

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.



* A B 5 6 8 R 2 *

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



* A B 5 6 8 R 2 *

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



* A B 5 6 8 R 2 *

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,}~~



* A B 5 6 8 R 2 *

- 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. ~~for~~
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 ~~for 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 ~~for 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.*



* A B 5 6 8 R 2 *

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~~



* A B 5 6 8 R 2 *

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.



* A B 5 6 8 R 2 *

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 1. Except as otherwise provided in NRS 111.312, whenever
40 ~~an instrument~~ a document conveying, encumbering or mortgaging both
41 real and personal property is presented to ~~any~~ a county recorder for
42 recording, the county recorder shall record the ~~instrument in a book kept~~
43 ~~by him for that purpose, which~~ document. The record must be indexed in
44 the real estate index as deeds and other conveyances are required by law to
45 be indexed, and for which ~~the~~ the county recorder may receive the same
46 fees 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 2. A county recorder who records an instrument pursuant to this
2 section shall, within 7 working days after he records the instrument,
3 provide to the county assessor at no charge:

4 (a) A duplicate copy of the instrument and any supporting documents;
5 or

6 (b) Access to the digital instrument and any digital supporting
7 documents.

8 **Sec. 21.** NRS 247.190 is hereby amended to read as follows:

9 247.190 1. ~~{Every instrument of writing}~~ *A document* acknowledged
10 or proved and certified and recorded in the manner prescribed in this
11 chapter ~~{shall}~~ from the time of ~~{filing the same}~~ *depositing the document*
12 with the county recorder of the proper county for record, ~~{impart}~~ *provides*
13 notice to all persons of the contents thereof, and all third parties shall be
14 deemed to purchase and take with notice.

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

28 ~~3. Every instrument of writing filed, but not for recordation, as~~
29 ~~permitted by law, shall from the time of filing of the same with the county~~
30 ~~recorder of the proper county impart notice to all persons of the contents~~
31 ~~thereof, and all third parties shall be deemed to purchase and take with~~
32 ~~notice.~~ *document.*

33 **Sec. 22.** NRS 247.200 is hereby amended to read as follows:

34 247.200 ~~{Instruments}~~ *A document* affecting real property must be
35 recorded in the office of the county recorder of the county in which the real
36 property is situated. *A county recorder may refuse to record a document*
37 *affecting real property if the real property is not located within the*
38 *county.*

39 **Sec. 23.** NRS 247.210 is hereby amended to read as follows:

40 247.210 A copy or abstract of ~~{any instrument}~~ *a document* once
41 recorded or filed in any recording office of any state, certified by the
42 county recorder or other appropriate officer in whose *public* office the
43 ~~{instrument}~~ *document* is recorded or filed, may be recorded ~~{or filed}~~ in
44 any county of this state, and when so recorded, ~~{or filed}~~ the record thereof
45 ~~{, or the filed instrument,}~~ has the same force and effect as though it were
46 of the original ~~{instrument}~~ *document.*



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1 **Sec. 24.** NRS 247.305 is hereby amended to read as follows:
2 247.305 1. If another statute specifies the fee to be charged for a
3 service, county recorders shall charge and collect only the fee specified.
4 Otherwise county recorders shall charge and collect the following fees:

5
6 For recording any document, for the first page \$7
7 For each additional page 1
8 For recording each portion of a document which must be
9 separately indexed, after the first indexing 3
10 For copying any record, for each page 1
11 For certifying, including certificate and seal 4
12 For a certified copy of a certificate of marriage 7
13 For a certified abstract of a certificate of marriage 7
14

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

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

21 (1) Conveys to the state, or to that city or town, an interest in land;
22 (2) Is a mortgage or deed of trust upon lands within the county which
23 names the state or that city or town as beneficiary;
24 (3) Imposes a lien in favor of the state or that city or town; or
25 (4) Is a notice of the pendency of an action ~~{in eminent domain filed}~~
26 by the state ~~{pursuant to NRS 37.060.}~~ *or that city or town.*

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

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

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

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

39 247.320 ~~{County recorders are required to file and record in their~~
40 ~~respective offices and in the books provided therefor.}~~

41 1. *A county recorder shall:*

42 (a) *Record* deeds of conveyances and judgments vesting or perfecting
43 title in the United States ~~{, and to certify copies of such instruments~~
44 ~~furnished by}~~ ; and

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

47 2. A county recorder *shall not charge fees* for the services ~~{mentioned~~
48 ~~in}~~ *required by* this section.



1 **Sec. 26.** NRS 247.330 is hereby amended to read as follows:
2 247.330 A county recorder shall not ~~be bound to~~ record any
3 ~~instrument, or file any paper or notice, or to~~ **document**, furnish any
4 copies ~~to, or to~~ or render any **other** service connected with his office, until
5 ~~this~~ **the** fees for the ~~same~~ **services**, as prescribed by law, are paid or
6 tendered.

7 **Sec. 27.** NRS 247.370 is hereby amended to read as follows:
8 247.370 Any county recorder who **willfully** violates any of the
9 provisions of NRS 247.340 ~~for 247.350~~ shall be fined not more than
10 \$1,000.

11 **Sec. 28.** NRS 247.380 is hereby amended to read as follows:
12 247.380 If any county recorder ~~shall take~~ **willfully takes** more or
13 greater fees than are allowed by law, he ~~shall be~~ **is** liable to indictment,
14 and on conviction ~~shall~~ **must** be removed from office and fined ~~in any~~
15 ~~sum not exceeding~~ **not more than** \$1,000.

16 **Sec. 29.** NRS 247.390 is hereby amended to read as follows:
17 247.390 Any county recorder receiving fees as provided by law shall
18 ~~publish and set up in some~~ **post in a** conspicuous place in his office a fee
19 table for public inspection. A sum not exceeding \$20 for each day of his
20 omission so to do ~~shall~~ **must** be forfeited, which sum with costs may be
21 recovered by any person by an action before any justice of the peace of the
22 same county.

