

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~~twenty~~ dollars for the first page and three dollars for each
9 additional pagedocuments containing one to ~~four~~six pages and ~~sixty~~sixty-five
10 dollars for documents containing more than ~~four~~six pages plus three dollars for
11 each additional page after the first twenty-five pages. In addition, for all
12 documents recorded under this section that list more than ~~five~~ten sections of
13 land, a fee of one dollar for each additional section listed which is to be recorded
14 in the tract index. Three dollars of the fee collected for the first page of each
15 instrument recorded under this subdivision must be placed in the document
16 preservation fund.

17 (1) "Page" means one side of a single legal size sheet of paper not exceeding
18 eight and one-half inches [21.59 centimeters] in width and fourteen inches
19 [35.56 centimeters] in length.

20 (2) The printed, written, or typed words must be considered legible by the
21 recorder before the page will be accepted for recording and, unless the form
22 was issued by a government agency, must have a font size equal to or
23 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 be levied in accordance with the
12 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 ~~twenty~~ dollars for documents
17 containing one to ~~four~~ six ~~pages,~~ ~~sixty~~ sixty-five ~~dollars for documents containing~~
18 more than ~~four~~ six ~~pages plus three dollars for each additional page after the first~~
19 twenty-five pages, ~~and~~ three dollars for each such additional document number
20 or book ~~and page~~ after the first ten referenced instruments. In addition, for all
21 documents recorded under this section which list more than ~~five~~ ten separate
22 sections of land, a fee of one dollar for each additional section listed which is to
23 be recorded in the tract index. Three dollars of the fee collected for ~~the first page~~
24 ~~of each instrument recorded under this subdivision must be placed in the~~
25 document 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.