such assignment has been approved by~~
16 ~~the board of university and school lands.~~
- 17 7. ~~Any certified copy of a patent or of a duplicate final register's receipt or certificate~~
18 ~~when certified and proved according to the laws of the United States and of this~~
19 ~~state in such manner as to entitle it to admission as evidence in the courts of this~~
20 ~~state, and when so recorded, it shall be notice in like manner and to the same~~
21 ~~extent as the originals thereof would have been if the same had been recorded.~~
- 22 8. ~~Any affidavit made as is provided in section 47-19-12.~~
- 23 9. ~~A certified copy of an order of a district court relating to estate tax determinations.~~
- 24 10. ~~A statement of the state tax commissioner relating to estate tax determination.~~

- 1 ~~41. A certified copy of discharge of bankrupt.~~
- 2 ~~42. A financing statement as defined in section 41-09-02.~~
- 3 ~~43. All instruments issued by the United States, or any agency, bureau, or department~~
4 ~~thereof and the state of North Dakota and all political subdivisions thereof which~~
5 ~~affect the title to real property.~~
- 6 1. An instrument issued by an agency, bureau, department or judiciary of the United
7 States or the state of North Dakota or a political subdivision of the state of North
8 Dakota, or an Indian tribe recognized by the United States department of the
9 interior. Without limiting the generality of the word "instrument", specifically, a
10 contract or agreement which is entered into by one of the foregoing entities shall
11 be deemed to have been issued by such entity.
- 12 2. An instrument certified by an agency, bureau, department or judiciary of the United
13 States or a foreign government or a state of the union (including North Dakota), or
14 a political subdivision of such state, or an Indian tribe recognized by the United
15 States department of the interior.
- 16 3. An instrument which is signed by an attorney at law licensed to practice law in the
17 state of North Dakota, and bears the attorney's identification number issued by the
18 state board of law examiners.
- 19 4. An affidavit which bears an appropriate jurat.
- 20 5. A uniform commercial code financing statement provided for in Title 41.
- 21 6. A plat signed by a North Dakota registered land surveyor.