

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/17/03

A Bill

HOUSE BILL 2819

5 By: Representative Lamoureux
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For An Act To Be Entitled

9 AN ACT TO REQUIRE THE COUNTY RECORDER TO DOCUMENT
10 CERTAIN INFORMATION REGARDING THE ASSIGNMENT OF A
11 MORTGAGE, DEED OF TRUST, OR OTHER LIEN; AND FOR
12 OTHER PURPOSES.
13

Subtitle

15 AN ACT TO REQUIRE THE COUNTY RECORDER TO
16 DOCUMENT CERTAIN INFORMATION REGARDING
17 THE ASSIGNMENT OF A MORTGAGE, DEED OF
18 TRUST, OR OTHER LIEN.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 *SECTION 1. Arkansas Code § 14-15-414(a), concerning the index of*
24 *deeds, mortgages, or other instruments in writing concerning lands and*
25 *tenements recorded by each county recorder, is amended to add a new*
26 *subdivision to read as follows:*

27 *(a)(1) Each recorder shall provide and keep in his office a well-bound*
28 *book and make and enter in the book an index, in alphabetical order, to all*
29 *books of record wherein deeds, mortgages, or other instruments in writing*
30 *concerning lands and tenements are recorded, distinguishing the books and*
31 *pages in which every deed or writing is recorded.*

32 *(2) The index shall contain:*

33 *(A) The names of the several grantors and grantees, in*
34 *alphabetical order;*

35 *(B) In case the deed is made by a sheriff, the name of the*
36 *sheriff and the defendant in the execution;*



1 (C) If by executors or administrators, their names and the
2 names of their testator or intestate;

3 (D) If by attorney, the name of the attorney and his
4 constituent; and

5 (E) If by a commissioner, the name of the commissioner and
6 the person whose estate is conveyed.

7 (3) Each recorder shall make a reference in the several indexes
8 of all deeds and conveyances which may be recorded, so as to afford, at all
9 times, an easy reference to the records.

10 (4)(A) If an assignment or a satisfaction or release of a
11 mortgage, deed of trust, or other lien is presented for recording, the
12 assignment, satisfaction, or release shall state:

13 (i) The date the mortgage, deed of trust, or other
14 lien was recorded; and

15 (ii) The instrument number, book and page numbers,
16 or other recording reference at which the mortgage, deed of trust, or other
17 lien appears of record.

18 (B) The recorder shall note in the index of the book or
19 record in which the assignment, satisfaction, or release is recorded:

20 (i) The book and page numbers, instrument number or
21 other recording reference for the mortgage, deed of trust, or other lien
22 assigned, satisfied, or released; and

23 (ii) The name of the mortgagor or grantor under
24 which the mortgage, deed of trust, or other lien is indexed.

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27 /s/ Lamoureux
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