

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

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

19 (2) The printed, written, or typed words must be considered legible by the
20 recorder before the page will be accepted for recording and, unless the form
21 was issued by a government agency, must have a font size equal to or
22 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 recording information can only be placed~~
8 ~~on the reverse side of an instrument~~ a space of at least three inches [7.62
9 centimeters] is not provided across the top of the first page, the recorder
10 shall add a page, and an additional page charge must may not be levied in
11 accordance with the fee structure.
- 12 b. Instruments satisfying, releasing, assigning, subordinating, continuing, amending,
13 or extending more than ~~one instrument~~ ten instruments previously recorded in the
14 county in which recording is requested, ~~ten dollars for the first page and three~~
15 ~~dollars for each additional page plus~~ a fee of fifteen dollars for documents
16 containing one to four pages, sixty dollars for documents containing more than
17 four pages plus three dollars for each additional page after the first twenty-five
18 pages, and three dollars for each such additional document number or book and
19 page after the first ten referenced instruments. In addition, for all documents
20 recorded under this section which list more than ~~five~~ ten separate sections of
21 land, a fee of one dollar for each additional section listed which is to be recorded
22 in the tract index. Three dollars of the fee collected for ~~the first page of each~~
23 instrument recorded under this subdivision must be placed in the document
24 preservation fund.
- 25 c. Plats, twenty dollars for twenty lots or fewer and fifty dollars for more than twenty
26 lots.
- 27 d. All instruments presented for recording after June 30, 2001, must contain a
28 one-inch [2.54-centimeter] top, bottom, or side margin on each page of the
29 instrument for the placement of computerized recording labels. An instrument that
30 does not conform to this margin requirement may be recorded upon payment of
31 an additional fee of ten dollars.