

(REPRINTED WITH ADOPTED AMENDMENTS)
FIRST REPRINT **A.B. 568**

ASSEMBLY BILL NO. 568—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF COUNTY FISCAL OFFICERS ASSOCIATION)

MARCH 26, 2001

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to county recorders. (BDR 20-267)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to county recorders; revising the provisions governing county recorders; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 244.3605 is hereby amended to read as follows:
2 244.3605 1. Notwithstanding the provisions of NRS 244.360 and
3 244.3601, the board of county commissioners of a county may adopt by
4 ordinance procedures pursuant to which the board or its designee may
5 order an owner of property within the county to:
6 (a) Repair, safeguard or demolish a dangerous structure;
7 (b) Clear debris, rubbish and refuse which is not subject to the
8 provisions of chapter 459 of NRS; or
9 (c) Clear weeds and noxious plant growth,
10 to protect the public health, safety and welfare of the residents of the
11 county.
12 2. An ordinance adopted pursuant to subsection 1 must:
13 (a) Contain procedures pursuant to which the owner of the property is:
14 (1) Sent notice, by certified mail, return receipt requested, of the
15 existence on his property of a condition set forth in subsection 1 and the
16 date by which he must abate the condition; and
17 (2) Afforded an opportunity for a hearing before the designee of the
18 board and an appeal of that decision to the board.
19 (b) Provide that the date specified in the notice by which the owner
20 must abate the condition is tolled for the period during which the owner
21 requests a hearing and receives a decision.



1 (c) Provide the manner in which the county will recover money
2 expended for labor and materials used to abate the condition on the
3 property if the owner fails to abate the condition.

4 (d) Provide for civil penalties for each day that the owner did not abate
5 the condition after the date specified in the notice by which the owner was
6 required to abate the condition.

7 3. The board or its designee may direct the county to abate the
8 condition on the property and may recover the amount expended by the
9 county for labor and materials used to abate the condition if:

10 (a) The owner has not requested a hearing within the time prescribed in
11 the ordinance adopted pursuant to subsection 1 and has failed to abate the
12 condition on his property within the period specified in the notice.

13 (b) After a hearing in which the owner did not prevail, the owner has
14 not filed an appeal within the time prescribed in the ordinance adopted
15 pursuant to subsection 1 and has failed to abate the condition within the
16 period specified in the order.

17 (c) The board has denied the appeal of the owner and the owner has
18 failed to abate the condition within the period specified in the order.

19 4. In addition to any other reasonable means of recovering money
20 expended by the county to abate the condition, the board may provide that
21 the expense is a lien upon the property upon which such a condition is
22 located. The lien must be perfected by:

23 (a) Mailing by certified mail a notice of the lien, separately prepared for
24 each lot affected, addressed to the last known owner of the property at his
25 last known address, as determined by the real property assessment roll in
26 the county in which the property is located; and

27 (b) ~~Filing~~ **Recording** with the county recorder of the county in which
28 the property is located, a statement of the amount due and unpaid and
29 describing the property subject to the lien.

30 **Sec. 2.** NRS 246.020 is hereby amended to read as follows:

31 246.020 1. Each county clerk shall, before entering upon the duties
32 of his office:

33 (a) Take the oath prescribed by law.

34 (b) Execute to the county a penal bond in the sum of \$10,000,
35 conditioned for the faithful discharge of the duties of his office, which
36 bond must be approved by the district judge and ~~filed~~ **recorded** in the
37 office of the county recorder, unless a blanket fidelity bond is furnished by
38 the county.

39 2. In all counties where the county clerk is ex officio county recorder,
40 the official bond of the county clerk must be recorded in the manner and
41 place as provided in subsection 1, and immediately thereafter must be
42 deposited for safekeeping in the office of the county treasurer.

43 **Sec. 3.** NRS 246.030 is hereby amended to read as follows:

44 246.030 1. All county clerks are authorized to appoint deputies, who
45 are authorized to transact all official business appertaining to the office ~~to~~
46 to the same extent as their principals. A deputy must be at least 18 years of
47 age.

48 2. County clerks are responsible on their official bonds for all official
49 malfeasance or nonfeasance of their deputies. Bonds for the faithful



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1 performance of their official duties may be required of deputies by county
2 clerks.

3 3. All appointments of deputies under the provisions of this section
4 must be in writing, and must, together with the oath of office of the
5 deputies, be ~~filed and recorded in a book provided for that purpose~~
6 *recorded* in the office of the recorder of the county within which the
7 principal legally holds and exercises his office. Revocations of such
8 appointments must ~~also be filed and recorded as herein provided~~ *be*
9 *recorded in the same manner*. From the time of the ~~filing~~ *recording* of
10 the appointments or revocations, ~~therein~~ persons shall be deemed to
11 have notice of the ~~same~~ *appointment or revocation*.

12 **Sec. 4.** Chapter 247 of NRS is hereby amended by adding thereto a
13 new section to read as follows:

14 *As used in this chapter, unless the context otherwise requires,*
15 *"document" means a written instrument, paper, notice, deed,*
16 *conveyance, map, chart, survey or any other writing, without regard to:*

- 17 1. *The form in which the document is received by a county recorder;*
18 2. *The method used to transmit the document to a county recorder;*
19 *or*
20 3. *The method used by a county recorder to store, access or retrieve*
21 *the document.*

22 **Sec. 5.** NRS 247.040 is hereby amended to read as follows:

23 247.040 1. All county recorders are authorized to appoint deputies,
24 who are authorized to transact all official business appertaining to the
25 office ~~to~~ to the same extent as their principals. A deputy must be at least 18
26 years of age.

27 2. County recorders are responsible on their official bonds for all
28 official malfeasance or nonfeasance of their deputies. Bonds for the faithful
29 performance of their official duties may be required of deputies by county
30 recorders.

31 3. All appointments of deputies under the provisions of this section
32 must be in writing, and must, together with the oath of office of the
33 deputies, be ~~filed and recorded in a book provided for that purpose~~
34 *recorded* in the office of the recorder of the county within which the
35 county recorder legally holds ~~and exercises his~~ office. Revocations of
36 such appointments must ~~also be filed and recorded as herein provided~~ *be*
37 *recorded in the same manner*. From the time of the ~~filing~~ *recording* of
38 the appointments or revocations, ~~therein~~ persons shall be deemed to
39 have notice of the ~~same~~ *appointment or revocation*.

40 **Sec. 6.** NRS 247.060 is hereby amended to read as follows:

41 247.060 A county recorder ~~is empowered to~~ *may* take and certify the
42 acknowledgment and proof of all ~~conveyances~~ *documents* affecting any
43 real property ~~or of any other written instrument~~ for which he ~~shall~~ *is*
44 *entitled to* receive the same fees as are prescribed by law. ~~All~~ *A county*
45 *recorder shall deposit all* such fees ~~shall be deposited~~ in the county
46 general fund.

47 **Sec. 7.** NRS 247.070 is hereby amended to read as follows:

48 247.070 1. ~~County recorders shall subscribe for such newspapers, at~~
49 ~~least one and~~ *A county recorder may purchase a subscription for* not



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1 more than three ~~{ }~~ *newspapers* printed and published in ~~{their respective~~
2 ~~counties, as the board of county commissioners therein may select and~~
3 ~~determine.~~

4 ~~—2. Except as otherwise provided in subsection 6, each county recorder~~
5 ~~shall:~~

6 ~~—(a) Receive and preserve every copy of the paper or papers so~~
7 ~~subscribed for; and~~

8 ~~—(b) From time to time, cause the same to be arranged properly and~~
9 ~~bound in volumes of convenient size in a substantial manner.~~

10 ~~The volumes when bound must be kept in his office for the use of the~~
11 ~~courts and the public, all of whom must be given access to the volumes at~~
12 ~~all times during office hours, free of charge. Except as otherwise provided~~
13 ~~in subsection 4, the county recorder is entitled to receive for his services in~~
14 ~~this behalf the sum of \$10 for each volume. For neglect of the duties~~
15 ~~hereby imposed, he shall forfeit the sum of \$50 to be recovered, with costs,~~
16 ~~in a civil action before any court, one half of which must be paid into the~~
17 ~~county school fund, and the other half to the person who prosecutes the~~
18 ~~action to successful termination.~~

19 ~~—3.} *the county where the county recorder holds office.*~~

20 ~~2. The county recorder {of each county} may microfilm each issue of~~
21 ~~the newspaper or newspapers subscribed for as provided in subsection 1 .~~
22 ~~{and keep the microfilm in lieu of keeping the newspapers.~~

23 ~~—4. The price of the papers, the binding of the several volumes thereof,~~
24 ~~the cost of microfilming, and the county recorder's compensation for the~~
25 ~~care and preservation of the newspapers and microfilm must be paid out of~~
26 ~~the general fund of the county, in the same manner that other charges are~~
27 ~~audited and allowed from the fund by the respective boards of county~~
28 ~~commissioners; but in any county in which the county recorder is~~
29 ~~compensated by a salary, the county recorder is entitled to receive for such~~
30 ~~services no compensation additional to that of his salary, and the expense~~
31 ~~of procuring and filing the newspapers or microfilm must be paid as~~
32 ~~stationery and books for the office of the county recorder are now paid for.~~

33 ~~—5. Any person who willfully abstracts, destroys, mutilates or defaces~~
34 ~~any microfilm, volume or newspaper purchased in pursuance of this~~
35 ~~section is guilty of a misdemeanor.~~

36 ~~—6. In order to satisfy the requirements of subsection 2, a county~~
37 ~~recorder may enter into an agreement with a public library serving that~~
38 ~~county which provides that the library will receive, preserve, bind and~~
39 ~~make available the newspapers in accordance with subsection 2. Such an~~
40 ~~agreement may provide that the library may keep microfilm in lieu of~~
41 ~~keeping the newspapers.}~~

42 **Sec. 8.** NRS 247.080 is hereby amended to read as follows:

43 247.080 ~~{1. Each county recorder must procure such books for~~
44 ~~records as the business of his office requires, but orders for the same must~~
45 ~~be obtained from the board of county commissioners.~~

46 ~~—2. The} *Each* county recorder shall ~~{have the} *take*~~ custody of and~~
47 ~~{shall be} *is*~~ responsible for all ~~{books, records, maps and papers}~~
48 *documents* deposited in his office.



1 **Sec. 9.** NRS 247.090 is hereby amended to read as follows:
2 247.090 All ~~{books of records, maps, charts, surveys and other papers}~~
3 *documents* on file in the office of the county recorder, must, during office
4 hours, be open for inspection by any person without charge. The county
5 recorder must arrange the books of record and indexes in his office in such
6 suitable places as to facilitate their inspection.

