

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1279

2001 HOUSE POLITICAL SUBDIVISIONS

HB 1279

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1279

House Political Subdivisions Committee

☐ Conference Committee

Hearing Date 1-25-01

| Tape Number | Side A | Side B | Meter # |
|--|--------|--------|-----------|
| 1 | xx | | 854-3151 |
| 2 | xx | | 1120-1966 |
| Committee Clerk Signature <i>Pam Dever</i> | | | |

Minutes: Chair Froseth called the hearing on HB1279 to order with all committee members present.

Rep. Kretschmar, Dist. 28 : (860) I introduced this bill to clear up the duties. We have a statute that requires when a deed is recorded, so that the information can be passed along to the state tax department. This bill is to help the recorder duties. When the deed does show full consideration of the price being purchased. If contract for deed, the full consideration is shown on that contract. In a regular warrantee deed, the consideration is shown on the deed. Under this proposed bill, you wouldn't have to add another paragraph on to the deed that says the price shown above is the full consideration. I would believe that people who draw deeds would say that price of the piece of property is \$25,000 and put in parenthesis, *as full consideration*. I think it is unnecessary to say it twice in the same instrument what the full consideration is. I don't want to change the requirement that the full consideration must be shown in some way so the tax

department can figure it for their purposes. If this becomes law, the full consideration will only need be listed once.

Sen. Traynor, Dist 15 : (1285) I'm here in support of HB1279. I have been practicing law for 50 years. If you recite the full consideration in the deed, why do you have to certify the full consideration through the full consideration. When anything above a dollar is stated, we know that's the true and full consideration. I don't think we need to have the certification as the grantee or grantees agent sign that. It's just another item that the lawyer charges for. It's a good bill for the consumer.

Sheila Dalen, Register of Deeds : (1504) (See Attached Testimony) I am here to explain how there may be some confusion if this bill is passed. We don't like the generic statement. We don't want to be in the position of having to decide what is full consideration.

Rep. Kretschmar : (1735) If a piece of property comes in with the \$1.00, most people know that is not full consideration.

Sheila : You are right. Most people would know that \$1.00 is not correct. But we do have situations when \$1.00 could be the full amount. We are concerned that it is such a generic item at the top.

Vice-Chair Severson : I'm trying to put myself in the register of deeds position. Does this confuse the already confusing issue.

Sheila : We feel it will confuse it. We want the register of deeds to know exactly what the amount to record is. Do we record a dollar or do we call the attorney back. It slows down the recording process for everyone.

Rep. Delmore : (1967) Are the deeds looked at?

Sheila : Yes, for land value purposes and purchase prices. Our records go back to the tax assessors office.

Rep. N. Johnson : (2147) By having this change, it would be more work for you?

Sheila : Would neither be more or less work for the register of deeds. We will be reporting information to the state as required by law. It may be incorrect if this is passed.

Rep. N. Johnson : I don't know why it would be incorrect. What the bill is saying is that it has to have the full consideration on the document already. And what you are saying is you want a separate one that says the same thing. I'm confused why it would make a difference.

Sheila : If it happens that way, it would be wonderful. We are concerned that the generic statement on the top will continue to come in and it won't say the exact amount. If the full consideration appears in the beginning, then it's O.K. then we don't need duplication.

Rep. Kretschmar : Have you ever had on the top \$1.00 or other consideration and then on the other part had \$1.00 listed as full consideration?

Sheila : Yes. The grantee is signing that statement that it is \$1.00.

Charles Krueger, State Tax Commission, State Supervisor of Assessments : We are neutral. I am here too let you know of some unintended consequences passage of HB1279 may permit. If the generic amount shows up on the face of the deed, it will require a judgment call on the part of the register of deeds. They have to decide whether this deed has meet the requirements of statute. The commissioner thought there may be unintended problems with this bill if passed.

Rep. Kretschmar : If the generic statement on the deed, *\$1.00 and other good and valuable consideration*; and then below the grantee your sign \$1.00 was the consideration. Do you do it? It was obvious that it wasn't.

