

Introduced by

Representatives Keiser, Beadle

Senator Klein

1 A BILL for an Act to amend and reenact sections 43-01-15.1 and 43-01-18 of the North Dakota  
2 Century Code, relating to fees charged by abstracters.

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

4 **SECTION 1. AMENDMENT.** Section 43-01-15.1 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **43-01-15.1. Surface abstracts and mineral abstracts to be furnished upon request -**  
7 **Zoning and subdivision exclusion upon request.**

8 An abstracter shall furnish an abstract of title to the surface of any tract of land, when  
9 requested to do so, omitting therefrom all instruments of transfer or conveyance of mineral  
10 rights, royalties, and other mineral interests except instruments which sever mineral rights or  
11 royalties from surface rights. In addition to such surface abstract, an abstracter shall, when  
12 requested to do so, furnish a list showing the names of the grantor and grantee and the  
13 recording data of all instruments in the chains of title which transfer or convey mineral rights,  
14 royalties, or other mineral interests and which are not included in the surface abstract. For each  
15 instrument searched and listed, but not included in the surface abstract, an abstracter may  
16 charge a fee of ~~one dollar and fifty cents, and no more~~ not to exceed three dollars. When  
17 requested to do so, an abstracter shall furnish a mineral abstract of any chain of title to the  
18 minerals of any tract of land which shall consist of the instrument severing the mineral rights or  
19 royalties from the surface rights and include all instruments of transfer or conveyance of mineral  
20 rights, royalties, and other mineral interests. If requested, such mineral abstract may be  
21 combined with a surface abstract of all instruments affecting title to the tract of land to and  
22 including the instrument severing the mineral rights, royalties, or other mineral interests being  
23 abstracted. Further, when requested to do so, an abstracter shall omit zoning and subdivision

1 ordinances but shall note and exclude them from the abstract of title. An abstracter may charge  
2 a per entry fee under section 43-01-18 for each omitted zoning and subdivision ordinance.

3 **SECTION 2. AMENDMENT.** Section 43-01-18 of the North Dakota Century Code is  
4 amended and reenacted as follows:

5 **43-01-18. Fees chargeable by abstracter.**

6 An abstracter may charge no more than the following fees for making and certifying to an  
7 abstract:

- 8 1. For each entry on an abstract or continuation of an entry on an abstract, ~~ten~~fifteen  
9 dollars.
- 10 2. For a complete certification covering the records of the several county offices, one  
11 hundred fifty dollars.
- 12 3. For a certification covering lands in excess of one quarter section [64.75 hectares] in  
13 the same abstract of title and for each quarter section [64.75 hectares] or portion of a  
14 quarter section in excess of one, an additional fee of ~~ten~~fifteen dollars.
- 15 4. For a certification covering premises in more than one block in any subdivision in the  
16 same abstract of title and for the premises in each additional block in excess of one,  
17 an additional fee of ~~ten~~fifteen dollars.
- 18 5. For each name searched for judgments, real estate taxes, bankruptcy proceedings,  
19 federal tax liens, and state tax liens, ~~five~~ten dollars and fees charged to the abstracter  
20 by a governmental agency or governmental entity.
- 21 6. The fees as may be fixed by special statute.