

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

637A0390 **HOUSE JUDICIARY COMMITTEE ENGROSSED NO.**
HB1074 - 1/28/97

Introduced by: Representatives Brown (Jarvis), de Hueck, Eccarius, and Matthews and
Senators Whiting and Hunhoff

1 FOR AN ACT ENTITLED, An Act to provide for the legal description of certain plats.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 11-3-4 be amended to read as follows:

4 11-3-4. Every plat provided for in this chapter shall be certified by the registered land
5 surveyor, ~~and his official seal attached~~ who shall attach an official seal thereto as specified in
6 § 36-18-27.1 as being in all respects correct. The landowner, or ~~his~~ the landowner's duly
7 authorized agent, shall certify that the plat has been made at ~~his~~ the request and under ~~his~~ the
8 direction of the landowner for the purposes indicated therein, that he or she is the owner of all
9 the land included therein, and that development of this land shall conform to all existing
10 applicable zoning, subdivision and erosion and sediment control regulations. The landowner
11 certification shall be acknowledged before some officer authorized to take the acknowledgment
12 of deeds and, with the certificate of such acknowledgment, shall be endorsed on or attached to
13 the plat and be recorded as a part thereof in the office of the register of deeds of the proper
14 county.

15 No such plat may be recorded until all the provisions of this section have been fully complied

- 1 with, and upon certification and recordation shall be used as the legal description as provided by
- 2 § 43-21-4 for all purposes, including constructive notice.

1 **BILL HISTORY**

2 January 23 - First read in House and referred to Judiciary. H.J. 93

3 January 24 - Scheduled for hearing.

4 January 27 - Scheduled for hearing.

5 January 27 - Passed as amended, AYES 13, NAYS 0. H.J. 148