

CHAPTER 386

REGISTER OF DEEDS

386.01 BOND

Where the county board proposed to have one bonding company write bonds for all officers and employees except treasurer, the board was not required to advertise for competitive bids for furnishing of bond as required by section 375.21. OAG Dec. 5, 1950 (45-D).

386.06 TRACT INDEX BOOKS

Where the county board pursuant to section 386.06 entered into a contract for the preparation of a tract index of records in the office of the register of deeds, section 574.26 applied to the contract. OAG Sept. 12, 1951 (373-B-23).

Where the county board pursuant to this section entered into a contract for preparation of a tract index of records in the office of the register of deeds, section 574.26 applied to the contract. OAG Sept. 12, 1951 (373-B-28).

386.17 TO EXHIBIT RECORDS

The publication of legal transactions on record in the office of the register of deeds and the selling of subscriptions to such service is not prohibited by statute. OAG July 20, 1953 (373-A-4).

The statutory provision that public records be easily accessible for examination is not satisfied by requiring such inspection to be made either at a storage place separate from the official's office or by examination of projection of microfilm. OAG April 17, 1953 (851-I).

386.183 OFFICIAL ABSTRACT CERTIFICATE; ENTRY; FEES

HISTORY. 1949 c 15 s 1.

386.20 Renumbered 386.20, subdivision 1.

386.21 Renumbered 386.20, subdivision 2.

386.22 Renumbered 386.20, subdivision 3.

386.20 CERTIFICATES OF DISCHARGE FROM U. S. SERVICE

HISTORY. 1919 c 266 s 1-3; MS 1927 s 885, 886, 887; 1945 c 542 s 1.

Claims of the register of deeds against the county for fees due for furnishing veterans free certified copies of service records should be presented to the county board for allowance. OAG Oct. 21, 1949 (373-B-10).

386.23 Renumbered 386.23, subdivision 1.

386.24 Renumbered 386.23, subdivision 2.

386.25 Renumbered 386.23, subdivision 3.

386.23 CERTAIN SHERIFF'S CERTIFICATES, TRANSCRIBING

HISTORY. 1905 c 329 s 1-3; MS 1927 s 888, 889, 890.

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386.26 Renumbered 386.26, subdivision 1.

386.27 Renumbered 386.26, subdivision 2.

386.28 Renumbered 386.26, subdivision 3.

386.26 TRANSCRIBING CERTAIN INSTRUMENTS

HISTORY. 1909 c 153 s 1-3; MS 1927 s 891, 892, 893.

The register of deeds must record at length all instruments received by him for recording. OAG June 7, 1951 (373-B-17-D).

A partnership agreement containing a contract to convey realty by will is entitled to be recorded in the office of the register of deeds as an instrument affecting title to real property. OAG June 27, 1951 (373-B-17-D).

386.32 CONSECUTIVE INDEX

Where the numerical register and reception book is kept strictly in accord with the authority and requirements of section 386.04, the book required by section 386.03 and the consecutive index required by section 386.32 need not be kept. OAG April 18, 1947 (373-B-18-A).

There should be recorded in the descriptive tract index data showing correctly on such index each tract affected by each instrument filed. OAG June 24, 1947 (373-B-23).

386.34 SALARIES OF DEPUTIES

HISTORY. 1911 c 382 s 1; 1917 c 83 s 1; 1927 c 207 s 1; MS 1927 s 897-1; 1931 c 139 s 1; 1947 c 488 s 1; 1949 c 113 s 1; 1949 c 451 s 1; 1949 c 455 s 1; 1951 c 54 s 1.

As amended by Laws 1949, Chapter 451, in counties having less than 75,000 inhabitants, the county board may allow compensation for a deputy register of deeds without limitation. OAG July 12, 1949 (373-A-2).

386.35 CATTLE BRANDS RECORDED

Section 386.35 provides for the recording in the office of the register of deeds of the markings or brands for the marking of cattle, horses, sheep or hogs. Filing of trade marks with the secretary of state applies only to the products of labor as distinguished from the products of the farm. OAG April 15, 1952 (293-B-3).

386.38 Repealed, 1945 c 561 s 9.

386.39 INSTRUMENTS NOT PROPERLY EXECUTED

The register of deeds must accept for recording an unacknowledged certificate of a federal tax lien discharge from the collector of internal revenue. OAG Aug. 15, 1951 (373-B-11).

386.40 SEAL

The seal of the registrar of titles must be affixed upon certificates of title and printing a seal on the certificates is not an affixing under the statute. OAG March 9, 1948 (374).