23 **Sec. 30.** NRS 247.410 is hereby amended to read as follows:
24 247.410 ~~If any county recorder to whom an instrument, proved or~~
25 ~~acknowledged according to law, or any paper or notice which may by law~~
26 ~~be recorded is delivered for record, or to whom any document, instrument~~
27 ~~or paper permitted by law to be filed is delivered for filing:~~ **A county**
28 **recorder is liable to a party aggrieved for three times the amount of the**
29 **damages that may be occasioned thereby if the county recorder:**

30 1. Neglects or refuses to record ~~for file such instrument, paper or~~
31 ~~notice~~ **a recordable document** within a reasonable time after receiving the
32 ~~same;~~ **document;**

33 2. Records ~~for files any instrument, paper or notice;~~ **a document**
34 willfully or negligently, untruly ~~to~~ or in any other manner than is directed
35 in this chapter;

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

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

42 **Sec. 31.** NRS 248.275 is hereby amended to read as follows:
43 248.275 1. The sheriff of each county in this state may charge and
44 collect the following fees:

45
46 For serving a summons or complaint, or any other process,
47 by which an action or proceeding is commenced, except as
48 a writ of habeas corpus, on every defendant \$15



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1	For traveling and making such service, per mile in going	
2	only, to be computed in all cases the distance actually	
3	traveled, for each mile	1
4	If any two or more papers are required to be served in the	
5	same suit at the same time, where parties live in the	
6	same direction, one mileage only may be charged.	
7	For taking a bond or undertaking in any case in which he is	
8	authorized to take a bond or undertaking	4
9	For a copy of any writ, process or other paper, when if	
10	demand or required by law, for each page	2
11	For serving every rule or order	15
12	For serving one notice required by law before the	
13	commencement of a proceeding for any type of eviction	15
14	For serving not fewer than 2 nor more than 10 such notices	
15	to the same location, each notice	12
16	For serving not fewer than 11 nor more than 24 such notices	
17	to the same location, each notice	10
18	For serving 25 or more such notices to the same location,	
19	each notice	9
20	For mileage in serving such a notice, for each mile	
21	necessarily and actually traveled in going only	1
22	But if two or more notices are served at the same general	
23	location during the same period, mileage may only be	
24	charged for the service of one notice.	
25	For serving a subpoena, for each witness summoned	15
26	For traveling, per mile in serving subpoenas, or a venire, in	
27	going only, for each mile	1
28	When two or more witnesses or jurors live in the same	
29	direction, traveling fees must be charged only for the	
30	most distant.	
31	For serving an attachment on property, or levying an	
32	execution, or executing an order of arrest or order for the	
33	delivery of personal property, together with traveling fees,	
34	as in cases of summons	15
35	For making and posting notices and advertising for sale, on	
36	execution or any judgment or order of sale, not to include	
37	the cost of publication in a newspaper	15
38	For issuing each certificate of sale of property on execution	
39	or order of sale, and for filing a duplicate thereof	
40	<i>recording the original certificate</i> with the county	
41	recorder, which must be collected from the party receiving	
42	the certificate	3
43	For drawing and executing every sheriff's deed, to be paid by	
44	the grantee, who shall in addition pay for the	
45	acknowledgment thereof	12
46	For serving a writ of possession or restitution, putting any	
47	person into possession entitled thereto	15



1	For traveling in the service of any process, not otherwise	
2	provided in this section, for each mile necessarily traveled,	
3	for going only, for each mile	1
4	For mailing a notice of a writ of execution	1

5
6 The sheriff may charge and collect \$1 per mile traveled, for going only, on
7 all papers not served, where reasonable effort has been made to effect
8 service, but not to exceed \$20.

9 2. The sheriff may also charge and collect:

10 (a) For commissions for receiving and paying over money on execution
11 or process, where lands or personal property have been levied on,
12 advertised or sold, on the first \$500, 4 percent; on any sum in excess of
13 \$500, and not exceeding \$1,000, 2 percent; on all sums above that amount,
14 1 percent.

15 (b) For commissions for receiving and paying over money on
16 executions without levy, or where the lands or goods levied on are not sold,
17 on the first \$3,500, 2 percent, and on all amounts over that sum, one-half of
18 1 percent.

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

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

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

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

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

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

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

40 249.060 1. County treasurers may appoint one or more deputies, and
41 may take from them bond with sureties. A deputy must be at least 18 years
42 of age. Every county treasurer and his sureties are liable for every official
43 act of his deputies.

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

47 3. All appointments of deputies under the provisions of this section
48 must be in writing, and must, together with the oath of office of the
49 deputies, be ~~filed and recorded in a book provided for that purpose~~



1 ~~recorded~~ in the office of the recorder of the county within which the
2 county treasurer legally holds and exercises his office. Revocations of such
3 appointments must also be ~~filed and~~ recorded as ~~herein provided~~
4 ~~provided in this section~~. From the time of the ~~filing~~ **recording** of the
5 appointments or revocations therein, persons shall be deemed to have
6 notice of the ~~same~~ **appointments or revocations**.

7 **Sec. 33.** NRS 250.060 is hereby amended to read as follows:
8 250.060 1. All county assessors are authorized to appoint deputies,
9 who are authorized to transact all official business ~~appertaining~~ **relating**
10 to the offices ~~to~~ to the same extent as the county assessors. A deputy must
11 be at least 18 years of age.

12 2. County assessors are responsible on their official bonds for all
13 official malfeasance or nonfeasance of their deputies. Bonds for the faithful
14 performance of their official duties may be required of deputies by county
15 assessors.

16 3. All appointments of deputies under the provisions of this section
17 must be in writing, and must, together with the oath of office of the
18 deputies, be ~~filed and recorded in a book provided for that purpose~~
19 **recorded** in the office of the recorder of the county within which the
20 county assessor legally holds and exercises his office. Revocations of such
21 appointments must also be ~~filed and~~ recorded as ~~herein provided~~
22 ~~provided in this section~~. From the time of the ~~filing~~ **recording** of the
23 appointments or revocations therein, persons shall be deemed to have
24 notice of the ~~same~~ **appointments or revocations**.

