

**1st Sub. H.B. 288**

**REAL ESTATE CONVEYANCE AND SUBDIVISION AMENDMENTS**

HOUSE FLOOR AMENDMENTS

FEBRUARY 12, 1998 8:56 AM

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Representative **Ralph Becker** proposes the following amendments:

1. Page 2, Line 30: After "creates a" insert "residential"
2. Page 2, Line 31: After "unless" insert ": (a)"
3. Page 3, Line 1: Delete "(a)" and insert "(i)"
4. Page 3, Line 2: Delete "(b)" and insert "(ii)" and after "town" insert:  
  
": or  
(b) the land is not subject to the jurisdiction of the planning commission or legislative body of:  
(i) a city or town under Section 10-9-105; or  
(ii) a county under Section 17-27-104.5"
5. Page 3, Line 16: After "may" delete "base the determination of" and insert "determine"
6. Page 3, Line 17: After "damages" insert "or may award no damages, court costs, or attorney's fees, based"
7. Page 3, Line 18: After line 18 insert:  
  
"(c) No action for damages under Subsection (4)(a) may be brought unless it is commenced within two years after the plaintiff discovers, or through the use of reasonable diligence should have discovered, the lack of subdivision approval for the property conveyed.  
(5) The failure to include in a conveyance the notice required under Subsection (2), where Subsection (2) requires the notice, does not by itself affect the validity of the conveyance or its ability to be enforced or recorded.

(6) Subsection (4) may not be construed to impose liability on any person or firm, including a title insurer, lending institution, or real estate agent, involved in or associated with the conveyance other than the person conveying the land."