

State of South Dakota

EIGHTIETH SESSION
LEGISLATIVE ASSEMBLY, 2005

186L0293

HOUSE JUDICIARY COMMITTEE ENGROSSED NO.

HB 1178 - 02/05/2005

Introduced by: Representatives Rounds, Halverson, Hanks, Hennies, Kroger, Olson (Ryan),
Sebert, and Turbiville and Senators Koskan and Gray

1 FOR AN ACT ENTITLED, An Act to provide a means to correct errors or omissions made to
2 recorded plats.

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

4 Section 1. If any typographical error or omission of data is detected on a recorded plat, the
5 original land surveyor shall record an affidavit confirming the error or omission. If the original
6 land surveyor is deceased, is not licensed as a land surveyor pursuant to chapter 36-18A, or
7 cannot be located, two licensed land surveyors may record an affidavit confirming the error or
8 omission. The surveyor or surveyors shall file an affidavit describing the nature and extent of
9 the error or omission and the correction or addition to the recorded plat. The surveyor or
10 surveyors shall also note the document reference number or recording information of the
11 recorded plat on the affidavit. The register of deeds shall stamp on the plat of record, the word,
12 corrected, and note the document reference number or recording information on the recorded
13 affidavit. A copy of the recorded affidavit shall be filed with the director of equalization and
14 shall be mailed by the surveyor or surveyors to any owner of record. No affidavit of correction
15 may be used to change or modify the plotted or recorded property lines as originally



1 monumented. This affidavit of correction does not require prior approval by any governing
2 body.