25 **Sec. 34.** NRS 252.070 is hereby amended to read as follows:
26 252.070 1. All district attorneys are authorized to appoint deputies,
27 who may transact all official business ~~appertaining~~ **relating** to the offices
28 ~~to~~ to the same extent as their principals.

29 2. District attorneys are responsible on their official bonds for all
30 official malfeasance or nonfeasance of the deputies. Bonds for the faithful
31 performance of their official duties may be required of deputies by district
32 attorneys.

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

42 4. Deputy district attorneys of counties whose population is less than
43 100,000 may engage in the private practice of law. In any other county,
44 except as otherwise provided in NRS 7.065 and this subsection, deputy
45 district attorneys shall not engage in the private practice of law. An
46 attorney appointed to prosecute a person for a limited duration with limited
47 jurisdiction may engage in private practice which does not present a
48 conflict with his appointment.



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

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

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

9 253.025 1. A public administrator may appoint as many deputies as
10 he deems necessary to perform fully the duties of his office. A deputy so
11 appointed may perform all duties required of the public administrator and
12 has the corresponding powers and responsibilities. Before entering upon
13 the discharge of his duties, each deputy must take and subscribe to the
14 constitutional oath of office.

15 2. Each appointment must be in writing and ~~filed,~~ *recorded* with the
16 oath of office of that deputy ~~in a book provided for that purpose~~ in the
17 office of the county recorder. Any revocation or resignation of an
18 appointment must be ~~filed in the same book,~~ *recorded in the office of the*
19 *county recorder.*

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

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

24 255.110 1. The county surveyor shall:

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

29 (b) Number such surveys progressively.

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

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

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

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

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

48 14.010 1. In an action for the foreclosure of a mortgage upon real
49 property, or affecting the title or possession of real property, the plaintiff,



1 at the time of filing the complaint, and the defendant, at the time of filing
2 his answer, if affirmative relief is claimed in the answer, shall ~~file~~ **record**
3 with the recorder of the county in which the property, or some part thereof,
4 is situated, a notice of the pendency of the action, containing the names of
5 the parties, the object of the action and a description of the property in that
6 county affected thereby, and the defendant shall also in the notice state the
7 nature and extent of the relief claimed in the answer.

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

12 3. From the time of ~~filing~~ **recording** only, except as otherwise
13 provided in NRS 14.017, the pendency of the action is constructive notice
14 to a purchaser or encumbrancer of the property affected thereby. In case of
15 the foreclosure of the mortgage, all purchasers or encumbrancers, by
16 unrecorded deed or other instrument in writing made before the ~~filing~~
17 **recording** of the notice, and after the date of the mortgage, shall be deemed
18 purchasers or encumbrancers after the ~~filing~~ **recording** of the notice, and
19 subject thereto, unless NRS 14.017 is applicable or they can show that , at
20 the time of ~~filing~~ **recording** the notice , the plaintiff had actual notice of
21 the purchase or encumbrance.

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

23 21.220 1. If property be so redeemed by a redemptioner, another
24 redemptioner may, within 60 days after the last redemption, again redeem
25 it from the last redemptioner on paying the sum paid on such last
26 redemption with 2 percent thereon in addition, and the amount of any
27 assessments or taxes which the last redemptioner may have paid thereon
28 after the redemption by him, with interest on that amount, and in addition
29 the amount of any liens held by the last redemptioner prior to his own, with
30 interest , ~~+~~ but the judgment under which the property was sold need not
31 be so paid as a lien.

32 2. The property may be again, and as often as a redemptioner is so
33 disposed, redeemed from any previous redemptioner within 60 days after
34 the last redemption, on paying the sum paid on the last previous
35 redemption, with 2 percent thereon in addition, and the amounts of any
36 assessments or taxes which the last previous redemptioner paid after the
37 redemption by him, with interest thereon, and the amount of any liens,
38 other than the judgment under which the property was sold, held by the last
39 redemptioner previous to his own, with interest.

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

47 4. If no redemption is made within 1 year after the sale, the purchaser,
48 or his assignee, is entitled to a conveyance ~~+~~ or, if so redeemed, whenever
49 60 days have elapsed and no other redemption has been made and notice



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1 thereof given, and the time for redemption has expired, the last
2 redemptioner, or his assignee, is entitled to a sheriff's deed, ~~to~~ but in all
3 cases the judgment debtor has the entire period of 1 year ~~from~~ after the
4 date of the sale to redeem the property.

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

8 6. Upon a redemption by the debtor, the person to whom the payment
9 is made must execute and deliver to him a certificate of redemption,
10 acknowledged or approved before a person authorized to take
11 acknowledgments of conveyances of real property. The certificate must be
12 ~~filed and~~ recorded in the office of the recorder of the county in which the
13 property is situated.

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

15 21.260 1. If the purchaser of real property sold on execution, or his
16 successor in interest, or a redemptioner ~~be~~ is evicted therefrom ~~in~~
17 ~~consequence~~ because of irregularities in the proceedings concerning the
18 sale or of the reversal or discharge of the judgment, he may recover the
19 price paid, with interest, from the judgment creditor.

20 2. If the purchaser of property at a sheriff's sale, or his successor in
21 interest, ~~fail~~ fails to recover possession in consequence of irregularity in
22 the proceedings concerning the sale, or because the property sold was not
23 subject to execution and sale, the court having jurisdiction thereof shall, on
24 petition of such party in interest, or his attorney, revive the original
25 judgment for the amount paid by ~~such~~ the purchaser at the sale, with
26 interest thereon from the time of payment at the same rate that the original
27 judgment bore, and when so revived, the judgment ~~shall have~~ has the
28 same effect as an original judgment of the court of that date, and bearing
29 interest as aforesaid, and any other or after-acquired property, rents, issues
30 or profits of the debtor ~~shall be~~ is liable to levy and sale, under execution
31 in satisfaction of ~~such debt; provided:~~

32 ~~— (a) That no~~ the debt if:

33 (a) No property of ~~such~~ the debtor bona fide sold upon the ~~filing of~~
34 ~~such petition shall be~~ recording of the petition is subject to the lien of
35 ~~such~~ the judgment; and

36 (b) ~~That~~ The notice of the ~~filing of such petition shall be made by~~
37 ~~filing~~ recording of the petition is made by recording a notice thereof in
38 the office of the recorder of the county where ~~such~~ the property is
39 situated, and that the judgment ~~shall~~ must be revived in the name of the
40 original plaintiff or plaintiffs, for the use of the petitioner, the party in
41 interest.