Charles : In the drafting of any deed, that is generally done by the grantor or their representative. It's really the call of the part of the grantee to make a decision if they want the amount paid for on the face of the deed, or do they want to provide that information on the statement of full consideration to the State Board of Equalization. It requires some part on the grantee when they record these. They will have to provide what they paid and sign. The register of deeds is off the hook as to whether the dollar is the amount paid. They don't have to make the call.

Vice-Chair Severson : (2732) You said the local states attorney will be responsible if the grantee said he bought the property for \$1.00 and it was false. Who would have to turn that over to the state's attorney?

Charles : It could be any local official; assessor, county director of equalization, etc., if legal action is called for.

Rep. Herbel : Could an individual challenge that as well?

Charles : I'm not sure. That is a legal issue outside my area.

Rep. Delmore : Under the current system, how often is it turned over to state's attorney?

Charles : Not sure. I know of one occasion but I don't know if there was legal prosecution.

Larry Osborn, Richland County : I can add to the last comment. Over the last 12 years in Richland County, we have pursued that three or four times. In all of those cases, it was not the dollar amount that was disputed. It was the fact that they did not file with the tax department. We don't think that the system is broke, so why fix it. We think things are uniform now.

Chair Froseth : Any more testimony? None, then HB1279 is closed. Committee wishes?

Rep. Kretschmar : tape 2, side A (1120) I believe this bill will work. It's just intended to eliminate duplication. **I move a DO PASS** on HB1279.

Rep. Maragos: **SECOND. VOTE: 12 YES, 1 NO, 2 absent. PASS. Rep. Kretschmar carrier.**

Date: 1-25-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1279

House POLITICAL SUBDIVISIONS Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS

Motion Made By Rep. Kretschmar Seconded By Rep. Maragos

| Representatives | Yes | No | Representatives | Yes | No |
|-----------------------------|-----|----|----------------------|-----|----|
| Chairman Glen Froseth | / | | Rep. Wayne W. Tieman | / | |
| Vice-Chair Dale C. Severson | / | | | | |
| Rep. Lois Delmore | / | | | | |
| Rep. Rachael Disrud | / | | | | |
| Rep. Bruce Eckre | / | | | | |
| Rep. Mary Ekstrom | AB | | | | |
| Rep. April Fairfield | / | | | | |
| Rep. Michael Grosz | / | | | | |
| Rep. Jane Gunter | / | | | | |
| Rep. Gil Herbel | AB | | | | |
| Rep. Nancy Johnson | / | | | | |
| Rep. William E. Kretschmar | / | | | | |
| Rep. Carol A. Niemeier | | / | | | |
| Rep. Andrew G. Maragos | / | | | | |

Total (Yes) 17 No 1

Absent 2

Floor Assignment Rep. Kretschmar

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 25, 2001 3:43 p.m.

Module No: HR-13-1660
Carrier: Kretschmar
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1279: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends DO PASS (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1279 was placed on the Eleventh order on the calendar.

2001 SENATE POLITICAL SUBDIVISIONS

HB 1279

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1279

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date March 1, 2001

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|-----------|
| 1 | X | | 39.2-55.0 |
| | | x | 3.5-6.5 |
| March 2, 2001 | | x | 0.0-9.0 |
| Committee Clerk Signature <i>Mary Jo Wacker</i> | | | |

Minutes:

The hearing was opened on HB1279; relating to statements of full consideration on deeds. All the senators were present except for Senator Flakoll who was absent.

REPRESENTATIVE KRETSCHMAR: Introduced HB 1279, also a sponsor of this bill to ease the burden on lawyers. We have a provision in our statutes and its been there a number of years that requires a little certificate on a deed or contract for deed when its recorded. Sometimes deeds say that the consideration is one dollar and other valuable consideration or something like that and then either you have to state the full consideration on this certificate or fill out another form that shows it. The purpose of the law is to give I believe the state tax department or equalization board or whatever some information on what sales of property are doing around the state of North Dakota for their tax studies and so forth. One of the provisions or the bill that is before you would provide that if the document, deed, or the contract for deed does state the full consideration for, the price being paid for the property in the transaction then there would be no

