

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

*As Engrossed: H3/12/99*

# A Bill

HOUSE BILL 2018

5 By: Representative Luker  
6  
7

## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 14-15-403 TO REQUIRE A  
10 COVER SHEET ON ALL RECORDED INSTRUMENTS; AND FOR OTHER  
11 PURPOSES. "

### Subtitle

14 "AN ACT TO AMEND ARKANSAS CODE 14-15-403  
15 TO REQUIRE A COVER SHEET ON ALL RECORDED  
16 INSTRUMENTS. "

17  
18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 *SECTION 1. Arkansas Code 14-15-403 is amended to read as follows:*

22 *"14-15-403. Instruments affecting title to property.*

23 *(a) No instrument by which the title to real estate or personal*  
24 *property, or any interest therein, or lien thereon, is conveyed, created,*  
25 *encumbered, assigned, or otherwise affected or disposed of shall be received*  
26 *for record or filing by the recorder unless:*

27 *(1) The name and address of the person who, and the governmental*  
28 *agency, if any, which, prepared the instrument appears on the face of the*  
29 *first page thereof; and*

30 *(2) The name is either printed, typewritten, stamped, or signed*  
31 *in a legible manner.*

32 *(b) An instrument will be in compliance with ~~this section~~ subsection (a)*  
33 *if it contains a statement in the following form:*

34  
35 *'This instrument was prepared by . . . . .'*

36 *(name) (address)*

1 (c) The receipt for record or filing of any instrument by the recorder  
2 without complying with the provisions of this section shall not prevent the  
3 instrument from becoming notice as provided by law.

4 ~~(d)(1) Any fee charged by the recorder for recording or filing of any  
5 instrument which does not conform with the provisions of this section shall be  
6 returned by the recorder to the person who paid the fee upon request, if made  
7 within six (6) months after recording or filing of the instrument.~~

8 ~~(2) If no such request is made within that time, the fee shall be paid  
9 into the county general fund by the recorder. All instruments filed with the  
10 county recorder and requiring a certificate of record shall contain a cover  
11 sheet completed and attached by the person or entity filing the instrument.  
12 Such cover sheet shall be in compliance with this section if it substantially  
13 conforms to the form prescribed in subsection (e) of this section. In  
14 addition, each and every page of each recorded instrument shall contain a one  
15 inch (1") margin on all four (4) sides of the instrument. There shall be no  
16 charge for the filing of the cover sheet. Any errors in the cover sheet shall  
17 not affect the transactions contained in the instrument itself.~~

18 (e) The cover sheet required in subsection (a) shall be in substantially  
19 the following form:

20 Return recorded deed to:

21 .....

22 .....

23 .....

24 Type of Document: \_\_\_\_\_

25 Grantor: \_\_\_\_\_

26 Address: \_\_\_\_\_

27 Grantee: \_\_\_\_\_

28 Address: \_\_\_\_\_

29 Plat Reference: \_\_\_\_\_

30 Prior Instrument Reference: \_\_\_\_\_

31 Special Notations: \_\_\_\_\_

32 Send tax bill to: \_\_\_\_\_ DOCUMENTARY STAMP INFORMATION

33 \_\_\_\_\_ (Documentary Stamps required by

34 \_\_\_\_\_ State Law if consideration is

35 \_\_\_\_\_ \$100.00 or more. Stamps are

36 \_\_\_\_\_ \$3.30 per thousand).

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I certify under the penalty of false swearing that the legally correct amount of documentary stamps have been placed on this document.

\_\_\_\_\_  
Grantor or Grantee's Agent

This instrument prepared by:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

~~(e)~~(f) This section does not apply to any instrument executed prior to August 1, 1959, nor to any decree, order, judgment, writ of any court, will, or death certificate.

/s/ Luker