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

43 31.060 Subject to the requirements of NRS 31.045, the sheriff to
44 whom the writ is directed and delivered shall execute it without delay, and
45 if the undertaking mentioned in NRS 31.040 is not given, as follows:

46 1. Real property must be attached by leaving a copy of the writ with
47 the occupant of the property or, if there is no occupant, by posting a copy
48 in a conspicuous place on the property and ~~filing a copy,~~ recording the



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1 writ together with a description of the property attached, with the recorder
2 of the county.

3 2. Personal property must be attached:

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

9 (b) By placing a keeper in charge of a going business where the
10 property is located, with the plaintiff prepaying the expense of the keeper
11 to the sheriff, during which period, the defendant, by order of the court or
12 the consent of the plaintiff, may continue to operate in the ordinary course
13 of business at his own expense if all sales are for cash and the full proceeds
14 are paid to the keeper for the purpose of the attachment.

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

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

19 (a) Posting a copy of the writ in a conspicuous place on the mobile
20 home;

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

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

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

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

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

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

35 37.060 1. All proceedings under this chapter ~~{shall}~~ **must** be brought
36 in the district court for the county in which the property or ~~{some}~~ **a** part
37 thereof is situated. The complaint in such cases must be verified, and the
38 party instituting any such proceedings shall ~~{file}~~ **record** with the recorder
39 of each county in which any of the property is situated a notice of the
40 pendency of the action.

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

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

48 39.040 Immediately after ~~{filing}~~ **recording** the complaint, the plaintiff
49 shall ~~{file}~~ **record** with the recorder of the county in which the property is



* A B 5 6 8 R 2 *

1 situated, a notice of the pendency of the action, containing the names of the
2 parties so far as known, the object of the action ~~+~~ and a description of the
3 property to be affected thereby. From the time of the ~~filings~~ **recording** of
4 the notice, except as otherwise provided in NRS 14.017, it shall be deemed
5 notice to all persons.

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

7 40.525 1. ~~Whenever~~ **If** title or an interest in real or personal
8 property is affected by the death of any person, any other person who
9 claims any interest in the real or personal property, if his interest is affected
10 by the death of that person, or the State of Nevada, may file in the district
11 court of any county in which any part of the real or personal property is
12 situated a verified petition setting forth those facts and particularly
13 describing the real or personal property, the interest of the petitioner and
14 the interest of the deceased therein.

15 2. The clerk shall set the petition for hearing by the court. Notice of
16 hearing of the petition must be mailed, by certified mail, return receipt
17 requested, postage prepaid, to the heirs at law of the deceased person at
18 their places of business or residences, if known, and if not, by publication
19 for at least 3 successive weeks in such newspaper as the court orders. The
20 clerk shall send a copy of the notice of hearing or of the affidavit to the
21 welfare division of the department of human resources by certified mail,
22 return receipt requested, postage prepaid, if the state is not the petitioner, at
23 the time notice is mailed to the heirs at law or the notice is published.
24 Failure on the part of any such heir at law to contest the petition precludes
25 any such heir at law from thereafter contesting the validity of the joint
26 interest or its creation or termination.

27 3. The court shall take evidence for or against the petition, and may
28 render judgment thereon establishing the fact of the death and the
29 termination of the interest of the deceased in the real or personal property
30 described in the petition.

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

34 5. As an alternative method of terminating the interest of the deceased
35 person, ~~whenever~~ **if** title or an interest in real or personal property held in
36 joint tenancy or as community property with right of survivorship is
37 affected by the death of a joint tenant or spouse, any person who has
38 knowledge of the facts may ~~file~~ **record** in the office of the county
39 recorder in the county where the property is situated an affidavit meeting
40 the requirements of NRS 111.365, accompanied by a certified copy of the
41 death certificate of the deceased person.

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

43 41.250 Any decree rendered under the provisions of NRS 41.210 to
44 41.260, inclusive, ~~shall be filed~~ **must be recorded** with the state health
45 officer and in the office of the county recorder of the county in which the
46 decree was rendered.

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

48 68.040 A judgment rendered in a justice's court creates no lien upon
49 any lands of the defendant, unless an abstract is ~~filed~~ **recorded** in the



* A B 5 6 8 R 2 *

1 office of the county recorder of the county in which the lands are situated.
2 When so ~~filed,~~ *recorded* and from the time of ~~filing,~~ *the recording*, the
3 judgment becomes a lien upon all the real property of the judgment debtor,
4 not exempt from execution, in the county, owned by him at the time, or
5 which he acquires before the lien expires. The lien continues for 6 years,
6 unless the judgment is previously satisfied.

7 **Sec. 46.** NRS 78.085 is hereby amended to read as follows:
8 78.085 1. Every railroad company in this state shall, within 90 days
9 after its road is finally located:

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

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

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

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

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

25 84.080 1. In the event of the death or resignation of any such
26 archbishop, bishop, president, trustee in trust, president of stake, president
27 of congregation, overseer, presiding elder, district superintendent, or other
28 presiding officer ~~,~~ or clergyman, or of his removal from such office by
29 the person or body having the authority to remove him when ~~such~~ *the*
30 person is at the time a corporation sole, his successor in office, as such
31 corporation sole, ~~shall be~~ *is* vested with the title to ~~any and~~ all property
32 held by his predecessor, as such corporation sole, with like power and
33 authority over the ~~same~~ *property* and *is* subject to all the legal liabilities
34 and obligations with reference thereto.

