

1 SENATE BILL NO. 43

2 INTRODUCED BY BECK

3 BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO
6 RESERVE A CONSERVATION EASEMENT IN LAND OR AN INTEREST IN LAND SOLD BY THE STATE;
7 ELIMINATING THE PROVISION ALLOWING A LANDOWNER FROM WHOM THE DEPARTMENT OF
8 TRANSPORTATION ACQUIRES REAL PROPERTY TO REDEEM THE PROPERTY AT THE SALE PRICE WITHIN
9 10 DAYS AFTER THE SALE; AMENDING SECTION 60-4-207, MCA; AND REPEALING SECTION 60-4-204,
10 MCA."

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

13
14 **Section 1.** Section 60-4-207, MCA, is amended to read:

15 **"60-4-207. Conveyances -- execution and contents.** (1) Land or an interest in land sold by the
16 department ~~shall~~ may be conveyed only when full payment has been made for it. ~~It shall~~ Land or an interest
17 in land may be conveyed by a deed or patent of conveyance ~~without covenants which recites~~ stating that
18 ~~the deed or patent~~ was issued under this chapter.

19 (2) The conveyance of the land or the interest in land must be without covenants, except that the
20 department may reserve a conservation easement as provided in Title 76, chapter 6, part 2.

21 ~~(2)(3)~~ (3) The deed or patent ~~shall~~ must contain a reservation of easements for rights-of-way for the
22 benefit of the United States and all other reservations to which the land conveyed may be subject.

23 ~~(3)(4)~~ (4) The deed or patent ~~shall~~ must be signed by the governor or, in case of ~~his~~ the governor's
24 absence or inability, the lieutenant governor. ~~It shall~~ The signature must be attested by the secretary of
25 state and have attached the great seal of the state. ~~It~~ The signature need not be acknowledged."

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27 **NEW SECTION. Section 2. Repealer.** Section 60-4-204, MCA, is repealed.

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