

57-2a-2 Definitions.

As used in this chapter:

- (1) "Acknowledged before me" means:
 - (a) that the person acknowledging appeared before the person taking the acknowledgment;
 - (b) that he acknowledged he executed the document;
 - (c) that, in the case of:
 - (i) a natural person, he executed the document for the purposes stated in it;
 - (ii) a corporation, the officer or agent acknowledged he held the position or title set forth in the document or certificate, he signed the document on behalf of the corporation by proper authority, and the document was the act of the corporation for the purpose stated in it;
 - (iii) a partnership, the partner or agent acknowledged he signed the document on behalf of the partnership by proper authority, and he executed the document as the act of the partnership for the purposes stated in it;
 - (iv) a person acknowledging as principal by an attorney in fact, he executed the document by proper authority as the act of the principal for the purposes stated in it; or
 - (v) a person acknowledging as a public officer, trustee, administrator, guardian, or other representative, he signed the document by proper authority, and he executed the document in the capacity and for the purposes stated in it; and
 - (d) that the person taking the acknowledgment:
 - (i) either knew or had satisfactory evidence that the person acknowledging was the person named in the document or certificate; and
 - (ii) in the case of a person executing a document in a representative capacity, either had satisfactory evidence or received the sworn statement or affirmation of the person acknowledging that the person had the proper authority to execute the document.
- (2) "Notarial act" means any act a notary public is authorized by state law to perform, including administering oaths and affirmations, taking acknowledgments of documents, and attesting documents.

Enacted by Chapter 155, 1988 General Session