

57-3-107 Unenforceable covenants -- Definition -- Inclusion in recorded document.

- (1) As used in this chapter, "unenforceable covenant" means a restriction on alienation of real property, whether recited in a document to be recorded under this chapter, or recited in a document of record under this chapter, which is based on race, gender, national origin, marital status, or a similar classification determined to be unenforceable under state or federal law.
- (2) A document which recites an unenforceable covenant may be recorded as provided in this chapter.
- (3) Any unenforceable covenant recited in a document to be recorded under this chapter or recited in a document of record is considered void, but does not invalidate the remainder of the document.

Amended by Chapter 163, 1999 General Session