need to put on another certificate and say twice on the deed that were selling this for \$50000 and below also say the dollar amount. It just seems to me that is a duplication that is kind of unnecessary. It would make it a little easier for people who are drawing deeds for the people who are registering deeds office in the recording of these instruments. Senator Traynor, I believe is a cosponsor on the deed with me, he testified in the House committee. He sent me a note this morning that he has some other hearing regarding Devils Lake water, that he is at, and he couldn't come. But he is fully supportive of the bill and would urge the committee to pass it as I will do now too. SENATOR LEE: I see a lot of these myself and I just have a hard time thinking that the one little sentence is such a really big deal, because if it says a \$1.00 and other good and valuable considerations that's the way the computer spits out the deed. And then the additional sentence that says that the grantee is signing thing at the purchase price of \$95000 is just another sentence which on the bottom of the deed. Would this have to be, so I don't think this would be a lot of work. But my real question is whether or not this is going to interfere at all with the ability of the person buying and selling to not have full consideration on the deed. If this were a perfect state, all disclosures would be made on all property bought and sold and that would make it easier for assessment purposes for everyone to absorb his equal share of the responsibility. But this legislature has chosen never to do that. So long as its possible for people not to tell what their buying and selling for I want that option to remain that way. In other words, if I, I did, we bought a different home three years ago. I don't figure its anybody's business to know what we paid for our home. So the deed says a dollar and other good and valuable considerations and I sent the form out to the State Board of Tax Equalization where the information comes back to the county as statistical information, but not specific information. As long as the state prefers to do it that way I want to make sure we continue to leave that option open. If this is only saying you can

stick the settle price in the deed and not have the other sentence, I have a little less problem with that. The question was whether or not it interferes with the ability to not disclose the sale price, because all I see is "C" on the bill and I haven't looked up the rest of the code.

REPRESENTATIVE KRETSCHMAR: I do not in any way want to lesson the ability of the state to inquire this information or change the law in any way. It just would have provide that when the instrument on its face states the full consideration or the purchase price or whatever you want to call it, that they you don't have to put it down again. I certainly don't want to change the law that requires if someone puts one dollar or other valuable consideration on their deed that is the consideration that they either put the full price in this little paragraph on the deed or they fill out the other form that is sent into the state tax department or which ever agency it goes to. No it is not my intent at all to change any of that, its just if on the face of the deed or the contract for deed states the full consideration or the full purchase price for the property that you don't have to put it down again. That would I believe the effect of this bill. I really in my experience I have never seen a contract for deed that didn't say the purchase price of the property. Deeds are quite a few that don't say any. SENATOR LEE: Representative Kretschmar, does it make any difference that the seller signs the deed and the buyer signs the statement, at the bottom of the deed?

REPRESENTATIVE KRETSCHMAR: Under current law, I think that neither the seller or somebody or the agent does that. It would seem to me if the people who are signing the deed, selling the property it says on top this property is being sold for \$50,000 in full consideration that should be enough. CLAUS LEMBKE: North Dakota Association of Realtors. We have taken a look at this bill and we have the same concerns that Senator Lee did. But we are comfortable the way that it is written that allows you to do that. It still allows you the privacy that is respected here. If you want the privacy, if you want it non disclosed, you don't put it on the face of the

deed, you file that additional statement of full consideration which it calls. We support this bill.

SENATOR LYSON: Claus, if I am reading this thing right, what are we doing? Are we saving

them five minutes of work? CLAUS LEMBKE: Senator Lyson, no, were saving them some fee

for having to file an additional statement that some attorneys charge or some don't. Some handle

through the realtors, some of the closing agents some charge for it and some don't. But if an

attorney does it up there is an additional charge. It is not necessary if your comfortable with

disclosing that. I also see that the benefit to the register of deed that if it says specifically on the

contract for deed if it says on there what it is they don't have to sit in judgment whether it is or

isn't. SHEILA DALEN: Ward County Register of Deeds, spoke in neutral testimony of this bill.