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

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

40 107.090 1. As used in this section, "person with an interest" means
41 any person who has or claims any right, title or interest in, or lien or charge
42 upon, the real property described in the deed of trust, as evidenced by any
43 document or instrument ~~filed or~~ recorded in the office of the county
44 recorder of the county in which any part of the real property is situated.

45 2. A person with an interest or any other person who is or may be held
46 liable for any debt secured by a lien on the property desiring a copy of a
47 notice of default or notice of sale under a deed of trust with power of sale
48 upon real property may at any time after recordation of the deed of trust
49 ~~file~~ *record* in the office of the county recorder of the county in which any



1 part of the real property is situated an acknowledged request for a copy of
2 the notice of default or of sale. The request must state the name and
3 address of the person requesting copies of the notices and identify the deed
4 of trust by stating the names of the parties thereto, the date of recordation ,
5 and the book and page where it is recorded.

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

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

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

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

20 5. No request ~~filed~~ **recorded** pursuant to the provisions of subsection
21 2 affects the title to real property.

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

23 108.234 Every building or other improvement mentioned in NRS
24 108.222, constructed upon any lands with the knowledge of the owner or
25 the person having or claiming any interest therein, shall be held to have
26 been constructed at the instance of ~~such~~ **the** owner or person having or
27 claiming any interest therein, and the interest owned or claimed ~~shall be~~
28 **is** subject to any lien recorded in accordance with the provisions of NRS
29 108.221 to 108.246, inclusive, unless ~~such~~ **the** owner or person having or
30 claiming an interest therein shall, within 3 days after he has obtained
31 knowledge of the construction, alteration or repair, or the intended
32 construction, alteration or repair, give notice that he will not be responsible
33 for ~~such~~ **the** improvement by ~~filing~~ **recording** a notice in writing to that
34 effect with the county recorder of the county where the land or building is
35 situated ~~in~~ and, in the instance of:

36 1. A lessor, the notice of lien nonresponsibility shall be deemed timely
37 ~~filed~~ **recorded** if the ~~same has been filed~~ **notice is recorded** within 3
38 days immediately following the execution of the lease by all parties as to
39 that construction, alteration or repair, or intended construction, alteration or
40 repair, known to the lessor at the time of the execution of the lease by all
41 parties.

42 2. An optionor, the notice of lien nonresponsibility shall be deemed
43 timely ~~filed~~ **recorded** if the ~~same has been filed~~ **notice is recorded**
44 within 3 days immediately following the execution of the agreement
45 permitting entry upon the real property by all parties as to that
46 construction, alteration, repair, or intended construction, alteration, repair
47 or other work known to the optionor at the time of the execution of the
48 agreement by all parties.



* A B 5 6 8 R 2 *

1 **Sec. 50.** NRS 108.550 is hereby amended to read as follows:
2 108.550 1. The lien provided for in NRS 108.540 may be foreclosed
3 in the following manner:
4 (a) A notice must be posted for a period of 10 days in three public and
5 conspicuous places in the county where the animals are being fed, pastured
6 or boarded, which notice must also be published in one issue of a
7 newspaper of general circulation in the county.
8 (b) The notice must:
9 (1) Specify the nature and amount of the lien.
10 (2) Specify that it is the intention of the lienholder to foreclose the
11 ~~same~~ animal or animals by sale.
12 (3) Specify a description of the animal or animals.
13 (4) Specify the name and last known address of the owner or
14 purported owner of the animal or animals.
15 (5) State that unless the amount of the lien is paid on or before a
16 specified date, the animal or animals, or so many thereof as may be
17 necessary, will be sold at public auction at the place and on the day and
18 hour specified in the notice.
19 (6) Be signed and dated by the lienholder.
20 (c) The lienholder shall specify a day for the purposes of the demand in
21 subparagraph (5) of paragraph (b). The day specified must not be less than
22 10 nor more than 15 days after the date of the publication of the notice.
23 (d) A true copy of the demand and notice must be mailed by registered
24 or certified letter and at the time of publication to the last known address of
25 the holder of every lien appearing of record in the county.
26 2. The sale provided for in this section may be conducted by the
27 person furnishing the feed, pasture or board, or by any other person who
28 may be designated by the lienholder. Only such number of animals will be
29 sold as may be necessary to discharge the lien and pay the cost of the
30 publication of notice, plus the sum of \$5 to be allowed to the person
31 making the sale. No sale may be made except when the animals to be sold
32 are corralled and have been viewed by the bidders. Any expense incidental
33 to rounding up or bringing the animal or animals to the place of sale is also
34 a proper and an additional charge against the owner. The lienholder may be
35 a bidder at the sale. From the proceeds of the sale, the lienholder shall
36 satisfy his lien, including the additional charges mentioned in this
37 subsection, delivering over the balance, if any, to the owner. If the owner is
38 out of the state or cannot be found, the balance must be deposited with the
39 county treasurer of the county in which the sale was conducted.
40 3. If the balance is not called for by the owner within 6 months ~~from~~
41 after the date of sale, the balance must be paid into the county school
42 district fund.
43 4. The highest bidder at the sale shall immediately pay the amount bid
44 in cash and receive title to the animals sold, subject only to any prior lien
45 appearing of record in the county, ~~if~~ but before title vests in the successful
46 bidder there must be ~~filed~~ recorded with the recorder of the county in
47 which the sale was held a certificate executed by the person conducting the
48 sale, to which must be attached the publisher's proof of publication of the
49 notice of sale to foreclose the lien. The certificate must specify:



* A B 5 6 8 R 2 *

- 1 (a) The name and address of the buyer.
- 2 (b) That the buyer was the highest bidder.
- 3 (c) The amount bid and paid.
- 4 (d) The kind, color, size, weight, brand, if any, and earmarks, if any, of
- 5 the animal or animals sold.

