



LINCOLN COUNTY MONTANA

Resolution 2018-02

DEED REQUIREMENT FROM EVERY PERSON HAVING AN INTEREST IN NEWLY-DESCRIBED PARCELS

THE BOARD OF COUNTY COMMISSIONERS FOR LINCOLN COUNTY, MONTANA FINDS:

1. Lincoln County has experienced errors or inaccurate parcel descriptions due to lack of deed recording on same owner parcels, specifically boundary line adjustment and family transfer surveys.
2. Section 7-5-2102, MCA, grants to the Board of County Commissioners the jurisdiction and power to make and enforce rules for its government, the preservation of order, and the transaction of business as may be necessary.
3. Section 7-4-2613, MCA, requires that all deeds, grants, transfers, and judgments or decrees partitioning or affecting the title or possession of real property, etc., shall be recorded by the county Clerk and Recorder.
4. The Clerk and Recorder's Office desires to ensure all land descriptions by deed are current and accurate for the betterment of the property owners and citizens of Lincoln County.

THE BOARD RESOLVES:

For all parcels within Lincoln County which undergo a boundary line adjustment, family transfer survey, or any change in legal description, the Lincoln County Clerk and Recorder will require of all persons having an interest in such parcel(s) the deed(s), including corrected deed(s), or a recordable agreement exchanging recorded interest from every person having a recorded interest in adjoining properties for the entire newly-described parcel(s) or that portion of the tract(s) being affected.

THE BOARD FURTHER RESOLVES:

1. If a provision of this resolution conflicts with a provision of a previously adopted resolution, this resolution will prevail.
2. This resolution and its various sections, clauses and paragraphs are severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the resolution will not be affected.



LINCOLN COUNTY MONTANA

3. This resolution will be effective immediately upon adoption, in accordance with Section 7-5-123, MCA.
4. This Board directs that this resolution be entered into the minutes and signed by the Board in accordance with 7-5-121, MCA.

END OF RESOLUTION

Approved as to Form:



MARCIA BORIS, County Attorney

Date presented to the Board 4-4-2018 Approved Disapproved () Amended ()

Adopted this 4th day of April, 2018.

LINCOLN COUNTY BOARD OF COMMISSIONERS


MIKE COLE, Chair

ATTEST:


ROBIN BENSON, Clerk of the Board