

SENATE BILL NO. 2220

Introduced by

Senator Holmberg

1 A BILL for an Act to amend and reenact section 11-18-01 of the North Dakota Century Code,
2 relating to recording of instruments by the county recorder.

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

4 **SECTION 1. AMENDMENT.** Section 11-18-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **11-18-01. Recorder's duties - Recording and filing instruments - Abstracts.**

7 1. The recorder shall:

8 ~~4.~~ a. Keep a full and true record, in proper books or other storage media provided
9 for that purpose, of each patent, deed, mortgage, bill of sale, security
10 agreement, judgment, decree, lien, certificate of sale, and other instrument
11 required to be filed or admitted to record, if the person offering the instrument
12 for filing or recording pays to the recorder the fees provided by law for the
13 filing or recording.

14 ~~2.~~ b. Endorse upon each instrument filed with the recorder ~~for record or otherwise~~
15 the date and the hour and minute of the day of the filing or recording.

16 ~~3.~~ c. When the instrument is recorded or filed, endorse on the instrument the book
17 and page or document number, the date, and the hour and minute of the date
18 when it was recorded or filed with the recorder.

19 ~~4.~~ d. Prepare a security agreement abstract whenever any person requests the
20 agreement and pays the required fee.

21 ~~5.~~ e. Furnish upon written or telephonic request to persons the information
22 contained in financing statements filed to perfect a security interest pursuant
23 to chapter 41-09 when the collateral is farm products, and to provide written

1 confirmation of the oral information provided upon receipt of a fee which shall
2 be the same as for recording that instrument.

3 2. The recorder shall record every instrument presented for recording for which the
4 recording fees are paid if the instrument is executed or acknowledged as required
5 by law, contains a legal description, and has all other statutory requirements.

6 3. If the legal description appears to be erroneous or incomplete, the recorder shall
7 record the document and shall, to the extent possible, index the document.