

17-3-5 Records to be transmitted -- Expenses for transcribing and transfer.

Whenever a new county shall have been created under the provisions of this chapter, the county executive of the county from which the new county has been taken shall furnish to the respective officers of the new county, in form and on suitable paper for binding into permanent records, certified copies of all such records or parts of such records and books as pertain to or affect the title of real or personal property in such new county; such copies to be complete up to 12 o'clock noon of the first Monday in January following the election for the creation of such new county; provided, that original records, books, maps or plats, whether filed or recorded, or filed papers which exclusively relate to or affect the title to land in such new county or which affect personal property owned by residents of such new county, as shown by the records pertaining thereto, shall be transferred to the custody of the proper officer of the new county, who shall give his receipt therefor; and where any record of any county from which such new county is taken has been compiled or arranged in such manner that it may be divided by segregating such instruments therein or pages thereof as to relate to or affect exclusively the title to lands in such new county or personal property owned by residents thereof, such record shall be so divided, and the separate parts of such divided or segregated records shall be the property of the counties to which they relate.

The records of all corporations whose principal place of business is situated in the new county, unless recorded in such a manner that the original record pertaining to any such corporation may, as herein provided, be delivered over to the new county, shall be copied and certified, and such certified copy of copies, together with all original documents, files and papers relating to such corporations shall be transmitted to the new county.

All recorded official bonds of officers within the new county in force at the time it is created, unless recorded in such manner that the original record thereof may be transferred, shall be copied, certified and transmitted to the new county, and all bonds of local officers within the new county which are required by law to be filed only shall be transferred to the new county.

All official registers, books, papers and files of every description relating to or affecting elections, both general and local, which shall have been held in any district, precinct or other subdivision wholly within such new county, and certified copies of the last election proceedings had in any districts which are partly in the new county and partly in the old county shall be transmitted to the new county.

All records, maps, plats, files and papers relating to or affecting the creation, regulation and operation of irrigation, drainage and mosquito abatement districts which are wholly within the new county, and certified copies of such records, maps, plats, files and papers relating to and affecting the creation, regulation and operation of irrigation, drainage and mosquito abatement districts which are partly in the new and partly in the old county shall be transmitted to the new county.

All expenses lawfully incurred for transcribing and for the transfer of records provided for in this section shall be paid out of the general funds of the new county, and the expenses of any special election provided for in this chapter shall be paid one-half out of the general funds of the county from which territory is taken and one-half out of the general funds of the new county.

Amended by Chapter 227, 1993 General Session