6 5. No person requesting or consenting to the furnishing of feed,
7 pasture or board is entitled to assert a lien prior to that provided for in this
8 section.

9 6. This section is intended to supplement existing law and the remedy
10 provided in this section is not exclusive. This section does not deprive the
11 lienholder from resorting to any other legal remedy.

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

13 108.560 1. ~~Whenever~~ **If** the bill or claim for pasturage or feed for
14 livestock ~~shall~~ in the judgment of the person ~~for persons~~ furnishing the
15 pasturage or feed ~~equal~~ **equals** the value of the livestock pastured or fed,
16 and the owner ~~for owners~~ of the livestock ~~shall have~~ **has** failed or
17 neglected to pay for the pasturage or feed, the person ~~for persons~~
18 furnishing the pasturage or feed may have the livestock appraised by three
19 competent and disinterested freeholders. If the appraisal does not
20 exceed by 10 percent the amount of the unpaid pasturage or feed bill, upon
21 the ~~filing~~ **recording** of the appraisal with the county recorder of the
22 county in which the livestock is situated, the title to the livestock ~~shall~~
23 ~~vest~~ **vests** in the person ~~for persons furnishing such~~ **furnishing the**
24 pasturage or feed and he ~~for they shall have the right to~~ **may** sell the
25 livestock, subject to the right of redemption mentioned in subsection 2.

26 2. At any time within 1 year after the ~~filing~~ **recording** of the
27 appraisal, the original owner ~~for owners~~ of the livestock ~~shall have~~
28 ~~the right to~~ **may** redeem the livestock from the possessor thereof by paying
29 or tendering as payment to the possessor the amount of the appraisal
30 together with 25 percent of the appraisal additional as damages.
31 ~~Should~~ **If** payment or tender ~~not be~~ **is not** made by the original owner
32 within 1 year after the ~~filing~~ **recording** of the appraisal, the title of
33 the possessor of the livestock ~~shall become~~ **is** absolute.

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

35 108.610 In order to perfect the lien, the hospital or the owner or
36 operator thereof shall:

37 1. ~~Prior to~~ **Before** the payment of any ~~moneys~~ **money** to the injured
38 person or to his legal representative as compensation for injuries received,
39 ~~file~~ **record** a notice of lien, substantially in the form prescribed in NRS
40 108.620, containing an itemized statement of the amount claimed. The
41 notice of lien ~~shall~~ **must** be filed with:

42 (a) The county recorder of the county wherein the hospital is located;
43 and

44 (b) The county recorder of the county wherein the injury was suffered,
45 if the injury was suffered in a county other than that wherein the hospital is
46 located.

47 2. ~~Prior to~~ **Before** the date of judgment, settlement or compromise,
48 serve a certified copy of the notice of lien by registered or certified mail
49 upon the person ~~firm or corporation~~ alleged to be responsible for



* A B 5 6 8 R 2 *

1 causing the injury and ~~alleged to be~~ liable for damages on account thereof
2 and from which damages are claimed.

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

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

10 111.312 1. The county recorder shall not record with respect to real
11 property, a notice of completion, a declaration of homestead, a lien or
12 notice of lien, an affidavit of death, a mortgage or deed of trust, or any
13 conveyance of real property or instrument in writing setting forth an
14 agreement to convey real property unless the document being recorded
15 contains:

16 (a) The mailing address of the grantee or, if there is no grantee, the
17 mailing address of the person who is requesting the recording of the
18 document; and

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

23 2. The county recorder shall not record with respect to real property
24 any conveyance of real property or instrument in writing setting forth an
25 agreement to convey real property unless the document being recorded
26 contains the name and address of the person to whom a statement of the
27 taxes assessed on the real property is to be mailed.

28 3. The assessor's parcel number shall not be deemed to be a complete
29 legal description of the real property conveyed.

30 ~~3-1~~ 4. Except as otherwise provided in subsection ~~4-1~~ 5, if a
31 document that is being recorded includes a legal description of real
32 property that is provided in metes and bounds, the document must include
33 the name and mailing address of the person who prepared the legal
34 description. The county recorder is not required to verify the accuracy of
35 the name and mailing address of such a person.

36 ~~4-1~~ 5. If a document described in subsection ~~3-1~~ 4 previously has been
37 recorded, the document must include all information necessary to identify
38 and locate the previous recording, but the name and mailing address of the
39 person who prepared the legal description is not required for the document
40 to be recorded. The county recorder is not required to verify the accuracy
41 of the information concerning the previous recording.

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

43 122.160 1. Marriages between Indians performed in accordance with
44 tribal customs within closed Indian reservations and Indian colonies have
45 the same validity as marriages performed in any other manner provided for
46 by the laws of this state, if there is ~~filed~~ *recorded* in the county in which
47 the marriage takes place, within 30 days after the performance of the tribal
48 marriage, a certificate declaring the marriage to have been performed.



* A B 5 6 8 R 2 *

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

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

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

9 123.150 1. ~~When~~ **If** a married person is a resident of this state, the
10 ~~filing for record~~ **recording** of the inventory of ~~such~~ **the** person's
11 separate property in the office of the recorder of the county in which ~~such~~
12 **the** person resides is notice of ~~such~~ **the** person's title to the ~~same,~~
13 **separate property**, except as to any real property situate in another county ,
14 ~~;~~ and as to ~~such~~ **that** real property, the filing for record of the inventory
15 thereof in the office of the recorder of the county where the same is situate,
16 is notice of ~~such~~ **the** person's title thereto.

17 2. ~~When~~ **If** a married person is not a resident of this state, the ~~filing~~
18 ~~for record~~ **recording** of the inventory of ~~such~~ **the** person's separate
19 property in the office of the recorder of the county where any portion of
20 ~~such~~ **the** property, real or personal, included in the inventory is situate,
21 located or used, is notice of ~~such~~ **the** person's title as to all ~~such~~ **that**
22 property situate, located or used in ~~such~~ **that** county.