See written attached testimony. Ms. Dalen then explained the two deeds attached to her

testimony. SENATOR WATNE: We had another bill here, a Senate bill before the crossover,

that dealt with the mortgages and the recording and the amounts. I had told you today that Don

Talbert who is our tax assessor, where they need amounts. Well if they don't have the mortgage

amount, we don't have the deed amount who else besides our tax assessor needs this

information? Do you know? SHEILA DALEN: Senator Watne, The tax department needs the

information, the assessors use it, the appraisers use it. I am assuming some of the banks may use

it. I am not certain who all accesses that information. But, as far as being on the deed I guess,

we're more concerned with if we leave this bill the way it is, it's the seller saying how much he

sold it for, or the drafter of the deed that is putting that amount of money. The purchaser, the

person buying that land has not signed anything saying what he paid. That is where our concern,

we don't want to be in position where we have to put down a dollar amount. SENATOR LEE:

for the statement that is on the deed indicated the key signature indicating what is the full

consideration is? Or is part of the fee just for recording back to you? SHEILA DALEN: In the

register of deeds office there is no additional fee for that payment. I don't know if attorneys charge extra to put that on your deed, but I know we have the stamps available at our offices that at several times when the person coming in recording has not done it. We stamp it and they enter the information. There is no charge for that on our end. CHUCK KRUEGER: State Supervisor of Assessments in the Office of the State Tax Commissioner. We're hear this morning neither to support or oppose this particular legislation, however, we would like to point out a couple of concerns of ours which we think are concerns that are going to effect the statement of full consideration and are probably unintended as part of this legislation. One of the things that we are concerned about is with the register of deeds have in regard to examining the documents that are coming in reading through them and trying to find where in the document the full consideration might be stated. The second thing is as was pointed out previously is that the Register of Deeds is then going to have to make a judgment call or decision as to whether or not the provision for full consideration was met. And then secondly, I guess the other concern that we have is in regard to the fact that it may further weaken the provisions of the full consideration bill, because under current law the grantee is required to take some positive action when they file a deed, they must state on the deed and usually with their signatures required stating what they paid for the property or that they have filed the information with the register of deeds, the state board of equalization, or that the document had met some of the provisions for being exempt from filing the full disclosure or sale price. SENATOR WATNE: Chuck, could you give me examples of exemptions? CHUCK KRUEGER: There are a number of exemptions provided for by law, they are not required to provide statements if the grantee or the grantor is a public utility, transfer of property is between family members or affiliated corporations, they are not required to file a statement of full consideration. Settlements of estates, transfers of property which involve

Page 6

Senate Political Subdivisions Committee

Bill/Resolution Number HB1279

Hearing Date March 1, 20001

estate settlemen are not required to file a statement of consideration. Quick claim deeds.

foreclosure sale like a mortgage foreclosure or a tax deed. Those types of deeds are not required to have any full consideration as well as any property where there has been a foreclosure or a judgment.

Hearing Closed HB1279.

March 2, 2001 Tape 1, Side 2, Meter # 0.0-9.0

Senator Cook asked the committee to resume discussion on HB1279

After lengthy discussion the committee came to a decision.

Senator Lee moved a Do Not Pass

Senator Christenson- 2nd

Roll call vote: 7 Yeas

Carrier: Senator Lee

Date: Mar. 2, 2001
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. *H. B. 1279*

| Senate | Political Subdivisions | Committee |
|--------|------------------------|-----------|
|--------|------------------------|-----------|

☐ Subcommittee on _____
or _____

☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Sen. Lee Seconded By Sen. Christenson

[illegible]

Total (Yes) 7 No 0

Absent 1

Floor Assignment Senator Lee

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 5, 2001 8:06 a.m.

Module No: SR-37-4777
Carrier: Lee
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1279: Political Subdivisions Committee (Sen. Cook, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1279 was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

HB 1279

To: Chairman Froseth and Members – Political Subdivisions

Fr: Sheila Dalen – Legislative Chairperson, Register of Deeds Association

RE: HB1279

Our testimony here today is to point out some confusion that could come with the changing of NDCC 11-18-02.2.1c

Under current law the Register of Deeds shall not record any deed unless it contains one of the statements required in subsection 1. This has us in the position to monitor this and decide if the grantee has in fact followed the requirements of this section prior to recording a deed.

