

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 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/1/07
A Bill

HOUSE BILL 1438

5 By: Representatives Lowery, Allen, T. Baker, T. Bradford, J. Brown, Cornwell, L. Cowling, Hall,
6 Harrelson, Hawkins, House, Hoyt, Kidd, Lovell, Overbey, Patterson, Shelby
7 By: Senator G. Jeffress
8
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10 **For An Act To Be Entitled**

11 AN ACT TO MODIFY THE REQUIREMENTS FOR FILING
12 INSTRUMENTS WITH A COUNTY RECORDER; AND FOR OTHER
13 PURPOSES.
14

15 **Subtitle**

16 TO MODIFY THE REQUIREMENTS FOR FILING
17 INSTRUMENTS WITH A COUNTY RECORDER.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 14-15-402 is amended to read as follows:
23 14-15-402. Instruments to be recorded.

24 (a) It shall be the duty of each recorder to record in the books
25 provided for his or her office all deeds, mortgages, conveyances, deeds of
26 trust, bonds, covenants, defeasances, affidavits, powers of attorney,
27 assignments, contracts, agreements, leases, or other instruments of writing
28 of, or writing concerning, any lands and tenements or goods and chattels,
29 which shall be proved or acknowledged according to law, that are authorized
30 to be recorded in his or her office.

31 (b)(1) To be accepted by the recorder for recording purposes, all
32 documents shall:

33 (A) Be on eight and one-half inch (8 1/2") by eleven inch
34 (11") paper;

35 (B) Have a ~~two and one half inch (2 1/2")~~ three inch (3")
36 margin at the right top of the first page, ~~one half inch (1/2") margin on the~~



1 ~~sides and bottoms of all pages~~ a minimum of one inch (1") on all other page
2 margins, and a two and one-half inch (2 1/2") margin at the bottom of the
3 last page;

4 (C) Have an area reserved on the top right of the first
5 page for the file mark of the recorder;

6 (D) Contain the following information:

7 (i) The title of the document; ~~and~~

8 (ii) The name of the grantor and grantee, when
9 applicable;

10 (iii) The date of the document;

11 (iv) The legal description on any document affecting
12 the title;

13 (v) Any statutory address; and

14 (vi) If required, the reference book and pages;

15 (E) Be acknowledged in accordance with § 16-47-207; ~~and~~

16 (F) Be legible; ;

17 (G) Be on white, twenty-pound weight paper without any
18 watermark or logo;

19 (H) Be printed in black or dark ink on one (1) side only;

20 (I) Have no continuous form or permanent binding but may
21 be stapled for presentation;

22 (J) Have no attachment to a page stapled or taped on other
23 than a securely attached bar-coded label;

24 (K) Have a minimum ten-point font type;

25 (L) Have any signature written in black or dark blue ink;
26 and

27 (M) Have each signed name typed, stamped, or printed below
28 the signature.

29 (2)(A) The recorder shall have the discretion to waive the
30 requirements of subdivision (b)(1) of this section for good cause.

31 (B) All documents and instruments executed before January
32 1, 2004, shall be exempt from the requirements of subdivision (b)(1) of this
33 section.

34 (C) All surveys and plats shall be exempt from the
35 requirements of subdivision (b)(1) of this section.

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/s/ Lowery, et al