7 **Sec. 10.** NRS 247.100 is hereby amended to read as follows:
8 247.100 ~~{1-}~~ Each county recorder shall:

9 ~~{(a) Enter}~~
10 1. *Record* each document ~~{, instrument or paper filed in his office in a~~
11 ~~book to be known as the receiving book,}~~ in the order in which it is ~~{filed.~~
12 ~~—(b) Give to each document, instrument or paper thus filed its proper~~
13 ~~number in the order of filing.~~
14 ~~—(c) Write opposite the title, name or designation of such filing in the~~
15 ~~receiving book the date of filing, the file number so given to it, and the~~
16 ~~amount of fees collected for the recording or filing of the same, as the case~~
17 ~~may be.~~
18 ~~—(d) Upon request, issue his receipt for the fee, with the file number~~
19 ~~placed thereon.~~
20 ~~2. The receiving book, when so kept, shall be the fee book of the~~
21 ~~county recorder for the matters mentioned in this section, and shall be open~~
22 ~~to the inspection of anyone desiring so to do.~~
23 ~~3. The file number of each document, instrument or paper, as~~
24 ~~mentioned in this section, shall be placed on such document, instrument or~~
25 ~~paper at the time of filing, and on the official record when and where the~~
26 ~~same shall be recorded.~~

27 ~~4. Any county recorder who shall willfully violate any of the~~
28 ~~provisions of this section shall be fined not more than \$500.}~~ *received;*

29 2. *Maintain a record of all transactions conducted within the office*
30 *and a record of all fees collected; and*

31 3. *Make the records maintained pursuant to subsection 2 available*
32 *for public inspection during regular business hours.*

33 **Sec. 11.** NRS 247.110 is hereby amended to read as follows:

34 247.110 1. When ~~{any instrument, paper or notice}~~ *a document*
35 authorized by law to be recorded ~~{or filed}~~ is deposited in the county
36 recorder's office for recording , ~~{or for filing,}~~ the county recorder shall:

37 (a) Endorse upon it the time when it was received, noting:

38 (1) The year, month, day, hour and minute of its reception ; ~~{-}~~

39 (2) The ~~{file number thereof.~~

40 ~~—(3) The book and page where recorded or the place where filed.~~

41 ~~—(4)}~~ *document number; and*

42 (3) The amount of fees *collected* for recording ~~{or filing,}~~ *the*
43 *document.*

44 (b) Record ~~{or file the instrument}~~ *the document* without delay, together
45 with the acknowledgments, proofs and certificates, written upon or
46 annexed to it, with the plats, surveys, schedules and other papers thereto
47 annexed, in the order in which the ~~{instruments are}~~ *papers are* received
48 for recording . ~~{or for filing,}~~



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- 1 (c) Note at the ~~{foot}~~ *upper right corner* of the record and upon the
2 ~~{instrument so filed or}~~ *document so* recorded the exact time of its
3 reception, and the name of the person at whose request it was recorded. ~~{or~~
4 ~~filed}~~
- 5 (d) Upon request, place a stamp or other notation upon one copy of the
6 ~~{instrument, paper or notice}~~ *document* presented at the time of recording
7 ~~{or filing}~~ to reflect the information endorsed upon the original pursuant to
8 subparagraphs (1) and (2) of paragraph (a) and as evidence that he received
9 the original, and return the copy to the person who presented it.
- 10 2. *In addition to the information described in paragraph (a) of*
11 *subsection 1, a county recorder may endorse upon a document the book*
12 *and page where the document is recorded.*
- 13 3. A county recorder shall not refuse to record ~~{or file any instrument,~~
14 ~~paper or notice}~~ *a document* on the grounds that the ~~{instrument, paper or~~
15 ~~notice}~~ *document* is not legally effective to accomplish the purposes stated
16 therein.
- 17 **Sec. 12.** NRS 247.110 is hereby amended to read as follows:
18 247.110 1. When a document authorized by law to be recorded is
19 deposited in the county recorder's office for recording, the county recorder
20 shall:
- 21 (a) Endorse upon it the time when it was received, noting:
22 (1) The year, month, day, hour and minute of its reception;
23 (2) The document number; and
24 (3) The amount of fees collected for recording the document.
- 25 (b) Record the document without delay, together with the
26 acknowledgments, proofs and certificates, written upon or annexed to it,
27 with the plats, surveys, schedules and other papers thereto annexed, in the
28 order in which the papers are received for recording.
- 29 (c) Note at the ~~{foot}~~ *upper right corner* of the record and upon the
30 document, *except a map*, so recorded the exact time of its reception, and
31 the name of the person at whose request it was recorded.
- 32 (d) Upon request, place a stamp or other notation upon one copy of the
33 document presented at the time of recording to reflect the information
34 endorsed upon the original pursuant to subparagraphs (1) and (2) of
35 paragraph (a) and as evidence that he received the original, and return the
36 copy to the person who presented it.
- 37 2. A county recorder may endorse the information described in
38 paragraph (a) of subsection 1 on the book and page where a document is
39 recorded.
- 40 3. A county recorder shall not refuse to record a document on the
41 grounds that the document is not legally effective to accomplish the
42 purposes stated therein.
- 43 4. *A document, except a map, that is submitted for recording must:*
44 *(a) Be on paper that is 8 1/2 inches by 11 inches in size;*
45 *(b) Have a margin of 1 inch on the left and right sides and at the*
46 *bottom of each page; and*
47 *(c) Have a space of 3 inches by 3 inches at the upper right corner of*
48 *the first page and have a margin of 1 inch at the top of each succeeding*
49 *page.*



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1 **Sec. 13.** NRS 247.120 is hereby amended to read as follows:
2 247.120 1. Each county recorder shall, upon the payment of the
3 prescribed statutory fees, record separately, in a manner which will allow a
4 legible copy to be made, the following specified ~~instruments in large,~~
5 ~~well bound separate books, either sewed or of insertable leaves which~~
6 ~~when placed in the book cannot be removed;~~ **documents:**

- 7 (a) Deeds, grants, patents issued by the State of Nevada or by the
8 United States, transfers and mortgages of real estate, releases of mortgages
9 of real estate, powers of attorney to convey real estate, and leases of real
10 estate which have been acknowledged or proved.
11 (b) Certificates of marriage and marriage contracts.
12 (c) Wills admitted to probate.
13 (d) Official bonds.
14 (e) Notice of mechanics' liens.
15 (f) Transcripts of judgments which by law are made liens upon real
16 estate in this state and affidavits of renewal of those judgments.
17 (g) Notices of attachment upon real estate.
18 (h) Notices of the pendency of an action affecting real estate, the title
19 thereto, or the possession thereof.
20 (i) Instruments describing or relating to the separate property of married
21 persons.
22 (j) Notice of preemption claims.
23 (k) Notices and certificates of location of mining claims.
24 (l) Affidavits of proof of annual labor on mining claims.
25 (m) Affidavits of intent to hold mining claims recorded pursuant to
26 subsection 3 of NRS 517.230.
27 (n) Certificates of sale.
28 (o) Judgments or decrees.
29 (p) Declarations of homesteads.
30 (q) Such other writings as are required or permitted by law to be
31 recorded.

32 2. Each of the ~~instruments~~ **documents** named in paragraph (a) of
33 subsection 1 may be recorded in separate books in the discretion of the
34 county recorder.

35 3. Before accepting for recording any ~~instrument~~ **document**
36 enumerated in subsection 1, the county recorder ~~may~~ **shall** require a
37 ~~copy~~ **document** suitable for recording by a method used by the recorder
38 to preserve his records. ~~Where~~ **If** any rights may be adversely affected
39 because of a delay in recording caused by this requirement, the county
40 recorder shall accept the ~~instrument~~ **document** conditionally subject to
41 submission of a suitable ~~copy~~ **document** at a later date. ~~The provisions~~
42 ~~of this subsection do not apply where it is impossible or impracticable to~~
43 ~~submit a more suitable copy.~~ **Before accepting a document conditionally,**
44 **the recorder shall require the person who requests the recording to sign a**
45 **statement that the person has been advised of the requirements described**
46 **in this subsection and record the statement with the document.**

47 **Sec. 14.** NRS 247.130 is hereby amended to read as follows:

48 247.130 1. In lieu of any ~~for all~~ of the separate books provided for
49 in NRS 247.120, the county recorder may ~~in his discretion, record any or~~



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1 ~~all of the instruments~~ *record a document* designated in NRS 247.120 in
2 one general series ~~{of books}~~ to be called "Official Records ." ~~{,} which~~
3 ~~books shall be numbered consecutively beginning with number 1.~~

4 2. The recording of ~~{instruments}~~ *a document* in such "Official
5 Records" will impart notice in like manner and effect as if ~~{such~~
6 ~~instruments}~~ *the document* were recorded in any of the separate books
7 provided for in this chapter.

8 **Sec. 15.** NRS 247.145 is hereby amended to read as follows:

9 247.145 1. County recorders may record any ~~{instrument, document,~~
10 ~~paper or notice}~~ *document* authorized, entitled or required by law to be
11 ~~{filed, when deposited or}~~ *recorded when* presented for ~~{filing.~~

12 ~~2. The following acts shall be deemed equivalent to filing:~~

13 ~~— (a) Recording.~~

14 ~~— (b) Recording and microfilming an instrument, document, paper or~~
15 ~~notice by county records in counties having microfilm equipment.~~

16 ~~— (c) Recording and preserving an instrument, document, paper or notice~~
17 ~~in any other manner which will allow a legible copy to be made.~~
18 *recording.*

19 2. *A document is recorded when the information required pursuant*
20 *to NRS 247.110 is placed on the document and is entered in the record of*
21 *the county recorder.*

22 **Sec. 16.** NRS 247.150 is hereby amended to read as follows:

23 247.150 1. Each county recorder shall ~~{keep}~~ *maintain* two separate
24 indexes ~~{for each separate book or series of books maintained}~~ in his office
25 for the separate alphabetical recordation of the various classes of
26 ~~{instruments}~~ *documents* specified in NRS 247.120. One of the indexes
27 must be for the grantors, defendants, mortgagors, trustors, lessors, vendors,
28 assignors, appointors, parties releasing, judgment debtors, testators,
29 obligors under bonds, parties against whom liens are claimed or
30 attachments issued, mining locators, name of mine, persons filing or parties
31 adversely affected by the document indexed, and the other index must be
32 for the grantees, plaintiffs, mortgagees, beneficiaries, lessees, vendees,
33 assignees, appointees, parties whose mortgages, deeds of trust, liens and
34 similar encumbrances are released or the parties benefited by the document
35 indexed.

36 2. Each of the indexes must be so arranged as to show:

37 (a) The names of each of the parties to ~~{every instrument,}~~ *each*
38 *document* except as *otherwise* provided in subsection 5.

39 (b) The date on which the ~~{instrument was filed}~~ *document was*
40 *recorded* in the office of the county recorder.

41 (c) The book and page where the ~~{instrument}~~ *document* is recorded, or
42 the ~~{file number and file where the instrument may be filed.}~~ *document*
43 *number.*

44 (d) Such other data as in the discretion of the county recorder may seem
45 desirable.

46 If the index is one general series ~~{of books}~~ for all ~~{instruments}~~ *documents*
47 recorded, it must also show the character of the ~~{instrument}~~ *document*
48 indexed.



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1 3. ~~The~~ A county recorder may keep in the same volume any two or
2 more of the indexes provided for in this section, but the indexes must be
3 kept distinct from each other. Every volume of indexes must be distinctly
4 marked on the outside in such a way as to show all of the indexes kept in it.

5 4. The first column of the several indexes for parties adversely affected
6 and parties benefited must be arranged in alphabetical order.

7 5. When a conveyance is executed by a sheriff, the name of the
8 ~~sheriff~~ county and the party charged in the execution must both be
9 inserted in the indexes. When ~~an instrument~~ a document is recorded ~~for~~
10 ~~filed~~ to which an executor, administrator, guardian or trustee is a party, the
11 name of the executor, administrator, guardian or trustee, together with the
12 name of the testator, intestate, or ward, or party for whom the trust is held,
13 must be inserted in the index, except that the name of the trustee in a deed
14 of trust or in a partial or full deed of reconveyance need not be indexed. A
15 trustee's deed given upon exercise of the power of sale under any deed of
16 trust must be indexed under the names of the original trustor and the
17 grantee named in it. ~~An instrument~~ A document affecting a limited
18 partnership is not required to be indexed under the names of the limited
19 partners if it is indexed under the names of the partnership and the general
20 partners.

21 6. In addition to the indexes required by this section, the county
22 recorder shall ~~also~~ keep and maintain other indexes required in the
23 performance of his official duties.

