

LEGISLATIVE BILL 241

Approved by the Governor March 15, 1973

Introduced by S. Marsh, 29

AN ACT to amend section 23-1506, Reissue Revised Statutes of Nebraska, 1943, relating to the register of deeds; to clarify provisions; to provide when plats and subdivisions shall not be recorded; to define a term; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 23-1506, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

23-1506. The register of deeds shall have the custody of and safely keep and preserve all books, records, maps, and papers kept or deposited in his office. He shall also record, or cause to be recorded, in suitable books, all deeds, mortgages, instruments, and writings ~~authorized by law to be recorded in his office presented to him for recording,~~ and left with him for that purpose; Provided, that plats and subdivisions are not authorized to be recorded if contrary to section 15-901, 16-112, 16-114, 16-902 to 16-904, 23-174.03 or 23-374. When such deeds, mortgages, instruments, and writings are so recorded, it shall be his duty to proofread, or cause to be proofread, such records; Provided, however, if an error should occur in recording any of the writings mentioned in this section, thereby necessitating the rerecording of same, the expense thus incurred shall be paid out of the general fund of the county, in the same way as any other claim, and the amount so paid shall be collected from the official responsible for the error or from his bondsmen. The register of deeds shall prepare and file the required annual inventory statement of county personal property in his custody or possession, as provided in sections 23-346 to 23-350.

Sec. 2. For the purposes of sections 16-112 to 16-114.02 and sections 16-901 to 16-904, in the area where the city has a comprehensive plan and has adopted subdivision regulations pursuant thereto, subdivision shall mean the division of lot, tract, or parcel of land into two or more lots, sites, or other divisions of land for the purpose, whether immediate or future, of ownership or building development, except that the

division of land shall not be considered to be subdivision when the smallest parcel created is more than five acres in area.

Sec. 3. That original section 23-1506, Reissue Revised Statutes of Nebraska, 1943, is repealed.