Under 11-18-02.2.1c it is currently a requirement that the grantee or agent must sign a statement showing the statement of full consideration paid for the property.

In the written testimony I have provided you, I have tried to show by highlighting for you where, when a deed is drafted there is a portion of the deed that states: For and in consideration of the sum of _____. As you can see on the copies of the two deeds I have provided, this is usually a generic statement that has either \$1.00 or \$10.00 on it. There then is a statement somewhere on the deed, which I have also highlighted for you that the grantee has provided showing the full consideration paid.

Our concern is if the law is changed, the deeds will continue to come in with the generic statement of 1.00 or 10.00 and not the true consideration. Are we then to accept these deeds for recording? We do not want to be in a position of deciding if in fact this is the statement of full consideration prior to recording it. Current law had the Register of Deeds only responsible for making sure the statement was there and signed by a grantee or agent.

With the statement signed by the grantee removed from the law. The Register of Deeds position would have to be whether it states 1.00 or 10,00.00 up above there; the recording requirement has been met. We wonder if the law then would be accomplishing what it had originally been intended to do.



2789572

Page: 1 of 2
12/09/2000 12:44p
18 of Ward County, ND

DEVINE ABSTRACT CO 0

WARRANTY DEED

MD 368140000130

THIS INDENTURE, Made this 27th day of November, 2000, between Robert J. Rhoads, a/k/a/ Robert Jay Rhoads, a single person, Grantor, whether one or more, and Michael M. Manning and Sara A. Manning, husband and wife, Grantees, whose post office address is 3117 2nd Street SE, Minot, ND 58701.

WITNESSETH, For and in consideration of the sum of TEN AND MORE DOLLARS, Grantor does hereby GRANT, to the Grantees, as joint tenants and not as tenants in common, all of the following real property lying and being in the County of Ward and State of North Dakota, and described as follows, to-wit:

Lot 13, Interchange 7th Addition to the City of Minot, Ward County, North Dakota.

And the said Grantor for himself, his heirs, executors and administrators, does covenant with the Grantees that he is well seized in fee of the land and premises aforesaid and has good right to sell and convey the same in manner and form aforesaid; that the same are free from all incumbrances, except installment of special assessments or assessments for special improvements which have not been certified to the County Auditor for collection, and the above granted lands and premises in the quiet and peaceable possession of said Grantees, against all persons law fully claiming or to claim the whole or any part thereof, the said Grantor will warrant and defend.

I certify that the full consideration paid for the Property described in this deed is

WITNESS, The hand of the Grantor:
\$ 115,900--

Signed

K. Engle 12/1/00
Grantee or Agent Date

Robert J. Rhoads

Robert J. Rhoads, a/k/a Robert Jay Rhoads

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF WARD)

On this 27th day of November, 2000, before me, personally appeared Robert J. Rhoads, a/k/a Robert Jay Rhoads, a single person, known to me to be the person who is described in and who executed the within and foregoing instrument, and acknowledged to me that he executed the same.

Karen Holt

, Notary Public

KAREN HOLT
Notary Public, STATE OF NORTH DAKOTA
My Commission Expires JAN. 12, 2002

Ward County, North Dakota

My Commission Expires: 1-12-2002

C:\WPFILES\DEEDS\Rhoads.wd



2789300

Page 1 of 2

11/29/2000 10:40a

10 00 Ward County, ND

JOEL BALDWIN

MTL 261810.300.210

WARRANTY DEED

This GRANT made this 27 day of November, 2000, by and between Judy Zenz, f/k/a Judy K. Knox, a widow, of 2802 18th Avenue SW, Minot, North Dakota 58701, GRANTOR and Esther V. Rodacker, a widow of 915 Jefferson Drive, Minot, North Dakota 58701, GRANTEE.

WITNESSETH, That for and in the consideration of the sum of one dollar and other good and valuable consideration GRANTOR does hereby SELL, CONVEY and GRANT to the GRANTEE, all of the following real property lying and being in the County of Ward and the State of North Dakota, and described as follows:

Lots 23 and 24, Block 3, Keyes Amended Plat of the SE1/4SE1/4, Section 20, Township 155 North, Range 82 West

I certify that the full consideration paid for the property is Nineteen Thousand Dollars (\$19,000.00).

