

Effective 11/6/2025

57-3-105 Legal description of real property and names and addresses required in documents.

- (1) Except as otherwise provided by statute, if a document for recording does not conform to this section, a person may not present the document to the office of the recorder of the county for recording.
- (2) A document executed after July 1, 2022, is entitled to be recorded in the office of the recorder of the county in which the property described in the document is located only if the document contains a legal description of the real property in accordance with Subsection (4).
- (3)
 - (a) A document conveying title to real property presented for recording after July 1, 2022, is entitled to be recorded in the office of the recorder of the county in which the property described in the document is located only if the document:
 - (i) names the grantees and recites a mailing address to be used for assessment and taxation; and
 - (ii) includes a legal description of the real property in accordance with Subsection (4).
 - (b) The address of the management committee may be used as the mailing address of a grantee as required in Subsection (3)(a) if the interest conveyed is a timeshare interest as defined by Section 57-19-2.
- (4) A legal description required under this section and Section 17-71-402 shall include a description of the real property by:
 - (a) metes and bounds;
 - (b) a government survey that:
 - (i) references the Public Land Survey System; and
 - (ii) specifies the township, range, base and meridian, and section, with aliquot part or government lot, if applicable, of the real property;
 - (c) if the real property consists of a mining claim:
 - (i) the claim name; and
 - (ii) if available, a state or federal agency serial number; or
 - (d)
 - (i) a lot, block, tract, parcel, or unit within a previously recorded plat or map;
 - (ii) station and offset with reference to centerline;
 - (iii) a centerline described using:
 - (A) a bearing and distance; or
 - (B) at least three elements of curve data;
 - (iv) a point referenced to a corner of the Public Land Survey System or other controlling corner; or
 - (v) a type of legal description not described in Subsections (4)(d)(i) through (iv) that meets the requirements described in Section 57-10-4 for a legal and satisfactory description of a land boundary.
- (5) Notwithstanding Subsections (2), (3), and (4), a master form, as defined in Section 57-3-201, that does not meet the requirements of Subsections (2) and (3) is entitled to be recorded in the office of the recorder of the county in which the property described in the master form is located if the master form complies with Part 2, Master Mortgage and Trust Deeds.

Amended by Chapter 16, 2025 Special Session 1