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

24 125.220 1. At any time after the filing of the complaint , the
25 complaining spouse may ~~file~~ **record** a notice of pendency of the action in
26 the office of the county recorder of any county in which the other spouse
27 may have real property. ~~This~~ **The** notice has the same effect as notice in
28 actions directly affecting real property.

29 2. The court may ~~also~~ enjoin either spouse from disposing of any
30 property during the pendency of the action.

31 **Sec. 57.** NRS 234.250 is hereby amended to read as follows:

32 234.250 1. In addition to any other requirement of law, each local
33 government, as defined in NRS 354.474, shall ~~file a copy of its~~ **record**
34 **the original** official plat with:

35 (a) The county recorder, the county clerk or the registrar of voters, and
36 the county assessor of each county in which its territory or any part thereof
37 is situated.

38 (b) The department of taxation.

39 2. All changes in boundaries made ~~subsequent to~~ **after** the original
40 ~~filing and~~ recording of such plat ~~shall~~ **must** be recorded ~~and filed~~
41 immediately with the offices with which copies of the original plat were
42 filed.

43 3. Until a local government complies with the requirements of
44 subsections 1 and 2 , it shall not levy or receive any ad valorem or other tax
45 or any other mandatory assessment.

46 4. This section applies to all local governments receiving and
47 expending funds on behalf of the public, regardless of their designation.



1 **Sec. 58.** NRS 266.285 is hereby amended to read as follows:
2 266.285 The city council may:

3 1. Provide, by contract, franchise or public enterprise, for any utility to
4 be furnished to the city for the residents thereof.

5 2. Provide for the construction of any facility necessary for the
6 provision of ~~such~~ the utility.

7 3. Fix the rate to be paid for any utility provided by public enterprise.
8 Any charges due for services, facilities or commodities furnished by any
9 utility owned by the city is a lien upon the property to which the service is
10 rendered and ~~shall~~ must be perfected by ~~filing~~ recording with the
11 county recorder a statement by the city clerk of the amount due and unpaid
12 and describing the property subject to the lien. Each such lien ~~shall~~:

13 ~~(a) Be~~ :

14 (a) ~~Is~~ Is coequal with the latest lien thereon to secure the payment of
15 general taxes.

16 (b) ~~Not be~~ Is not subject to extinguishment by the sale of any property
17 ~~on account~~ because of the nonpayment of general taxes.

18 (c) ~~Be~~ Is prior and superior to all liens, claims, encumbrances and
19 titles other than the liens of assessments and general taxes.

20 **Sec. 59.** NRS 266.335 is hereby amended to read as follows:
21 266.335 The city council may:

22 1. Except as otherwise provided in subsection 3 of NRS 40.140 and
23 subsection 5 of NRS 202.450, determine by ordinance what shall be
24 deemed nuisances.

25 2. Provide for the abatement, prevention and removal of ~~such~~ the
26 nuisances at the expense of the person creating, causing or committing
27 ~~such~~ the nuisances.

28 3. Provide that ~~such~~ the expense of removal is a lien upon the
29 property upon which the nuisance is located. ~~Such~~ The lien must:

30 (a) Be perfected by ~~filing~~ recording with the county recorder a
31 statement by the city clerk of the amount of expenses due and unpaid and
32 describing the property subject to the lien.

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

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

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

39 4. Provide any other penalty or punishment of persons responsible for
40 ~~such~~ the nuisances.

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

42 270.090 1. The findings of fact and conclusions of law and judgment
43 must be made and entered as in other cases, and exceptions, motions for
44 new trial and appeals may be had as provided in NRS and the Nevada
45 Rules of Appellate Procedure.

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



* A B 5 6 8 R 2 *

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

6 4. If the map or plat prepared by the surveyor is inadequate or
7 impracticable of use for the judgment, the judgment or decree may require
8 the making of a new map or plat in accordance with the provisions of the
9 findings and judgment.

10 5. A certified copy of the judgment, together with ~~such~~ *the* map or
11 plat as is established by the court, must be ~~filed~~ *recorded* in the office of
12 the county recorder of the county in which the action is tried. All the ties
13 and descriptions of section or quarter section corners, monuments or marks
14 required by NRS 270.020 must appear on the map finally established by
15 the judgment. The county recorder may collect and receive as his fees for
16 recording and indexing the certified copy of the judgment and map, \$10 for
17 the map, and the specific statutory fees for the judgment, but not exceeding
18 \$50.

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

22 7. A county recorder who records a map or plat pursuant to this section
23 shall, within 7 working days after he records the map or plat, provide to the
24 county assessor at no charge:

25 (a) A duplicate copy of the map or plat and any supporting documents;
26 or

27 (b) Access to the digital map or plat and any digital supporting
28 documents.

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

30 271.325 1. When an accurate estimate of cost, full and detailed plans
31 and specifications and map are prepared, are presented and are satisfactory
32 to the governing body, it shall, by resolution, make a determination that:

33 (a) Public convenience and necessity require the creation of the district;
34 and

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

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

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

42 3. The ordinance must prescribe:

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

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



* A B 5 6 8 R 2 *

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

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

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

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

12 6. Upon adoption or amendment of the ordinance, the governing body
13 shall cause to be ~~filed~~ *recorded* in the office of the county recorder a
14 certified copy of a list of the tracts to be assessed and the amount of
15 maximum benefits estimated to be assessed against each tract in the
16 assessment area, as shown on the assessment plat as revised and approved
17 by the governing body pursuant to NRS 271.320. Neither the failure to
18 record the list as provided in this subsection nor any defect or omission in
19 the list regarding any parcel or parcels to be included within the district
20 affects the validity of any assessment, the lien for the payment thereof or
21 the priority of that lien.

22 7. The governing body may not adopt an ordinance creating or
23 modifying the boundaries of an improvement district for a commercial area
24 vitalization project if the boundaries of the improvement district overlap an
25 existing improvement district created for a commercial area vitalization
26 project.