24 7. Except as otherwise provided in subsection 8, every ~~instrument~~
25 ~~filed~~ document deposited in the office of any county recorder for ~~record~~
26 ~~or filed, but not for~~ recordation, must be alphabetically indexed ~~in the~~
27 ~~indexes provided for each separate book or set of books or file,~~ under the
28 names of each party adversely affected by the document and under the
29 names of each party benefited by the document so indexed.

30 8. A map of a minor county road that is ~~filed~~ recorded in the office
31 of a county recorder must:

32 (a) Be ~~filed~~ recorded in the index for grantors according to the
33 townships, ranges and sections indicated on the face of the map; and

34 (b) Show the character of the ~~instrument~~ document as a map of a
35 minor county road.

36 9. As an alternative to the method of indexing prescribed by this
37 section, the county recorder may ~~, with the permission of the board of~~
38 ~~county commissioners,~~ use in place of the index books or volumes:

39 (a) Card indexes with a metal-reinforced hole punched in them for rod
40 insertion, and the card indexes must be kept in suitable metal file cabinets.

41 (b) A secure electronic method of indexing, including , without
42 limitation , microfilm produced by computer or a system using computer
43 terminals.

44 Sec. 17. NRS 247.155 is hereby amended to read as follows:

45 247.155 1. If a document contains the names of ~~500~~ 200 or more
46 persons which must be indexed in accordance with NRS 247.150, a county
47 recorder may require ~~a magnetic tape produced by a computer which can~~
48 ~~be used on the computer in the county recorder's office from~~ the person
49 who requests the recording of that document ~~, If this tape~~ to provide the



1 office of the county recorder with an electronic version or other copy of
2 the document that:

3 (a) Is compatible with and readable by the computer in the office of
4 the county recorder; and

5 (b) Complies with the indexing standards of the county recorder.

6 2. If an electronic version or other copy described in subsection 1 is
7 furnished, the county recorder shall not charge a filing fee for any page
8 which contains those names.

9 Sec. 18. NRS 247.160 is hereby amended to read as follows:

10 247.160 Whenever ~~any instrument filed for record with the~~ a
11 document is recorded by a county recorder ~~of any county~~ or a copy of
12 ~~the instrument~~ a document has been inserted into a book of record other
13 than that designated by law, but is later ~~indexed~~ included in the ~~proper~~
14 ~~book of indexes, the instrument~~ correct index, the document from the
15 date of indexing imparts notice of its contents to all persons. Subsequent
16 purchasers, mortgagees, lienholders and encumbrancers purchase and take
17 with like notice and effect as if the ~~instrument~~ document had been
18 recorded in the proper book of record.

19 Sec. 19. NRS 247.170 is hereby amended to read as follows:

20 247.170 1. Whenever ~~any instrument~~ a document has been ~~filed~~
21 ~~for record with the~~ recorded by a county recorder ~~of any county~~ as a
22 deed of trust, mortgage or financing statement, or a copy of ~~the~~
23 ~~instrument~~ a document has been inserted into ~~any~~ a book of deeds,
24 deeds of trust, mortgages or financing statement, the ~~instrument~~
25 document need not be again ~~filed for record or~~ recorded in the office as a
26 different ~~instrument~~ document from that so ~~filed for record or~~ recorded,
27 but the county recorder ~~must index the instrument~~ shall:

28 (a) Index the document in any of the indexes kept in his office upon the
29 request of the person requesting the recording of the ~~instrument~~
30 document; and

31 (b) Index the payment to him of his legal fees for such indexing.

32 2. The ~~instrument~~ document from the date of such indexing imparts
33 notice of its contents to all persons, and subsequent purchasers,
34 mortgagees, lienholders and encumbrancers purchase and take with like
35 notice and effect as if the ~~instrument~~ document had been copied or
36 recorded in the proper book of records corresponding with ~~such~~ all
37 indexes where so indexed.

38 Sec. 20. NRS 247.180 is hereby amended to read as follows:

39 247.180 Except as otherwise provided in NRS 111.312, whenever ~~an~~
40 ~~instrument~~ a document conveying, encumbering or mortgaging both real
41 and personal property is presented to ~~any~~ a county recorder for recording,
42 the county recorder shall record the ~~instrument in a book kept by him for~~
43 ~~that purpose, which~~ document. The record must be indexed in the real
44 estate index as deeds and other conveyances are required by law to be
45 indexed, and for which ~~he~~ the county recorder may receive the same fees
46 as are allowed by law for recording and indexing deeds and other
47 ~~instruments,~~ documents, but only one fee for the recording of ~~any~~
48 ~~instrument~~ a document may be collected.



1 **Sec. 21.** NRS 247.190 is hereby amended to read as follows:
2 247.190 1. ~~{Every instrument of writing}~~ *A document* acknowledged
3 or proved and certified and recorded in the manner prescribed in this
4 chapter ~~{shall,}~~ from the time of ~~{filing the same}~~ *depositing the document*
5 with the county recorder of the proper county for record, ~~{impart}~~ *provides*
6 notice to all persons of the contents thereof, and all third parties shall be
7 deemed to purchase and take with notice.

8 2. All ~~{instruments filed}~~ *documents deposited* for recordation with the
9 county recorder ~~{shall}~~ *must* have typed or legibly printed the names of all
10 signers thereon, excluding those of the acknowledging officers and
11 witnesses, beneath the original signatures. If ~~{such an instrument}~~ *a*
12 *document* does not contain ~~{such}~~ *the* typed or printed names, the county
13 recorder shall accept ~~{such instrument}~~ *the document* for recordation if
14 accompanied by an affidavit, for recordation with the ~~{instrument,}~~
15 *document*, correctly spelling in legible print or type the signatures
16 appearing on ~~{such instrument}~~ *the document*. This requirement ~~{shall}~~
17 *does* not apply to military discharges or military ~~{instruments,}~~ *documents*,
18 to wills or court records, or to ~~{any instrument dated prior to}~~ *a document*
19 *dated before* July 1, 1963. Failure to print or type signatures as provided in
20 this subsection ~~{shall}~~ *does* not invalidate the ~~{instrument}~~.

21 ~~— 3. — Every instrument of writing filed, but not for recordation, as~~
22 ~~permitted by law, shall from the time of filing of the same with the county~~
23 ~~recorder of the proper county impart notice to all persons of the contents~~
24 ~~thereof, and all third parties shall be deemed to purchase and take with~~
25 ~~notice.}~~ *document.*

26 **Sec. 22.** NRS 247.200 is hereby amended to read as follows:
27 247.200 ~~{Instruments}~~ *A document* affecting real property must be
28 recorded in the office of the county recorder of the county in which the real
29 property is situated. *A county recorder may refuse to record a document*
30 *affecting real property if the real property is not located within the*
31 *county.*

32 **Sec. 23.** NRS 247.210 is hereby amended to read as follows:
33 247.210 A copy or abstract of ~~{any instrument}~~ *a document* once
34 recorded or filed in any recording office of any state, certified by the
35 county recorder or other appropriate officer in whose *public* office the
36 ~~{instrument}~~ *document* is recorded or filed, may be recorded ~~{or filed}~~ in
37 any county of this state, and when so recorded, ~~{or filed}~~ the record thereof
38 ~~{, or the filed instrument,}~~ has the same force and effect as though it were
39 of the original ~~{instrument}~~ *document.*

40 **Sec. 24.** NRS 247.305 is hereby amended to read as follows:
41 247.305 1. If another statute specifies the fee to be charged for a
42 service, county recorders shall charge and collect only the fee specified.
43 Otherwise county recorders shall charge and collect the following fees:
44

45 For recording any document, for the first page \$7
46 For each additional page 1
47 For recording each portion of a document which must be
48 separately indexed, after the first indexing 3
49 For copying any record, for each page 1



1	For certifying, including certificate and seal.....	4
2	For a certified copy of a certificate of marriage	7
3	For a certified abstract of a certificate of marriage	7

4
5 2. Except as otherwise provided in subsection 3, a county recorder
6 shall not charge or collect any fees for any of the services specified in this
7 section when rendered by him to:

8 (a) The county in which his office is located.
9 (b) The State of Nevada or any city or town within the county in which
10 his office is located, if the document being recorded:

11 (1) Conveys to the state, or to that city or town, an interest in land;
12 (2) Is a mortgage or deed of trust upon lands within the county which
13 names the state or that city or town as beneficiary;

14 (3) Imposes a lien in favor of the state or that city or town; or

15 (4) Is a notice of the pendency of an action ~~in eminent domain filed~~
16 by the state ~~pursuant to NRS 37.060.~~ *or that city or town.*

17 3. A county recorder shall charge and collect the fees specified in this
18 section for copying of any document at the request of the State of Nevada,
19 and any city or town within the county. For copying, and for his certificate
20 and seal upon the copy, the county recorder shall charge the regular fee.

21 4. For purposes of this section, "State of Nevada," "county," "city"
22 and "town" include any department or agency thereof and any officer
23 thereof in his official capacity.

24 5. Except as otherwise provided by an ordinance adopted pursuant to
25 the provisions of NRS 244.207, county recorders shall, on or before the
26 fifth working day of each month, account for and pay to the county
27 treasurer all such fees collected during the preceding month.

28 **Sec. 25.** NRS 247.320 is hereby amended to read as follows:

29 247.320 ~~{County recorders are required to file and record in their~~
30 ~~respective offices and in the books provided therefor.}~~

31 *1. A county recorder shall:*

32 (a) *Record* deeds of conveyances and judgments vesting or perfecting
33 title in the United States ~~and to certify copies of such instruments~~
34 ~~furnished by~~; and

35 (b) *Provide one certified copy of the official record to* the interested
36 government representative. ~~No fees shall be charged by the~~

37 *2. A county recorder shall not charge fees* for the services ~~mentioned~~
38 ~~in~~ *required by* this section.

39 **Sec. 26.** NRS 247.330 is hereby amended to read as follows:

40 247.330 A county recorder shall not ~~be bound to~~ record any
41 ~~instrument, or file any paper or notice, or to~~ *document*, furnish any
42 copies ~~or to~~ *or* render any *other* service connected with his office, until
43 ~~this~~ *the* fees for the ~~same~~ *services*, as prescribed by law, are paid or
44 tendered.

45 **Sec. 27.** NRS 247.370 is hereby amended to read as follows:

46 247.370 Any county recorder who *willfully* violates any of the
47 provisions of NRS 247.340 ~~or 247.350~~ shall be fined not more than
48 \$1,000.



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1 **Sec. 28.** NRS 247.380 is hereby amended to read as follows:
2 247.380 If any county recorder ~~{shall take}~~ **willfully takes** more or
3 greater fees than are allowed by law, he ~~{shall be}~~ **is** liable to indictment,
4 and on conviction ~~{shall}~~ **must** be removed from office and fined ~~{in any~~
5 ~~sum not exceeding}~~ **not more than** \$1,000.

6 **Sec. 29.** NRS 247.390 is hereby amended to read as follows:
7 247.390 Any county recorder receiving fees as provided by law shall
8 ~~{publish and set up in some}~~ **post in a** conspicuous place in his office a fee
9 table for public inspection. A sum not exceeding \$20 for each day of his
10 omission so to do ~~{shall}~~ **must** be forfeited, which sum with costs may be
11 recovered by any person by an action before any justice of the peace of the
12 same county.