Agent: [Signature]Date: 11-27-00

TO HAVE AND HOLD the said premises with their appurtenances unto the said GRANTEE, her successors or assigns, FOREVER. And the said GRANTOR does hereby covenant to and with the said GRANTEE, that she is the owner in fee simple of said premises; that it is free from all encumbrances, that the GRANTOR and all persons acquiring any interest in the same through or for her on demand will execute and deliver to the GRANTEE, at the expense of the GRANTOR, any further assurance of the same that reasonably may be required, and that the GRANTOR will warrant to the GRANTEE all the said property against every person lawfully claiming the same.

WITNESS, The hand of the GRANTOR.

[Signature]
JUDY ZENZ

STATE OF NORTH DAKOTA
COUNTY OF WARD

On this 27 day of November, 2000, before me, a notary public appeared Judy Zenz, known to be the person described in and who executed the within and foregoing instrument and acknowledged that she executed the same.

[Signature]
Notary Public Joel K. Baldwin
Ward County, North Dakota
My commission expires: 7-12-00

7-12-02

TO: Chairman Dwight Cook and Members - Political Subdivisions
FR: Sheila Dalen - Legislative Chairperson Register of Deeds
Ward County Register of Deeds
RE: HB1279

Good morning Chairman Cook and Senators, I am Sheila Dalen, Ward County Register of Deeds and I am presenting testimony today on behalf of the Register of Deeds Association.

In the House our group took a neutral position on this bill, we provided testimony and tried to point out the confusion we thought the change to this bill would cause. It passed the house very favorably. Yet we are still concerned about this bill.

We see the generic statement on the instruments causing confusion if the amount of consideration is not actually a statement of consideration paid, but a generic statement that has been used for years. By removing the requirement for the grantee or person purchasing the property to sign the additional statement that it is in fact what was paid, who will know if what is on the deed is correct?

These statements are of no value to the Register of Deeds, they are used by others in determining what property sells for such as the State Tax Department, the Assessors, Appraisers etc. We are involved only as a prerequisite to recording the instruments. We ultimately^{do} feel those I just mentioned may no longer get the information they are looking for, but our position is just that of a recording office.

We do prepare monthly reports that are sent to the State Tax Department that include this information, and this bill could effect the Information we are relaying to them as well.

I have attached a couple of examples of deeds showing the generic statement usually placed in the body of a deed, and then below the statement that could be eliminated in this bill. Here lies our concern, if the drafter does not change the generic statement to include a more specific or accurate cost, we are in no position (and should be in no position) to reject it for recording. We do not have the authority or legal background to question the statements on the instruments and can not be in the position of making phone calls or returning instruments to determine if the person recording has in fact met the recording requirement.

We want to be sure all parties are aware that we feel this change would put the Registers in the position to record an instrument, whether the statement says \$1.00 or \$10.00 or \$10,000.00 as the consideration. The recording prerequisite has been met. We are not in a position to police this statement, only to be sure it is there.

We wanted to make the Senators aware of this as you consider HB1279.



kensrud@co.cass.nd.
us

02/28/01 09:07 PM

To: jlee@state.nd.us

cc:

Subject: HB 1279 Relating to statements of full consideration on deeds

FROM:

NAME:

ADDRESS:

Deanna Kensrud
2514 E Country Club Drive
Fargo, ND 58103

Senator Lee:

I am writing to express my concern relating to HB 1279. If this bill passes, the certificate would not be required on a deed if the instrument otherwise shows the amount of full consideration. I believe that this change would cause

confusion for the Register of Deeds offices. If there is no signed statement on the document but there is

wording such as one dollar and other valuable consideration, we may have to record it even though \$1.00 may not be the correct amount paid for the property. In addition to the confusion for the recording officers, the County Assessors and the State Tax Department may not receive the correct information.

Sincerely,

Deanna Kensrud
Cass County Register of Deeds