



NDSPLS ADMINISTRATIVE OFFICE  
PO Box 7370  
Bismarck, ND 58507  
Phone: 701-223-3184  
E-mail: [info@ndspls.org](mailto:info@ndspls.org)  
Website: [www.ndspls.org](http://www.ndspls.org)  
Date: February 2, 2025

**To: Chairman Barta, Members of the Senate Industry and Business Committee.**

NDSPLS is made up of over 100 members, many of which are Registered Professional Land Surveyors who live and practice in the State of North Dakota. There are approximately 500 Registered Land Surveyors who are licensed to practice in ND. We are licensed and regulated by the North Dakota State Board of Registration for Professional Engineers and Professional Land Surveyors. Our mission and objective is: to unite all of the Professional Land Surveyors in the State of North Dakota; to elevate the standards of the surveying profession; to establish basic minimum standards and requirements for surveys; to assist in promoting legislative and educational programs to improve the professional status of the Land Surveyor; to work in cooperation with local, county, state, federal and tribal governments in our field of endeavor; to uphold a rigid code of ethics; to strive to improve our relations with our clients and the public by doing our work with precision and integrity; and to maintain a good relationship between Land Surveyors and Engineers.

**The North Dakota Society of Professional Land Surveyors is OPPOSED to Senate Bill No. 2356.**

This bill appears to diminish the effect of *NDCC 57-02-39 – Irregularities of land to be platted into lots if required*. This is very concerning to NDSPLS as this bill would appear to require the recording of deeds and contracts for deeds containing insufficient and ambiguous land descriptions. Furthermore, this bill does not appear to differentiate between existing tracts of record and new tracts created by division. The surveying profession's understanding of the rationale and application of *NDCC 57-02-39* is aligned with the recently decided North Dakota Supreme Court case *Nordquist v. Alonge, 2024 ND 157*. The auditor's certificate of transfer is a prerequisite for the recording of a deed or a contract for deed. The rejection of a deed containing an insufficient or ambiguous land description rests with the auditor, not the recorder. In review of *Nordquist* and other codes, it is clear this bill fails to appreciate the totality of other applicable codes affecting the platting, transfer and recording of property conveyances, particularly in Titles 11, 40 and 57.

Overall, NDSPLS believes *NDCC 57-02-39* is an important mechanism to maintain a coherent system of land records in North Dakota, to promote an orderly approach to the division of property, and to minimize the chaos that is caused by ambiguous land descriptions which often result in increased surveying and legal fees to correct. This bill appears to upend a system that is working and will only cause more confusion.

**Therefore, NDSPLS urges a DO NOT PASS on Senate Bill No. 2356.**

Respectfully submitted,

Aaron Hummert, PLS  
Chair of the Legislative Committee  
North Dakota Society of Professional Land Surveyors