13 **Sec. 30.** NRS 247.410 is hereby amended to read as follows:
14 247.410 ~~{If any county recorder to whom an instrument, proved or~~
15 ~~acknowledged according to law, or any paper or notice which may by law~~
16 ~~be recorded is delivered for record, or to whom any document, instrument~~
17 ~~or paper permitted by law to be filed is delivered for filing;}~~ **A county**
18 ~~recorder is liable to a party aggrieved for three times the amount of the~~
19 ~~damages that may be occasioned thereby if the county recorder:~~

20 1. Neglects or refuses to record ~~{or file such instrument, paper or~~
21 ~~notice}~~ **a recordable document** within a reasonable time after receiving the
22 ~~{same;} document;~~

23 2. Records ~~{or files any instrument, paper or notice,}~~ **a document**
24 willfully or negligently, untruly ~~{;}~~ or in any other manner than is directed
25 in this chapter;

26 3. Neglects or refuses to ~~{keep}~~ **maintain** in his office such indexes as
27 are required by this chapter, or to make the proper entries therein; or

28 4. Alters, changes or obliterates any record or any filed ~~{instrument}~~
29 ~~document~~ deposited in his office, or inserts any new matter therein. ~~{;}~~
30 ~~he is liable to the party aggrieved for three times the amount of the~~
31 ~~damages which may be occasioned thereby;}~~

32 **Sec. 31.** NRS 248.275 is hereby amended to read as follows:
33 248.275 1. The sheriff of each county in this state may charge and
34 collect the following fees:

35
36 For serving a summons or complaint, or any other process,
37 by which an action or proceeding is commenced, except as
38 a writ of habeas corpus, on every defendant \$15
39 For traveling and making such service, per mile in going
40 only, to be computed in all cases the distance actually
41 traveled, for each mile 1
42 If any two or more papers are required to be served in the
43 same suit at the same time, where parties live in the
44 same direction, one mileage only may be charged.
45 For taking a bond or undertaking in any case in which he is
46 authorized to take a bond or undertaking 4
47 For a copy of any writ, process or other paper, ~~{when}~~ **if**
48 demanded or required by law, for each page 2
49 For serving every rule or order 15



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1	For serving one notice required by law before the	
2	commencement of a proceeding for any type of eviction.....	15
3	For serving not fewer than 2 nor more than 10 such notices	
4	to the same location, each notice.....	12
5	For serving not fewer than 11 nor more than 24 such notices	
6	to the same location, each notice.....	10
7	For serving 25 or more such notices to the same location,	
8	each notice.....	9
9	For mileage in serving such a notice, for each mile	
10	necessarily and actually traveled in going only.....	1
11	But if two or more notices are served at the same general	
12	location during the same period, mileage may only be	
13	charged for the service of one notice.	
14	For serving a subpoena, for each witness summoned.....	15
15	For traveling, per mile in serving subpoenas, or a venire, in	
16	going only, for each mile.....	1
17	When two or more witnesses or jurors live in the same	
18	direction, traveling fees must be charged only for the	
19	most distant.	
20	For serving an attachment on property, or levying an	
21	execution, or executing an order of arrest or order for the	
22	delivery of personal property, together with traveling fees,	
23	as in cases of summons	15
24	For making and posting notices and advertising for sale, on	
25	execution or any judgment or order of sale, not to include	
26	the cost of publication in a newspaper	15
27	For issuing each certificate of sale of property on execution	
28	or order of sale, and for filing a duplicate thereof	
29	<i>recording the original certificate</i> with the county	
30	recorder, which must be collected from the party receiving	
31	the certificate	3
32	For drawing and executing every sheriff's deed, to be paid by	
33	the grantee, who shall in addition pay for the	
34	acknowledgment thereof	12
35	For serving a writ of possession or restitution, putting any	
36	person into possession entitled thereto.....	15
37	For traveling in the service of any process, not otherwise	
38	provided in this section, for each mile necessarily traveled,	
39	for going only, for each mile	1
40	For mailing a notice of a writ of execution	1
41		
42	The sheriff may charge and collect \$1 per mile traveled, for going only, on	
43	all papers not served, where reasonable effort has been made to effect	
44	service, but not to exceed \$20.	
45	2. The sheriff may also charge and collect:	
46	(a) For commissions for receiving and paying over money on execution	
47	or process, where lands or personal property have been levied on,	
48	advertised or sold, on the first \$500, 4 percent; on any sum in excess of	



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1 \$500, and not exceeding \$1,000, 2 percent; on all sums above that amount,
2 1 percent.

3 (b) For commissions for receiving and paying over money on
4 executions without levy, or where the lands or goods levied on are not sold,
5 on the first \$3,500, 2 percent, and on all amounts over that sum, one-half of
6 1 percent.

7 (c) For service of any process in a criminal case, or of a writ of habeas
8 corpus, the same mileage as in civil cases, to be allowed, audited and paid
9 as are other claims against the county.

10 (d) For all services in justices' courts, the same fees as are allowed in
11 subsection 1 and paragraphs (a), (b) and (c) of this subsection.

12 3. The sheriff is also entitled to further compensation for his trouble
13 and expense in taking possession of property under attachment, execution
14 or other process and of preserving the property, as the court from which the
15 writ or order may issue certifies to be just and reasonable.

16 4. In service of a subpoena or a venire in criminal cases, the sheriff is
17 entitled to receive mileage for the most distant only, where witnesses and
18 jurors live in the same direction.

19 5. The fees allowed for the levy of an execution, for advertising and
20 for making and collecting money on an execution or order of sale, must be
21 collected from the defendants, by virtue of the execution or order of sale, in
22 the same manner as the execution is directed to be made.

23 6. Except as otherwise provided by an ordinance adopted pursuant to
24 the provisions of NRS 244.207, all fees collected by a sheriff must be paid
25 into the county treasury of his county on or before the fifth working day of
26 the month next succeeding the month in which the fees are collected.

27 **Sec. 32.** NRS 249.060 is hereby amended to read as follows:

28 249.060 1. County treasurers may appoint one or more deputies, and
29 may take from them bond with sureties. A deputy must be at least 18 years
30 of age. Every county treasurer and his sureties are liable for every official
31 act of his deputies.

32 2. Any county treasurer may authorize his deputy or deputies to
33 transact any official business pertaining to the office of county treasurer in
34 the same manner as the county treasurer.

35 3. All appointments of deputies under the provisions of this section
36 must be in writing, and must, together with the oath of office of the
37 deputies, be ~~filed and recorded in a book provided for that purpose~~
38 ~~recorded~~ in the office of the recorder of the county within which the
39 county treasurer legally holds and exercises his office. Revocations of such
40 appointments must also be ~~filed and~~ recorded as ~~herein provided.~~
41 ~~provided in this section.~~ From the time of the ~~filing~~ ~~recording~~ of the
42 appointments or revocations therein, persons shall be deemed to have
43 notice of the ~~same.~~ ~~appointments or revocations.~~

44 **Sec. 33.** NRS 250.060 is hereby amended to read as follows:

45 250.060 1. All county assessors are authorized to appoint deputies,
46 who are authorized to transact all official business ~~appertaining~~ ~~relating~~
47 to the offices ~~to~~ to the same extent as the county assessors. A deputy must
48 be at least 18 years of age.



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1 2. County assessors are responsible on their official bonds for all
2 official malfeasance or nonfeasance of their deputies. Bonds for the faithful
3 performance of their official duties may be required of deputies by county
4 assessors.

5 3. All appointments of deputies under the provisions of this section
6 must be in writing, and must, together with the oath of office of the
7 deputies, be ~~filed and recorded in a book provided for that purpose~~
8 **recorded** in the office of the recorder of the county within which the
9 county assessor legally holds and exercises his office. Revocations of such
10 appointments must also be ~~filed and~~ recorded as ~~herein provided~~
11 **provided in this section**. From the time of the ~~filing~~ **recording** of the
12 appointments or revocations therein, persons shall be deemed to have
13 notice of the ~~same~~ **appointments or revocations**.

14 **Sec. 34.** NRS 252.070 is hereby amended to read as follows:

15 252.070 1. All district attorneys are authorized to appoint deputies,
16 who may transact all official business ~~appertaining~~ **relating** to the offices
17 ~~to~~ to the same extent as their principals.

18 2. District attorneys are responsible on their official bonds for all
19 official malfeasance or nonfeasance of the deputies. Bonds for the faithful
20 performance of their official duties may be required of deputies by district
21 attorneys.

22 3. All appointments of deputies under the provisions of this section
23 must be in writing, and must, together with the oath of office of the
24 deputies, be ~~filed and recorded in a book provided for that purpose~~
25 **recorded** in the office of the recorder of the county within which the
26 district attorney legally holds and exercises his office. Revocations of those
27 appointments must also be ~~filed and~~ recorded as provided in this section.
28 From the time of the ~~filing~~ **recording** of the appointments or revocations
29 therein, persons shall be deemed to have notice of the appointments or
30 revocations.

31 4. Deputy district attorneys of counties whose population is less than
32 100,000 may engage in the private practice of law. In any other county,
33 except as otherwise provided in NRS 7.065 and this subsection, deputy
34 district attorneys shall not engage in the private practice of law. An
35 attorney appointed to prosecute a person for a limited duration with limited
36 jurisdiction may engage in private practice which does not present a
37 conflict with his appointment.

38 5. Any district attorney may, subject to the approval of the board of
39 county commissioners, appoint such clerical, investigational and
40 operational staff as the execution of duties and the operation of his office
41 may require. The compensation of any person so appointed must be fixed
42 by the board of county commissioners.

43 6. In a county whose population is 400,000 or more, deputies are
44 governed by the merit personnel system of the county.

45 **Sec. 35.** NRS 253.025 is hereby amended to read as follows:

46 253.025 1. A public administrator may appoint as many deputies as
47 he deems necessary to perform fully the duties of his office. A deputy so
48 appointed may perform all duties required of the public administrator and
49 has the corresponding powers and responsibilities. Before entering upon



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1 the discharge of his duties , each deputy must take and subscribe to the
2 constitutional oath of office.

3 2. Each appointment must be in writing and ~~filed,~~ *recorded* with the
4 oath of office of that deputy ~~in a book provided for that purpose~~ in the
5 office of the county recorder. Any revocation or resignation of an
6 appointment must be ~~filed in the same book,~~ *recorded in the office of the*
7 *county recorder.*

8 3. The public administrator is responsible on his official bond for any
9 official malfeasance or nonfeasance of his deputies ~~He~~ *and* may require
10 a bond for the faithful performance of the official duties of his deputies.

11 **Sec. 36.** NRS 255.110 is hereby amended to read as follows:

12 255.110 1. The county surveyor shall:

13 (a) Keep a correct and fair record of all surveys made by him in his
14 official capacity, or by his deputies acting in his stead, in the form of
15 original field notes in field books to be provided by the county for that
16 purpose.

17 (b) Number such surveys progressively.

18 (c) Make and preserve a fair and accurate record map of each survey,
19 drawn in waterproof ink on tracing cloth or produced by the use of other
20 materials of a permanent nature generally used for ~~such~~ *that* purpose in
21 the engineering profession, endorsing thereon its proper number and his
22 official certificate of survey.

23 (d) Obtain maps of mining claims, mill sites and tunnel rights ~~filed~~
24 *recorded* with the county recorder and prepare a county mining claim map
25 which ~~shall~~ *must* accurately reflect the location of all such claims. A
26 county surveyor shall not refuse to accept a map submitted by the locator
27 of the mine, nor shall he prepare a map in lieu of one submitted by the
28 locator, unless he can affirmatively show that the map submitted does not
29 accurately reflect the location of all of the claims.

30 2. All records of surveys required by this chapter ~~shall~~ *must* be
31 transmitted by him to his successor in office.

32 3. Field notes and records maps ~~shall~~ *must* be available for ~~purposes~~
33 ~~of copying the same~~ *copying* to any person requiring ~~the same,~~ *a copy of*
34 *the field notes or records maps.*

35 **Sec. 37.** NRS 14.010 is hereby amended to read as follows:

36 14.010 1. In an action for the foreclosure of a mortgage upon real
37 property, or affecting the title or possession of real property, the plaintiff,
38 at the time of filing the complaint, and the defendant, at the time of filing
39 his answer, if affirmative relief is claimed in the answer, shall ~~file~~ *record*
40 with the recorder of the county in which the property, or some part thereof,
41 is situated, a notice of the pendency of the action, containing the names of
42 the parties, the object of the action and a description of the property in that
43 county affected thereby, and the defendant shall also in the notice state the
44 nature and extent of the relief claimed in the answer.

