

Sixty-fifth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2340

Introduced by

Senators Meyer, Burckhard, Casper

Representatives Beadle, Louser, Delmore

1 A BILL for an Act to amend and reenact subsection 1 of section 11-18-05 of the North Dakota  
2 Century Code, relating to fees charged by a county recorder for filing mortgage disclosures.

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

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 11-18-05 of the North Dakota Century  
5 Code is amended and reenacted as follows:

6 1. For recording an instrument affecting title to real estate:

7 a. Deeds, mortgages, and all other instruments not specifically provided for in this  
8 subsection, ~~ten~~fifteen dollars for the first page and three dollars for each  
9 additional pagedocuments containing one to four pages and sixty dollars for  
10 documents containing more than four pages plus three dollars for each additional  
11 page after the first twenty-five pages. In addition, for all documents recorded  
12 under this section that list more than ~~five~~ten sections of land, a fee of one dollar  
13 for each additional section listed which is to be recorded in the tract index. Three  
14 dollars of the fee collected for ~~the first page of~~ each instrument recorded under  
15 this subdivision must be placed in the document preservation fund.

16 (1) "Page" means one side of a single legal size sheet of paper not exceeding  
17 eight and one-half inches [21.59 centimeters] in width and fourteen inches  
18 [35.56 centimeters] in length.

19 (2) The printed, written, or typed words must be considered legible by the  
20 recorder before the page will be accepted for recording and, unless the form  
21 was issued by a government agency, must have a font size equal to or  
22 larger than ten point calibri.

- 1           (3) Each real estate instrument must have a legal description considered to be  
2           adequate by the recorder before such instrument will be accepted for  
3           recording.
- 4           (4) A space of at least four inches by three and one-half inches [~~10.16 by~~  
5           ~~8.89 centimeters~~] square three inches [7.62 centimeters] must be provided  
6           on across the top of the first or last page of each instrument for the  
7           recorder's recording information. ~~If~~ Except as provided in paragraph 5, if  
8           ~~recording information can only be placed on the reverse side of an~~  
9           ~~instrument~~ a space of at least three inches [7.62 centimeters] is not  
10          provided across the top of the first page, the recorder may shall add a page,  
11          and an additional page charge must may not be levied in accordance with  
12          the fee structure.
- 13          b. Instruments satisfying, releasing, assigning, subordinating, continuing, amending,  
14          or extending more than ~~one instrument~~ ten instruments previously recorded in the  
15          county in which recording is requested, ~~ten dollars for the first page and three~~  
16          ~~dollars for each additional page plus~~ a fee of fifteen dollars for documents  
17          containing one to four pages, sixty dollars for documents containing more than  
18          four pages plus three dollars for each additional page after the first twenty-five  
19          pages, and three dollars for each such additional document number or book and  
20          page after the first ten referenced instruments. In addition, for all documents  
21          recorded under this section which list more than ~~five~~ ten separate sections of  
22          land, a fee of one dollar for each additional section listed which is to be recorded  
23          in the tract index. Three dollars of the fee collected for ~~the first page of each~~  
24          instrument recorded under this subdivision must be placed in the document  
25          preservation fund.
- 26          c. Plats, twenty dollars for twenty lots or fewer and fifty dollars for more than twenty  
27          lots.
- 28          d. All instruments presented for recording after June 30, 2001, must contain a  
29          one-inch [2.54-centimeter] top, bottom, or side margin on each page of the  
30          instrument for the placement of computerized recording labels. An instrument that

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- 1 does not conform to this margin requirement may be recorded upon payment of
- 2 an additional fee of ten dollars.