

Introduced by

Representatives S. Meyer, Froelich, Nelson, Onstad

Senators Krauter, Lyson

1 A BILL for an Act to amend and reenact section 43-01-15.1 of the North Dakota Century Code,
2 relating to apportionment of abstractor fees.

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

Fifty-ninth
Legislative Assembly

- 1 mineral interest owners based upon the interest owned by each in the surface estate and the
- 2 mineral estate.