45 2. A notice of an action affecting real property, which is pending in
46 any United States District Court for the District of Nevada may be recorded
47 and indexed in the same manner and in the same place as provided with
48 respect to actions pending in courts of this state.



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1 3. From the time of ~~filings~~ **recording** only, except as otherwise
2 provided in NRS 14.017, the pendency of the action is constructive notice
3 to a purchaser or encumbrancer of the property affected thereby. In case of
4 the foreclosure of the mortgage, all purchasers or encumbrancers, by
5 unrecorded deed or other instrument in writing made before the ~~filings~~
6 **recording** of the notice, and after the date of the mortgage, shall be deemed
7 purchasers or encumbrancers after the ~~filings~~ **recording** of the notice, and
8 subject thereto, unless NRS 14.017 is applicable or they can show that , at
9 the time of ~~filings~~ **recording** the notice , the plaintiff had actual notice of
10 the purchase or encumbrance.

11 **Sec. 38.** NRS 21.220 is hereby amended to read as follows:

12 21.220 1. If property be so redeemed by a redemptioner, another
13 redemptioner may, within 60 days after the last redemption, again redeem
14 it from the last redemptioner on paying the sum paid on such last
15 redemption with 2 percent thereon in addition, and the amount of any
16 assessments or taxes which the last redemptioner may have paid thereon
17 after the redemption by him, with interest on that amount, and in addition
18 the amount of any liens held by the last redemptioner prior to his own, with
19 interest , ~~+~~ but the judgment under which the property was sold need not
20 be so paid as a lien.

21 2. The property may be again, and as often as a redemptioner is so
22 disposed, redeemed from any previous redemptioner within 60 days after
23 the last redemption, on paying the sum paid on the last previous
24 redemption, with 2 percent thereon in addition, and the amounts of any
25 assessments or taxes which the last previous redemptioner paid after the
26 redemption by him, with interest thereon, and the amount of any liens,
27 other than the judgment under which the property was sold, held by the last
28 redemptioner previous to his own, with interest.

29 3. Written notice of redemption must be given to the sheriff and a
30 duplicate ~~filed~~ **recorded** with the recorder of the county , ~~+~~ and if any
31 taxes or assessments are paid by the redemptioner, or if he has or acquires
32 any lien other than that upon which the redemption was made, notice
33 thereof must in like manner be given to the sheriff and ~~filed~~ **recorded**
34 with the recorder ~~+~~ and , if the notice is not ~~filed~~ **recorded**, the property
35 may be redeemed without paying the tax, assessment or lien.

36 4. If no redemption is made within 1 year after the sale, the purchaser,
37 or his assignee, is entitled to a conveyance ~~+~~ or, if so redeemed, whenever
38 60 days have elapsed and no other redemption has been made and notice
39 thereof given, and the time for redemption has expired, the last
40 redemptioner, or his assignee, is entitled to a sheriff's deed , ~~+~~ but in all
41 cases the judgment debtor has the entire period of 1 year ~~from~~ **after** the
42 date of the sale to redeem the property.

43 5. If the judgment debtor redeems, he must make the same payments
44 as are required to effect a redemption by a redemptioner. If the debtor
45 redeems, the effect of the sale is terminated, and he is restored to his estate.

46 6. Upon a redemption by the debtor, the person to whom the payment
47 is made must execute and deliver to him a certificate of redemption,
48 acknowledged or approved before a person authorized to take
49 acknowledgments of conveyances of real property. The certificate must be



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1 ~~{filed and}~~ recorded in the office of the recorder of the county in which the
2 property is situated.

3 **Sec. 39.** NRS 21.260 is hereby amended to read as follows:

4 21.260 1. If the purchaser of real property sold on execution, or his
5 successor in interest, or a redemptioner ~~{be}~~ **is** evicted therefrom ~~{in~~
6 ~~consequence}~~ **because** of irregularities in the proceedings concerning the
7 sale or of the reversal or discharge of the judgment, he may recover the
8 price paid, with interest, from the judgment creditor.

9 2. If the purchaser of property at a sheriff's sale, or his successor in
10 interest, ~~{fail}~~ **fails** to recover possession in consequence of irregularity in
11 the proceedings concerning the sale, or because the property sold was not
12 subject to execution and sale, the court having jurisdiction thereof shall, on
13 petition of such party in interest, or his attorney, revive the original
14 judgment for the amount paid by ~~{such}~~ **the** purchaser at the sale, with
15 interest thereon from the time of payment at the same rate that the original
16 judgment bore, and when so revived, the judgment ~~{shall have}~~ **has** the
17 same effect as an original judgment of the court of that date, and bearing
18 interest as aforesaid, and any other or after-acquired property, rents, issues
19 or profits of the debtor ~~{shall be}~~ **is** liable to levy and sale, under execution
20 in satisfaction of ~~{such debt ; provided:~~

21 ~~— (a) That no} the debt if:~~

22 (a) No property of ~~{such}~~ **the** debtor bona fide sold upon the ~~{filing of~~
23 ~~such petition shall be}~~ **recording of the petition is** subject to the lien of
24 ~~{such}~~ **the** judgment; and

25 (b) ~~{That} The~~ notice of the ~~{filing of such petition shall be made by~~
26 ~~filing}~~ **recording of the petition is made by recording** a notice thereof in
27 the office of the recorder of the county where ~~{such}~~ **the** property is
28 situated, and that the judgment ~~{shall}~~ **must** be revived in the name of the
29 original plaintiff or plaintiffs, for the use of the petitioner, the party in
30 interest.

31 **Sec. 40.** NRS 31.060 is hereby amended to read as follows:

32 31.060 Subject to the requirements of NRS 31.045, the sheriff to
33 whom the writ is directed and delivered shall execute it without delay, and
34 if the undertaking mentioned in NRS 31.040 is not given, as follows:

35 1. Real property must be attached by leaving a copy of the writ with
36 the occupant of the property or, if there is no occupant, by posting a copy
37 in a conspicuous place on the property and ~~{filing a copy,}~~ **recording the**
38 **writ** together with a description of the property attached, with the recorder
39 of the county.

40 2. Personal property must be attached:

41 (a) By taking it into immediate custody, and, if directed by the plaintiff,
42 using the services of any company which operates a tow car, as defined in
43 NRS 706.131, or common motor carrier, as defined in NRS 706.036, to
44 transport it for storage in a warehouse or storage yard that is insured or
45 bonded in an amount not less than the full value of the property; or

46 (b) By placing a keeper in charge of a going business where the
47 property is located, with the plaintiff prepaying the expense of the keeper
48 to the sheriff, during which period, the defendant, by order of the court or
49 the consent of the plaintiff, may continue to operate in the ordinary course



1 of business at his own expense if all sales are for cash and the full proceeds
2 are paid to the keeper for the purpose of the attachment.

3 If the property is stored pursuant to paragraph (a), the property must be
4 segregated from other property and marked by signs or other appropriate
5 means indicating that it is in the custody of the sheriff.

6 3. Any mobile home, as defined in NRS 40.215, must be attached by:

7 (a) Posting a copy of the writ in a conspicuous place on the mobile
8 home;

9 (b) Taking it into immediate custody, subject to the provisions of
10 subsection 2; or

11 (c) Placing a keeper in charge of the mobile home for 2 days, with the
12 plaintiff prepaying the expense of the keeper to the sheriff:

13 (1) During which period, the defendant may continue to occupy the
14 mobile home; and

15 (2) After which period, the sheriff shall take the mobile home into his
16 immediate custody, subject to the provisions of subsection 2, unless other
17 disposition is made by the court or the parties to the action.

18 4. Debts and credits, due or to become due, and other personal
19 property in the possession or under the control of persons other than the
20 defendant must be attached by service of a writ of garnishment as provided
21 in NRS 31.240 to 31.460, inclusive.

22 **Sec. 41.** NRS 37.060 is hereby amended to read as follows:

23 37.060 1. All proceedings under this chapter ~~{shall}~~ **must** be brought
24 in the district court for the county in which the property or ~~{some}~~ **a** part
25 thereof is situated. The complaint in such cases must be verified, and the
26 party instituting any such proceedings shall ~~{file}~~ **record** with the recorder
27 of each county in which any of the property is situated a notice of the
28 pendency of the action.

29 2. From the time of such ~~{filing}~~ **recording** every purchaser or
30 encumbrancer whose conveyance or encumbrance is not then recorded or
31 docketed shall be deemed a subsequent purchaser or encumbrancer and
32 ~~{shall be}~~ **is** bound by the proceedings to the same extent and in the same
33 manner as if he were a party therein. He may intervene in the manner
34 provided by NRS 37.080.

35 **Sec. 42.** NRS 39.040 is hereby amended to read as follows:

36 39.040 Immediately after ~~{filing}~~ **recording** the complaint, the plaintiff
37 shall ~~{file}~~ **record** with the recorder of the county in which the property is
38 situated, a notice of the pendency of the action, containing the names of the
39 parties so far as known, the object of the action ~~{}~~ and a description of the
40 property to be affected thereby. From the time of the ~~{filing}~~ **recording**
41 of the notice, except as otherwise provided in NRS 14.017, it shall be deemed
42 notice to all persons.

43 **Sec. 43.** NRS 40.525 is hereby amended to read as follows:

44 40.525 1. ~~{Whenever}~~ **If** title or an interest in real or personal
45 property is affected by the death of any person, any other person who
46 claims any interest in the real or personal property, if his interest is affected
47 by the death of that person, or the State of Nevada, may file in the district
48 court of any county in which any part of the real or personal property is
49 situated a verified petition setting forth those facts and particularly



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1 describing the real or personal property, the interest of the petitioner and
2 the interest of the deceased therein.

3 2. The clerk shall set the petition for hearing by the court. Notice of
4 hearing of the petition must be mailed, by certified mail, return receipt
5 requested, postage prepaid, to the heirs at law of the deceased person at
6 their places of business or residences, if known, and if not, by publication
7 for at least 3 successive weeks in such newspaper as the court orders. The
8 clerk shall send a copy of the notice of hearing or of the affidavit to the
9 welfare division of the department of human resources by certified mail,
10 return receipt requested, postage prepaid, if the state is not the petitioner, at
11 the time notice is mailed to the heirs at law or the notice is published.
12 Failure on the part of any such heir at law to contest the petition precludes
13 any such heir at law from thereafter contesting the validity of the joint
14 interest or its creation or termination.

15 3. The court shall take evidence for or against the petition, and may
16 render judgment thereon establishing the fact of the death and the
17 termination of the interest of the deceased in the real or personal property
18 described in the petition.

19 4. A certified copy of the decree may be recorded in the office of the
20 recorder of each county in which any part of the real or personal property is
21 situated.

22 5. As an alternative method of terminating the interest of the deceased
23 person, ~~whenever~~ *if* title or an interest in real or personal property held in
24 joint tenancy or as community property with right of survivorship is
25 affected by the death of a joint tenant or spouse, any person who has
26 knowledge of the facts may ~~file~~ *record* in the office of the county
27 recorder in the county where the property is situated an affidavit meeting
28 the requirements of NRS 111.365, accompanied by a certified copy of the
29 death certificate of the deceased person.

