25.1207.02000

Sixty-ninth
Legislative Assembly
of North Dakota

FIRST ENGROSSMENT

ENGROSSED SENATE BILL NO. 2356

Introduced by

Senators Meyer, Lee

Representatives Louser, Meier

A BILL for an Act to amend and reenact section 47-19-03.1 of the North Dakota Century Code, relating to the contents of a legal description for a deed and a contract for deed.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 47-19-03.1 of the North Dakota Century Code is amended and reenacted as follows:

47-19-03.1. Deeds and contracts for deeds to include name and address of drafter of legal description.

1. The recorder may not record a deed or contract for deed containing a metes and bounds legal description which affects the title to or possession of real property that otherwise may be recorded under this chapter unless the name and address of the individual who drafted the legal description contained in the deed or contract for deed appears on the instrument in a legible manner.
2. A deed or contract for deed complies with this section if it contains a statement substantially in the following form: "The legal description was prepared by _____ (name) _____ (address) or obtained from a previously recorded instrument." The recording of an instrument containing a metes and bounds legal description obtained from a previously recorded instrument of conveyance under this section may not be rejected based on section 57-02-39.
3. This section does not apply to any instrument executed before January 1, 2000, or any instrument executed or acknowledged outside the state. The validity and effect of the record of any instrument in a recorder's office may not be lessened or impaired by the fact the instrument does not contain the statement required by this section.