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

28 274.200 1. Approval of designated specially benefited zones must be
29 made by the governor by certification of the designating ordinance. The
30 governor shall promptly issue a certificate for each specially benefited zone
31 upon his approval. The certificate must be signed by the governor, must
32 make specific reference to the designating ordinance, which must be
33 attached thereto, and must be filed in the office of the secretary of state. A
34 certified copy of the certificate ~~, or a duplicate original thereof,~~
35 ~~filed~~ *recorded* with the county recorder of the county in which the
36 specially benefited zone lies.

37 2. A specially benefited zone is effective upon its certification. The
38 administrator shall transmit a copy of the certification to the department of
39 taxation, the employment security division of the department of
40 employment, training and rehabilitation and to the designating
41 municipality. The terms and provisions of the designating ordinance
42 become effective upon certification of the specially benefited zone, and
43 may not be amended or repealed except as otherwise provided in NRS
44 274.280.

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



* A B 5 6 8 R 2 *

1 4. No more than eight specially benefited zones may be approved by
2 the governor in any year. In any year, the governor may not approve more
3 than three zones located within the same county, whether within its cities
4 or within the unincorporated areas, nor more than three zones in the same
5 city. The governor may approve specially benefited zones in each of the 6
6 years commencing with 1984. Thereafter, the governor may not approve
7 any additional specially benefited zones, but may amend or rescind
8 certifications of existing zones as provided in NRS 274.280.

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

10 277.140 As conditions precedent to the entry into force of any
11 agreement made pursuant to NRS 277.080 to 277.170, inclusive:

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

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

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

24 278.0203 1. The governing body may, if it finds that the provisions
25 of the agreement are consistent with the master plan, approve the
26 agreement by ordinance.

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

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

33 278.378 1. A final map presented to the county recorder for ~~{filing}~~
34 *recording* must include a certificate by the clerk of the governing body or
35 planning commission, or the director of planning or other authorized
36 person or agency if authorized to take final action by the governing body,
37 stating that the governing body, planning commission, director of planning
38 or other authorized person or agency:

39 (a) Approved the map;

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

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

47 2. The director of planning or, if there is no director of planning, the
48 clerk of the governing body shall certify on the final map that it



1 substantially complies with the tentative map and all conditions have been
2 met.

3 3. The clerk of the governing body or planning commission shall cause
4 the approved final map to be presented to the county recorder for ~~file~~
5 **recording**.

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

7 278.460 1. A county recorder shall not ~~file for~~ record any final map
8 unless the map:

9 (a) Contains or is accompanied by the report of a title company and all
10 the certificates of approval, conveyance and consent required by the
11 provisions of NRS 278.374 to 278.378, inclusive, and by the provisions of
12 any local ordinance; and

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

18 2. ~~Nothing contained in~~ **The provisions of** NRS 278.010 to 278.630,
19 inclusive, ~~prevents~~ **do not prevent** the recording, pursuant to the
20 provisions of NRS 278.010 to 278.630, inclusive, and any applicable local
21 ordinances, of a map of any land which is not a subdivision, nor do NRS
22 278.010 to 278.630, inclusive, prohibit the ~~file~~ **recording** of a map in
23 accordance with the provisions of any statute requiring the ~~file~~
24 **recording** of professional land surveyor's records of surveys.

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

27 4. A county recorder who records a final map pursuant to this section
28 shall, within 7 working days after he records the final map, provide to the
29 county assessor at no charge:

30 (a) A duplicate copy of the final map and any supporting documents; or

31 (b) Access to the digital final map and any digital supporting
32 documents.

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

34 279.603 1. The legislative body shall ~~file~~ **record** with the county
35 recorder of the county in which the redevelopment area is situated a
36 description of the land within the redevelopment area and a statement that
37 proceedings for the redevelopment of that area have been instituted.

38 2. Within 30 days after the adoption by the legislative body of a
39 redevelopment plan which contains a provision for the division of taxes
40 pursuant to NRS 279.676, the clerk of the community shall transmit a copy
41 of the description and statement recorded pursuant to subsection 1, a copy
42 of the ordinance adopting the plan and a map or plat indicating the
43 boundaries of the redevelopment area to:

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

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



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

Sec. 68. (Deleted by amendment.)

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

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

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

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

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

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

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

5. Any person aggrieved at any decree of confirmation entered by the district court ~~shall have the right to~~ *may* move for a new trial as ~~now~~ *provided* by the Nevada Rules of Civil Procedure and may, within 30 days ~~from~~ *after* the entry of ~~such~~ *the* decree of confirmation, appeal to the supreme court, and all proceedings in the nature of appeals or rehearings may be had as in any ordinary civil action, except as ~~herein expressly provided otherwise~~ *otherwise provided in this section*.



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- 1 **Sec. 71.** NRS 329.140 is hereby amended to read as follows:
2 329.140 Except as otherwise provided in NRS 329.145, a surveyor
3 shall complete, sign and ~~file~~ **record** or cause to be ~~filed~~ **recorded** with
4 the county recorder of the county in which the corner is situated a written
5 record of the establishment or restoration of a public land survey corner.
6 Except as otherwise provided in NRS 329.145, such a ~~filing~~ **recording**
7 must be made for every public land survey corner and accessory to ~~such~~
8 **the** corner which is established, reestablished, monumented,
9 remonumented, restored, rehabilitated, perpetuated or used as control in
10 any survey. The survey information must be ~~filed~~ **recorded** within 90
11 days after the survey is completed.
12 **Sec. 72.** NRS 108.630, 247.307 and 247.350 are hereby repealed.
13 **Sec. 73.** 1. This section and sections 1 to 11, inclusive, 13 to 19,
14 inclusive, 21 to 52, inclusive, 54 to 59, inclusive, 61 to 65, inclusive, 67
15 and 69 to 72, inclusive, of this act become effective on July 1, 2001.
16 2. Sections 20, 53, 60 and 66 of this act become effective at 12:01 a.m.
17 on July 1, 2001.
18 3. 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.