30 **Sec. 44.** NRS 41.250 is hereby amended to read as follows:

31 41.250 Any decree rendered under the provisions of NRS 41.210 to
32 41.260, inclusive, ~~shall be filed~~ *must be recorded* with the state health
33 officer and in the office of the county recorder of the county in which the
34 decree was rendered.

35 **Sec. 45.** NRS 68.040 is hereby amended to read as follows:

36 68.040 A judgment rendered in a justice's court creates no lien upon
37 any lands of the defendant, unless an abstract is ~~filed~~ *recorded* in the
38 office of the county recorder of the county in which the lands are situated.
39 When so ~~filed~~ *recorded* and from the time of ~~filing~~ *the recording*, the
40 judgment becomes a lien upon all the real property of the judgment debtor,
41 not exempt from execution, in the county, owned by him at the time, or
42 which he acquires before the lien expires. The lien continues for 6 years,
43 unless the judgment is previously satisfied.

44 **Sec. 46.** NRS 78.085 is hereby amended to read as follows:

45 78.085 1. Every railroad company in this state shall, within 90 days
46 after its road is finally located:

47 (a) Cause to be made a map and profile thereof, and of the land taken
48 and obtained for the use thereof, and the boundaries of the several counties
49 through which the road may run;



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1 (b) File the ~~same~~ *map and profile thereof* in the office of the secretary
2 of state and a duplicate thereof with the public utilities commission of
3 Nevada; and

4 (c) Cause to be made like maps of the parts thereof located in different
5 counties, and ~~file the same~~ *record such maps* in the office of the recorder
6 of the county in which ~~such~~ *those* parts of the road are located.

7 2. The maps and profiles must be certified by the chief engineer, the
8 acting president ~~of~~ and secretary of ~~such~~ *the* company, and copies of the
9 ~~same~~ *maps and profiles* so certified and ~~filed~~ *recorded* as required by
10 subsection 1 ~~of~~ must be kept in the office of the company, subject to
11 examination by all interested persons.

12 **Sec. 47.** NRS 84.080 is hereby amended to read as follows:

13 84.080 1. In the event of the death or resignation of any such
14 archbishop, bishop, president, trustee in trust, president of stake, president
15 of congregation, overseer, presiding elder, district superintendent, or other
16 presiding officer ~~of~~ or clergyman, or of his removal from such office by
17 the person or body having the authority to remove him when ~~such~~ *the*
18 person is at the time a corporation sole, his successor in office, as such
19 corporation sole, ~~shall be~~ *is* vested with the title to ~~any and~~ all property
20 held by his predecessor, as such corporation sole, with like power and
21 authority over the ~~same~~ *property* and *is* subject to all the legal liabilities
22 and obligations with reference thereto.

23 2. ~~Such~~ *The* successor shall ~~file~~ *record* in the office of the county
24 recorder of each county wherein any of the real property is situated a
25 certified copy of his commission, certificate or letter of election or
26 appointment.

27 **Sec. 48.** NRS 107.090 is hereby amended to read as follows:

28 107.090 1. As used in this section, "person with an interest" means
29 any person who has or claims any right, title or interest in, or lien or charge
30 upon, the real property described in the deed of trust, as evidenced by any
31 document or instrument ~~filed or~~ recorded in the office of the county
32 recorder of the county in which any part of the real property is situated.

33 2. A person with an interest or any other person who is or may be held
34 liable for any debt secured by a lien on the property desiring a copy of a
35 notice of default or notice of sale under a deed of trust with power of sale
36 upon real property may at any time after recordation of the deed of trust
37 ~~file~~ *record* in the office of the county recorder of the county in which any
38 part of the real property is situated an acknowledged request for a copy of
39 the notice of default or of sale. The request must state the name and
40 address of the person requesting copies of the notices and identify the deed
41 of trust by stating the names of the parties thereto, the date of recordation,
42 and the book and page where it is recorded.

43 3. The trustee or person authorized to record the notice of default shall,
44 within 10 days after the notice of default is recorded and mailed pursuant
45 to NRS 107.080, cause to be deposited in the United States mail an
46 envelope, registered or certified, return receipt requested and with postage
47 prepaid, containing a copy of the notice, addressed to:

48 (a) Each person who has ~~filed~~ *recorded* a request for a copy of the
49 notice; and



1 (b) Each other person with an interest whose interest or claimed interest
2 is subordinate to the deed of trust.

3 4. The trustee or person authorized to make the sale shall, at least 20
4 days before the date of sale, cause to be deposited in the United States mail
5 an envelope, registered or certified, return receipt requested and with
6 postage prepaid, containing a copy of the notice of time and place of sale,
7 addressed to each person described in subsection 3.

8 5. No request ~~filed~~ **recorded** pursuant to the provisions of subsection
9 2 affects the title to real property.

10 **Sec. 49.** NRS 108.234 is hereby amended to read as follows:

11 108.234 Every building or other improvement mentioned in NRS
12 108.222, constructed upon any lands with the knowledge of the owner or
13 the person having or claiming any interest therein, shall be held to have
14 been constructed at the instance of ~~such~~ **the** owner or person having or
15 claiming any interest therein, and the interest owned or claimed ~~shall be~~
16 **is** subject to any lien recorded in accordance with the provisions of NRS
17 108.221 to 108.246, inclusive, unless ~~such~~ **the** owner or person having or
18 claiming an interest therein shall, within 3 days after he has obtained
19 knowledge of the construction, alteration or repair, or the intended
20 construction, alteration or repair, give notice that he will not be responsible
21 for ~~such~~ **the** improvement by ~~filing~~ **recording** a notice in writing to that
22 effect with the county recorder of the county where the land or building is
23 situated ~~it~~ and, in the instance of:

24 1. A lessor, the notice of lien nonresponsibility shall be deemed timely
25 ~~filed~~ **recorded** if the ~~same has been filed~~ **notice is recorded** within 3
26 days immediately following the execution of the lease by all parties as to
27 that construction, alteration or repair, or intended construction, alteration or
28 repair, known to the lessor at the time of the execution of the lease by all
29 parties.

30 2. An optionor, the notice of lien nonresponsibility shall be deemed
31 timely ~~filed~~ **recorded** if the ~~same has been filed~~ **notice is recorded**
32 within 3 days immediately following the execution of the agreement
33 permitting entry upon the real property by all parties as to that
34 construction, alteration, repair, or intended construction, alteration, repair
35 or other work known to the optionor at the time of the execution of the
36 agreement by all parties.

37 **Sec. 50.** NRS 108.550 is hereby amended to read as follows:

38 108.550 1. The lien provided for in NRS 108.540 may be foreclosed
39 in the following manner:

40 (a) A notice must be posted for a period of 10 days in three public and
41 conspicuous places in the county where the animals are being fed, pastured
42 or boarded, which notice must also be published in one issue of a
43 newspaper of general circulation in the county.

44 (b) The notice must:

45 (1) Specify the nature and amount of the lien.

46 (2) Specify that it is the intention of the lienholder to foreclose the
47 ~~same~~ **animal or animals** by sale.

48 (3) Specify a description of the animal or animals.



- 1 (4) Specify the name and last known address of the owner or
2 purported owner of the animal or animals.
- 3 (5) State that unless the amount of the lien is paid on or before a
4 specified date, the animal or animals, or so many thereof as may be
5 necessary, will be sold at public auction at the place and on the day and
6 hour specified in the notice.
- 7 (6) Be signed and dated by the lienholder.
- 8 (c) The lienholder shall specify a day for the purposes of the demand in
9 subparagraph (5) of paragraph (b). The day specified must not be less than
10 nor more than 15 days after the date of the publication of the notice.
- 11 (d) A true copy of the demand and notice must be mailed by registered
12 or certified letter and at the time of publication to the last known address of
13 the holder of every lien appearing of record in the county.
- 14 2. The sale provided for in this section may be conducted by the
15 person furnishing the feed, pasture or board, or by any other person who
16 may be designated by the lienholder. Only such number of animals will be
17 sold as may be necessary to discharge the lien and pay the cost of the
18 publication of notice, plus the sum of \$5 to be allowed to the person
19 making the sale. No sale may be made except when the animals to be sold
20 are corralled and have been viewed by the bidders. Any expense incidental
21 to rounding up or bringing the animal or animals to the place of sale is also
22 a proper and an additional charge against the owner. The lienholder may be
23 a bidder at the sale. From the proceeds of the sale, the lienholder shall
24 satisfy his lien, including the additional charges mentioned in this
25 subsection, delivering over the balance, if any, to the owner. If the owner is
26 out of the state or cannot be found, the balance must be deposited with the
27 county treasurer of the county in which the sale was conducted.
- 28 3. If the balance is not called for by the owner within 6 months ~~from~~
29 ~~after~~ the date of sale, the balance must be paid into the county school
30 district fund.
- 31 4. The highest bidder at the sale shall immediately pay the amount bid
32 in cash and receive title to the animals sold, subject only to any prior lien
33 appearing of record in the county, ~~if~~ but before title vests in the successful
34 bidder there must be ~~filed~~ **recorded** with the recorder of the county in
35 which the sale was held a certificate executed by the person conducting the
36 sale, to which must be attached the publisher's proof of publication of the
37 notice of sale to foreclose the lien. The certificate must specify:
- 38 (a) The name and address of the buyer.
- 39 (b) That the buyer was the highest bidder.
- 40 (c) The amount bid and paid.
- 41 (d) The kind, color, size, weight, brand, if any, and earmarks, if any, of
42 the animal or animals sold.
- 43 5. No person requesting or consenting to the furnishing of feed,
44 pasture or board is entitled to assert a lien prior to that provided for in this
45 section.
- 46 6. This section is intended to supplement existing law and the remedy
47 provided in this section is not exclusive. This section does not deprive the
48 lienholder from resorting to any other legal remedy.



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1 **Sec. 51.** NRS 108.560 is hereby amended to read as follows:

2 108.560 1. ~~{Whenever}~~ **If** the bill or claim for pasturage or feed for
3 livestock ~~{shall}~~ in the judgment of the person ~~{or persons}~~ furnishing the
4 pasturage or feed ~~{equal}~~ **equals** the value of the livestock pastured or fed,
5 and the owner ~~{or owners}~~ of the livestock ~~{shall have}~~ **has** failed or
6 neglected to pay for the pasturage or feed, the person ~~{or persons}~~
7 furnishing the pasturage or feed may have the livestock appraised by three
8 competent and disinterested freeholders. If the appraisement does not
9 exceed by 10 percent the amount of the unpaid pasturage or feed bill, upon
10 the ~~{filing}~~ **recording** of the appraisement with the county recorder of the
11 county in which the livestock is situated, the title to the livestock ~~{shall}~~
12 ~~vest}~~ **vests** in the person ~~{or persons furnishing such}~~ **furnishing the**
13 pasturage or feed and he ~~{or they shall have the right to}~~ **may** sell the
14 livestock, subject to the right of redemption mentioned in subsection 2.

15 2. At any time within 1 year after the ~~{filing}~~ **recording** of the
16 appraisement, the original owner ~~{or owners}~~ of the livestock ~~{shall have}~~
17 ~~the right to}~~ **may** redeem the livestock from the possessor thereof by paying
18 or tendering as payment to the possessor the amount of the appraisement
19 together with 25 percent of the appraisement additional as damages.
20 ~~{Should}~~ **If** payment or tender ~~{not be}~~ **is not** made by the original owner
21 within 1 year after the ~~{filing}~~ **recording** of the appraisement , the title of
22 the possessor of the livestock ~~{shall become}~~ **is** absolute.

