

1st Sub. S.B. 63

MODIFICATIONS TO RECORDING REQUIREMENTS

Senator **Ralph Okerlund** proposes the following amendments:

1. *Page 1, Lines 13 through 21*

Senate Committee Amendments

3-2-2009:

13 This bill:

14 { ~~authorizes the county recorder to assign a different name to a subdivision on a plat~~
15 ~~if the name duplicates one already assigned to a subdivision on a recorded plat;~~ }

16 ▶ requires landowners to sign and dedicate a plat;

17 { ~~requires a surveyor making a plat to certify that the surveyor has provided a~~
18 ~~reference to the filing number of a record of survey map, rather than that the~~
19 ~~surveyor has completed a survey;~~ }

20 ~~requires the filing of a surveyor's affidavit by a surveyor who sets monuments~~
21 ~~during construction if that surveyor is not the same surveyor who made the plat;~~ }

2. *Page 3, Lines 72 through 73*

Senate Committee Amendments

3-2-2009:

72 (1) { ~~(a)~~ } Unless exempt under Section 10-9a-605 or excluded from the definition of
73 subdivision under { ~~Subsection~~ } Section 10-9a-103 { ~~(44)~~ } , whenever any land is laid out and
platted, the

3. *Page 3, Line 75*

Senate Committee Amendments

3-2-2009:

75 { ~~+~~ } (a) { ~~+~~ } { ~~(i)~~ } a subdivision name [~~or designation of the subdivision~~] that is distinct
from any

4. *Page 3, Line 77*

Senate Committee Amendments

3-2-2009:

77 { ~~+~~ } (b) { ~~+~~ } { ~~(ii)~~ } the boundaries, course, and dimensions of all of the parcels of ground
divided,

5. Page 3, Line 81

Senate Committee Amendments

3-2-2009:

81 {+} (c) {+} ~~{(iii)}~~ the lot or unit reference, block or building reference, street or site
address,

6. Page 3, Line 84 through Page 4, Line 88

Senate Committee Amendments

3-2-2009:

84 {+} (d) {+} ~~{(iv)}~~ every existing right-of-way and easement grant of record for
underground

85 facilities, as defined in Section 54-8a-2, and for other utility facilities.

86 ~~{(b) The county recorder may assign a different name to a subdivision on a plat~~

87 ~~submitted for recording if necessary to make the plat comply with the requirement of~~

88 ~~Subsection (1)(a)(i).~~}

7. Page 4, Lines 104 through 118:

104 (ii) has {+} completed a {+} ~~{provided a reference to the filing number of a record of}~~
survey

105 ~~{map}~~ of the ~~{existing}~~ property ~~{boundary}~~ described on the plat ~~{and filed}~~ in
accordance with

106 Section 17-23-17 {+} and has verified all measurements; and {+} ~~{and}~~

107 (iii) has placed monuments as represented on the plat {+} . {+} ~~{and}~~

108 ~~——(iv) has indicated monuments to be set during construction.~~

109 ~~——(c) If a monument is set during construction by a surveyor other than the surveyor who~~

110 ~~made the plat, the surveyor setting the monument shall record a surveyor's affidavit in the~~

111 ~~office of the county in which the property is located indicating:~~

112 ~~——(i) that the surveyor setting the monument holds a license in accordance with Title 58;~~

113 ~~Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;~~

114 ~~——(ii) that each monument is set in the location specified on the plat;~~

115 ~~——(iii) that the surveyor setting the monument has verified all measurements;~~

116 ~~——(iv) the location of each street and lot monument that varies from the monuments~~

117 ~~specified on the plat; and~~

118 ~~——(v) the physical description of each monument set.}~~

8. Page 5, Line 119

Corrected Senate Committee

9. Page 15, Lines 454 through 455:

454 (1) ~~{(a)}~~ Unless exempt under Section 17-27a-605 or excluded from the definition of
455 subdivision under ~~{-Subsection}~~ Section 17-27a-103 ~~{(48)}~~, whenever any land is laid out and
platted, the

10. Page 15, Line 457:

457 ~~{+}~~ (a) ~~{+}~~ ~~{(i)}~~ a subdivision name ~~[or designation of the subdivision]~~ that is distinct
from any

11. Page 15, Line 459:

459 ~~{+}~~ (b) ~~{+}~~ ~~{(ii)}~~ the boundaries, course, and dimensions of all of the parcels of ground
divided,

12. Page 16, Line 463:

463 ~~{+}~~ (c) ~~{+}~~ ~~{(iii)}~~ the lot or unit reference, block or building reference, street or site
address,

13. Page 16, Line 466:

466 ~~{+}~~ (d) ~~{+}~~ ~~{(iv)}~~ every existing right-of-way and easement grant of record for
underground

14. Page 16, Lines 468 through 470:

468 ~~{(b) The county recorder may assign a different name to a subdivision on a plat~~
469 ~~submitted for recording if necessary to make the plat comply with the requirement of~~
470 ~~Subsection (1)(a)(i).}~~

15. Page 16, Line 486 through Page 17, Line 501:

486 (ii) has ~~{+}~~ completed a ~~{+}~~ ~~{-provided a reference to the filing number of a record of}~~
survey
487 ~~{-map}~~ of the ~~{-existing}~~ property ~~{-boundary}~~ described on the plat ~~{-and filed}~~ in
accordance with
488 Section 17-23-17 ~~{+}~~ and has verified all measurements; and ~~{+}~~ ~~{-}~~
489 (iii) has placed monuments as represented on the plat ~~{+}~~ . ~~{+}~~ ~~{-and}~~
490 ~~—(iv) has indicated monuments to be set during construction.~~
491 ~~—(c) If a monument is set during construction by a surveyor other than the surveyor who~~

492 made the plat, the surveyor setting the monument shall record a surveyor's affidavit in the
493 office of the county in which the property is located indicating:
494 —— (i) that the surveyor setting the monument holds a license in accordance with Title 58;
495 Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;
496 —— (ii) that each monument is set in the location specified on the plat;
497 —— (iii) that the surveyor setting the monument has verified all measurements;
498 —— (iv) the location of each street and lot monument that varies from the monuments
499 specified on the plat; and
500 —— (v) the physical description of each monument set. }
501 {+} (c) {+} {~~(d)~~} (i) As applicable, the owner or operator of the underground and utility