

SENATE BILL NO. 176

Introduced: 01/17/83

Referred to Committee on Local Government: 01/17/83

Hearing: 1/22/83

Report: 02/03/83, Do Not Pass. Report Adopted.

Bill Killed.

1 *Senate* BILL NO. *176*
 2 INTRODUCED BY *Monte Bob Brown, Attorney General*
 3 *John Arnold, Lieutenant Governor*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THAT A
 5 CERTIFICATE OF SURVEY INCLUDE DIAGRAMS OF ALL EASEMENTS AND
 6 RIGHTS-OF-WAY OF RECORD AT THE TIME THE CERTIFICATE IS
 7 FILED; AMENDING SECTION 76-3-404, MCA."

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 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 76-3-404, MCA, is amended to read:
 11 "76-3-404. Certificate of survey. (1) Within 180 days
 12 of the completion of a survey, the registered land surveyor
 13 responsible for the survey, whether he is privately or
 14 publicly employed, shall prepare and submit for filing a
 15 certificate of survey in the county in which the survey was
 16 made if the survey:

- 17 (a) provides material evidence not appearing on any
 18 map filed with the county clerk and recorder or contained in
 19 the records of the United States bureau of land management;
 20 (b) reveals a material discrepancy in such map;
 21 (c) discloses evidence to suggest alternate locations
 22 of lines or points;
 23 (d) establishes one or more lines not shown on a
 24 recorded map, the positions of which are not ascertainable
 25 from an inspection of such map without trigonometric

1 calculations.

2 (2) A certificate of survey will not be required for
 3 any survey which is made by the United States bureau of land
 4 management or which is preliminary or which will become part
 5 of a subdivision plat being prepared for recording under the
 6 provisions of this chapter.

7 (3) Certificates of survey shall be legibly drawn,
 8 printed, or reproduced by a process guaranteeing a permanent
 9 record and shall conform to monumentation and surveying
 10 requirements promulgated under this chapter.

11 (4) Certificates of survey must include diagrams and
 12 identification of all easements and rights-of-way in effect
 13 as of the date the survey is submitted and recorded."

-End-

INTRODUCED BILL

-2-

SB 176