23 **Sec. 52.** NRS 108.610 is hereby amended to read as follows:

24 108.610 In order to perfect the lien, the hospital or the owner or
25 operator thereof shall:

26 1. ~~{Prior to}~~ **Before** the payment of any ~~{moneys}~~ **money** to the injured
27 person or to his legal representative as compensation for injuries received,
28 ~~{file}~~ **record** a notice of lien, substantially in the form prescribed in NRS
29 108.620, containing an itemized statement of the amount claimed. The
30 notice of lien ~~{shall}~~ **must** be filed with:

31 (a) The county recorder of the county wherein the hospital is located;
32 and

33 (b) The county recorder of the county wherein the injury was suffered,
34 if the injury was suffered in a county other than that wherein the hospital is
35 located.

36 2. ~~{Prior to}~~ **Before** the date of judgment, settlement or compromise,
37 serve a certified copy of the notice of lien by registered or certified mail
38 upon the person ~~{, firm or corporation}~~ alleged to be responsible for
39 causing the injury and ~~{alleged to be}~~ liable for damages on account thereof
40 and from which damages are claimed.

41 3. ~~{Prior to}~~ **Before** the date of judgment, settlement or compromise,
42 serve a certified copy of the notice of lien by registered or certified mail
43 upon the insurance carrier, if known, which has insured against liability of
44 the person ~~{, firm or corporation}~~ alleged to be responsible for causing the
45 injury and ~~{alleged to be}~~ liable for damages on account thereof and from
46 which damages are claimed.

47 **Sec. 53.** NRS 111.312 is hereby amended to read as follows:

48 111.312 1. The county recorder shall not record with respect to real
49 property, a notice of completion, a declaration of homestead, a lien or



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1 notice of lien, an affidavit of death, a mortgage or deed of trust, or any
2 conveyance of real property or instrument in writing setting forth an
3 agreement to convey real property unless the document being recorded
4 contains:

5 (a) The mailing address of the grantee or, if there is no grantee, the
6 mailing address of the person who is requesting the recording of the
7 document; and

8 (b) The assessor's parcel number of the property at the top *left corner*
9 of the first page of the document, if the county assessor has assigned a
10 parcel number to the property. The county recorder is not required to verify
11 that the assessor's parcel number is correct.

12 2. The assessor's parcel number shall not be deemed to be a complete
13 legal description of the real property conveyed.

14 **Sec. 54.** NRS 122.160 is hereby amended to read as follows:

15 122.160 1. Marriages between Indians performed in accordance with
16 tribal customs within closed Indian reservations and Indian colonies have
17 the same validity as marriages performed in any other manner provided for
18 by the laws of this state, if there is ~~filed~~ *recorded* in the county in which
19 the marriage takes place, within 30 days after the performance of the tribal
20 marriage, a certificate declaring the marriage to have been performed.

21 2. The certificate of declaration required to be ~~filed~~ *recorded* by
22 subsection 1 must include the names of the persons married, their ages,
23 social security numbers, tribe, and place and date of marriage. The
24 certificate must be signed by an official of the tribe, reservation or colony.

25 3. The certificate must be ~~filed~~ *recorded* with the recorder of the
26 county in which the marriage was performed and recorded by him without
27 charge.

28 **Sec. 55.** NRS 123.150 is hereby amended to read as follows:

29 123.150 1. ~~When~~ *If* a married person is a resident of this state, the
30 ~~filing for record~~ *recording* of the inventory of ~~such~~ *the* person's
31 separate property in the office of the recorder of the county in which ~~such~~
32 *the* person resides is notice of ~~such~~ *the* person's title to the ~~same,~~
33 *separate property*, except as to any real property situate in another county,
34 ~~it~~ and as to ~~such~~ *that* real property, the filing for record of the inventory
35 thereof in the office of the recorder of the county where the same is situate,
36 is notice of ~~such~~ *the* person's title thereto.

37 2. ~~When~~ *If* a married person is not a resident of this state, the ~~filing~~
38 ~~for record~~ *recording* of the inventory of ~~such~~ *the* person's separate
39 property in the office of the recorder of the county where any portion of
40 ~~such~~ *the* property, real or personal, included in the inventory is situate,
41 located or used, is notice of ~~such~~ *the* person's title as to all ~~such~~ *that*
42 property situate, located or used in ~~such~~ *that* county.

43 **Sec. 56.** NRS 125.220 is hereby amended to read as follows:

44 125.220 1. At any time after the filing of the complaint, the
45 complaining spouse may ~~file~~ *record* a notice of pendency of the action in
46 the office of the county recorder of any county in which the other spouse
47 may have real property. ~~This~~ *The* notice has the same effect as notice in
48 actions directly affecting real property.



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1 2. The court may ~~also~~ enjoin either spouse from disposing of any
2 property during the pendency of the action.
3 **Sec. 57.** NRS 234.250 is hereby amended to read as follows:
4 234.250 1. In addition to any other requirement of law, each local
5 government, as defined in NRS 354.474, shall ~~file a copy of its~~ **record**
6 **the original** official plat with:
7 (a) The county recorder, the county clerk or the registrar of voters, and
8 the county assessor of each county in which its territory or any part thereof
9 is situated.
10 (b) The department of taxation.
11 2. All changes in boundaries made ~~subsequent to~~ **after** the original
12 ~~filing and~~ recording of such plat ~~shall~~ **must** be recorded ~~and filed~~
13 immediately with the offices with which copies of the original plat were
14 filed.
15 3. Until a local government complies with the requirements of
16 subsections 1 and 2, it shall not levy or receive any ad valorem or other tax
17 or any other mandatory assessment.
18 4. This section applies to all local governments receiving and
19 expending funds on behalf of the public, regardless of their designation.
20 **Sec. 58.** NRS 266.285 is hereby amended to read as follows:
21 266.285 The city council may:
22 1. Provide, by contract, franchise or public enterprise, for any utility to
23 be furnished to the city for the residents thereof.
24 2. Provide for the construction of any facility necessary for the
25 provision of ~~such~~ **the** utility.
26 3. Fix the rate to be paid for any utility provided by public enterprise.
27 Any charges due for services, facilities or commodities furnished by any
28 utility owned by the city is a lien upon the property to which the service is
29 rendered and ~~shall~~ **must** be perfected by ~~filing~~ **recording** with the
30 county recorder a statement by the city clerk of the amount due and unpaid
31 and describing the property subject to the lien. Each such lien ~~shall~~:
32 ~~—(a) Be:~~
33 **(a) Is** coequal with the latest lien thereon to secure the payment of
34 general taxes.
35 (b) ~~Not be~~ **Is not** subject to extinguishment by the sale of any property
36 ~~on account~~ **because** of the nonpayment of general taxes.
37 (c) ~~Be~~ **Is** prior and superior to all liens, claims, encumbrances and
38 titles other than the liens of assessments and general taxes.
39 **Sec. 59.** NRS 266.335 is hereby amended to read as follows:
40 266.335 The city council may:
41 1. Except as otherwise provided in subsection 3 of NRS 40.140 and
42 subsection 5 of NRS 202.450, determine by ordinance what shall be
43 deemed nuisances.
44 2. Provide for the abatement, prevention and removal of ~~such~~ **the**
45 nuisances at the expense of the person creating, causing or committing
46 ~~such~~ **the** nuisances.
47 3. Provide that ~~such~~ **the** expense of removal is a lien upon the
48 property upon which the nuisance is located. ~~Such~~ **The** lien must:



1 (a) Be perfected by ~~filings~~ **recording** with the county recorder a
2 statement by the city clerk of the amount of expenses due and unpaid and
3 describing the property subject to the lien.

4 (b) Be coequal with the latest lien thereon to secure the payment of
5 general taxes.

6 (c) Not be subject to extinguishment by the sale of any property ~~on~~
7 ~~account~~ **because** of the nonpayment of general taxes.

8 (d) Be prior and superior to all liens, claims, encumbrances and titles
9 other than the liens of assessments and general taxes.

10 4. Provide any other penalty or punishment of persons responsible for
11 ~~such~~ **the** nuisances.

12 **Sec. 60.** NRS 270.090 is hereby amended to read as follows:

13 270.090 1. The findings of fact and conclusions of law and judgment
14 must be made and entered as in other cases, and exceptions, motions for
15 new trial and appeals may be had as provided in NRS and the Nevada
16 Rules of Appellate Procedure.

17 2. The court or judge thereof shall in the findings and decree establish
18 a definite map or plat of the city, or part thereof or addition thereto, in
19 accordance with the pleadings and proof, and shall, by reference, make a
20 part of the findings and judgment the map or plat so established.

21 3. Wherever blocks or parts of blocks in the original lost, destroyed,
22 conflicting, erroneous or faulty maps or plats have been insufficiently or
23 incorrectly platted, numbered or lettered, the omission, insufficiency or
24 fault must be supplied and corrected in accordance with the pleadings and
25 proof.

26 4. If the map or plat prepared by the surveyor is inadequate or
27 impracticable of use for the judgment, the judgment or decree may require
28 the making of a new map or plat in accordance with the provisions of the
29 findings and judgment.

30 5. A certified copy of the judgment, together with ~~such~~ **the** map or
31 plat as is established by the court, must be ~~filed~~ **recorded** in the office of
32 the county recorder of the county in which the action is tried. All the ties
33 and descriptions of section or quarter section corners, monuments or marks
34 required by NRS 270.020 must appear on the map finally established by
35 the judgment. The county recorder may collect and receive as his fees for
36 recording and indexing the certified copy of the judgment and map, \$10 for
37 the map, and the specific statutory fees for the judgment, but not exceeding
38 \$50.

39 6. The judgment may require that all prior existing maps in conflict
40 with the map or plat adopted be so marked or identified by the county
41 recorder to show the substitution of the new map or plat in place thereof.

42 **Sec. 61.** NRS 271.325 is hereby amended to read as follows:

43 271.325 1. When an accurate estimate of cost, full and detailed plans
44 and specifications and map are prepared, are presented and are satisfactory
45 to the governing body, it shall, by resolution, make a determination that:

46 (a) Public convenience and necessity require the creation of the district;
47 and

48 (b) The creation of the district is economically sound and feasible.



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1 This determination may be made part of the ordinance creating the district
2 adopted pursuant to subsection 2 and is conclusive in the absence of fraud
3 or gross abuse of discretion.

4 2. The governing body may, by ordinance, create the district and order
5 the proposed project to be acquired or improved. This ordinance may be
6 adopted and amended as if an emergency existed.

7 3. The ordinance must prescribe:

8 (a) The extent of the improvement district to be assessed, by boundaries
9 or other brief description, and similarly of each assessment unit therein, if
10 any.

11 (b) The kind and location of each project proposed, without mentioning
12 minor details.

13 (c) The amount or proportion of the total cost to be defrayed by
14 assessments, the method of levying assessments, the number of
15 installments and the times in which the costs assessed will be payable.

16 (d) The character and extent of any construction units.

17 4. The engineer may further revise the cost, plans and specifications
18 and map from time to time for all or any part of any project, and the
19 ordinance may be appropriately amended before letting any construction
20 contract therefor and before any work being done other than by
21 independent contract let by the municipality.

22 5. The ordinance, ~~as amended~~ if amended, must order the work to be
23 done as provided in this chapter.

24 6. Upon adoption or amendment of the ordinance, the governing body
25 shall cause to be ~~filed~~ *recorded* in the office of the county recorder a
26 certified copy of a list of the tracts to be assessed and the amount of
27 maximum benefits estimated to be assessed against each tract in the
28 assessment area, as shown on the assessment plat as revised and approved
29 by the governing body pursuant to NRS 271.320. Neither the failure to
30 record the list as provided in this subsection nor any defect or omission in
31 the list regarding any parcel or parcels to be included within the district
32 affects the validity of any assessment, the lien for the payment thereof or
33 the priority of that lien.

34 7. The governing body may not adopt an ordinance creating or
35 modifying the boundaries of an improvement district for a commercial area
36 vitalization project if the boundaries of the improvement district overlap an
37 existing improvement district created for a commercial area vitalization
38 project.

39 **Sec. 62.** NRS 274.200 is hereby amended to read as follows:

40 274.200 1. Approval of designated specially benefited zones must be
41 made by the governor by certification of the designating ordinance. The
42 governor shall promptly issue a certificate for each specially benefited zone
43 upon his approval. The certificate must be signed by the governor, must
44 make specific reference to the designating ordinance, which must be
45 attached thereto, and must be filed in the office of the secretary of state. A
46 certified copy of the certificate ~~, or a duplicate original thereof,~~
47 ~~filed~~ *recorded* with the county recorder of the county in which the
48 specially benefited zone lies.



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1 2. A specially benefited zone is effective upon its certification. The
2 administrator shall transmit a copy of the certification to the department of
3 taxation, the employment security division of the department of
4 employment, training and rehabilitation and to the designating
5 municipality. The terms and provisions of the designating ordinance
6 become effective upon certification of the specially benefited zone, and
7 may not be amended or repealed except as otherwise provided in NRS
8 274.280.

9 3. Except as otherwise provided in NRS 274.280, the designating
10 ordinance and the certification remain in effect for 20 years, or for a lesser
11 number of years specified in the ordinance, and terminate at midnight of
12 December 31 of the final year of the certified term.

13 4. No more than eight specially benefited zones may be approved by
14 the governor in any year. In any year, the governor may not approve more
15 than three zones located within the same county, whether within its cities
16 or within the unincorporated areas, nor more than three zones in the same
17 city. The governor may approve specially benefited zones in each of the 6
18 years commencing with 1984. Thereafter, the governor may not approve
19 any additional specially benefited zones, but may amend or rescind
20 certifications of existing zones as provided in NRS 274.280.

21 **Sec. 63.** NRS 277.140 is hereby amended to read as follows:

22 277.140 As conditions precedent to the entry into force of any
23 agreement made pursuant to NRS 277.080 to 277.170, inclusive:

24 1. ~~{Such agreement shall}~~ *The agreement must* be submitted to the
25 attorney general, who shall determine whether it is in proper form and
26 compatible with the laws of this state. The attorney general shall set forth
27 in detail in writing addressed to the governing bodies of the public agencies
28 concerned any specific respects in which he finds that the proposed
29 agreement fails to ~~{meet}~~ *comply with* the requirements of law. Failure to
30 disapprove an agreement submitted under the provisions of this section
31 within 30 days after its submission ~~{shall constitute}~~ *constitutes* approval.

32 2. ~~{Such agreement shall be filed}~~ *The agreement must be recorded*
33 with the county recorder of each county in which a participating political
34 subdivision of this state is located, and *filed* with the secretary of state.

35 **Sec. 64.** NRS 278.0203 is hereby amended to read as follows:

36 278.0203 1. The governing body may, if it finds that the provisions
37 of the agreement are consistent with the master plan, approve the
38 agreement by ordinance.

39 2. Within a reasonable time after approval of the agreement, the clerk
40 of the governing body shall cause the original agreement to be ~~{filed}~~
41 *recorded* with the county recorder or the recorder of Carson City. ~~{for}~~
42 ~~recording}~~ Upon recordation the agreement binds all parties and their
43 successors in interest for the duration of the agreement.

44 **Sec. 65.** NRS 278.378 is hereby amended to read as follows:

45 278.378 1. A final map presented to the county recorder for ~~{filing}~~
46 *recording* must include a certificate by the clerk of the governing body or
47 planning commission, or the director of planning or other authorized
48 person or agency if authorized to take final action by the governing body,



1 stating that the governing body, planning commission, director of planning
2 or other authorized person or agency:

3 (a) Approved the map;

4 (b) Accepted or rejected on behalf of the public any parcel of land
5 offered for dedication for public use in conformity with the terms of the
6 offer of dedication; and

7 (c) If applicable, determined that a public street, easement or utility
8 easement that will not remain in effect after a merger and resubdivision of
9 parcels conducted pursuant to NRS 278.4925, has been vacated or
10 abandoned in accordance with NRS 278.480.

11 2. The director of planning or, if there is no director of planning, the
12 clerk of the governing body shall certify on the final map that it
13 substantially complies with the tentative map and all conditions have been
14 met.

15 3. The clerk of the governing body or planning commission shall cause
16 the approved final map to be presented to the county recorder for ~~fil~~
17 ~~ing~~ **recording**.

18 **Sec. 66.** NRS 278.460 is hereby amended to read as follows:

19 278.460 1. A county recorder shall not ~~file for~~ record any final map
20 unless the map:

21 (a) Contains or is accompanied by the report of a title company and all
22 the certificates of approval, conveyance and consent required by the
23 provisions of NRS 278.374 to 278.378, inclusive, and by the provisions of
24 any local ordinance; and

25 (b) Is accompanied by a written statement signed by the treasurer of the
26 county in which the land to be divided is located indicating that all
27 property taxes on the land for the fiscal year have been paid and that the
28 full amount of any deferred property taxes for the conversion of the
29 property from agricultural use has been paid pursuant to NRS 361A.265.

30 2. ~~Nothing contained in~~ **The provisions of** NRS 278.010 to 278.630,
31 inclusive, ~~prevents~~ **do not prevent** the recording, pursuant to the
32 provisions of NRS 278.010 to 278.630, inclusive, and any applicable local
33 ordinances, of a map of any land which is not a subdivision, nor do NRS
34 278.010 to 278.630, inclusive, prohibit the ~~fil~~ **recording**
35 of a map in accordance with the provisions of any statute requiring the ~~fil~~
36 **recording** of professional land surveyor's records of surveys.

37 3. A county recorder shall accept or refuse a final map for recordation
38 within 10 days after its delivery to him.

39 **Sec. 67.** NRS 279.603 is hereby amended to read as follows:

40 279.603 1. The legislative body shall ~~file~~ **record** with the county
41 recorder of the county in which the redevelopment area is situated a
42 description of the land within the redevelopment area and a statement that
43 proceedings for the redevelopment of that area have been instituted.

44 2. Within 30 days after the adoption by the legislative body of a
45 redevelopment plan which contains a provision for the division of taxes
46 pursuant to NRS 279.676, the clerk of the community shall transmit a copy
47 of the description and statement recorded pursuant to subsection 1, a copy
48 of the ordinance adopting the plan and a map or plat indicating the
49 boundaries of the redevelopment area to:



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1 (a) The auditor and tax assessor of the county in which the
2 redevelopment area is located;

3 (b) The officer who performs the functions of auditor or assessor for
4 any taxing agency which, in levying or collecting its taxes, does not use the
5 county assessment roll or ~~does not~~ collect its taxes through the county;
6 and

7 (c) The governing body of each of the taxing agencies which levies
8 taxes upon any property in the redevelopment area.

9 **Sec. 68.** (Deleted by amendment.)

10 **Sec. 69.** NRS 309.060 is hereby amended to read as follows:

11 309.060 The board of county commissioners shall meet on the second
12 Monday succeeding the election provided for in NRS 309.050 and proceed
13 to canvass the votes and, if upon the canvass it appears that a majority of
14 votes cast were for "Local Improvement District-Yes," the board, by an
15 order entered upon its minutes, shall declare the territory organized as an
16 improvement district under the name and style theretofore designated, and
17 ~~shall~~ declare the persons receiving respectively the highest number of
18 votes for directors to be elected, and ~~shall~~ cause a copy of the order and a
19 plat of the district, each certified by the clerk of the board of county
20 commissioners, to be ~~filed immediately for record~~ *recorded immediately*
21 in the office of the county recorder of each county in which any portion of
22 the district is situated, and certified copies thereof must also be ~~filed~~
23 *recorded* with the county clerks of those counties. Thereafter the
24 organization of the district is complete.

25 **Sec. 70.** NRS 309.220 is hereby amended to read as follows:

26 309.220 1. Upon the hearing of such petition, the court shall examine
27 all the proceedings sought to be confirmed and may ratify, approve and
28 confirm the ~~same~~ *petition* or any part thereof, ~~it~~ and when an
29 apportionment of benefits is examined, all objections thereto, including
30 those made at the hearing before the board, ~~shall~~ *must* be set up in the
31 answer and heard by the court.

32 2. The court shall disregard every error, irregularity or omission which
33 does not affect substantial rights of any party, and if the court ~~shall find~~
34 *finds* that the apportionment is, as to any substantial matter, erroneous or
35 unjust, the ~~same shall~~ *apportionment must* not be returned to the board,
36 but the court shall proceed to correct the ~~same~~ *apportionment* so as to
37 conform to this chapter and the rights of all parties in the premises, and the
38 final judgment may approve and confirm ~~such~~ *the* proceedings in whole
39 or in part.

40 3. A certified copy of the final judgment ~~shall~~ *must* be filed in the
41 office of the state engineer and *recorded* in the office of the recorder of the
42 county or counties in which any of the lands within the district are situated.
43 In case of the approval of the organization of the district and the
44 disapproval of the proceedings for issuing bonds, the district may again
45 undertake proceedings for the issuance of bonds and have the ~~same~~ *bonds*
46 confirmed as ~~herein provided~~ *provided in this section*.

47 4. The cost of the proceedings in court may be allowed and
48 apportioned among the parties thereto in the discretion of the court.



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- 1 5. Any person aggrieved at any decree of confirmation entered by the
2 district court ~~shall have the right to~~ **may** move for a new trial as ~~now~~
3 provided by the Nevada Rules of Civil Procedure and may, within 30 days
4 ~~from~~ **after** the entry of ~~such~~ **the** decree of confirmation, appeal to the
5 supreme court, and all proceedings in the nature of appeals or rehearings
6 may be had as in any ordinary civil action, except as ~~herein expressly~~
7 ~~provided otherwise.~~ **otherwise provided in this section.**
- 8 **Sec. 71.** NRS 329.140 is hereby amended to read as follows:
9 329.140 Except as otherwise provided in NRS 329.145, a surveyor
10 shall complete, sign and ~~file~~ **record** or cause to be ~~filed~~ **recorded** with
11 the county recorder of the county in which the corner is situated a written
12 record of the establishment or restoration of a public land survey corner.
13 Except as otherwise provided in NRS 329.145, such a ~~filing~~ **recording**
14 must be made for every public land survey corner and accessory to ~~such~~
15 **the** corner which is established, reestablished, monumented,
16 remonumented, restored, rehabilitated, perpetuated or used as control in
17 any survey. The survey information must be ~~filed~~ **recorded** within 90
18 days after the survey is completed.
- 19 **Sec. 72.** NRS 108.630, 247.307 and 247.350 are hereby repealed.
- 20 **Sec. 73.** 1. This section and sections 1 to 11, inclusive, and 13 to 72,
21 inclusive, of this act become effective on July 1, 2001.
- 22 2. Section 12 of this act becomes effective on July 1, 2003.

TEXT OF REPEALED SECTIONS

108.630 Docket of liens: Duties of county recorder; fees.

1. Each county recorder shall maintain a hospital lien docket in which, upon the filing of any such notice of lien, he shall enter the name of the injured person, the approximate date of the injury, the name and address of the hospital filing the notice and the amount claimed; and he shall make an index thereto in the names of the injured persons.

2. Each county recorder shall charge and collect the fees provided in NRS 247.305 for the filing of each notice of lien and for making certified copies upon request.

247.307 Reduction of filing fee for document suitable for indexing by device which reads characters by optical process. If a document meets standards prescribed by the county recorder which allow that document to be indexed by a device which reads characters by an optical process, the filing fee is one-half of the fee otherwise specified.

247.350 Receiving book to be kept as fee book. The receiving book defined in NRS 247.100 shall be the fee book of the county recorder and shall be kept as required by law.

