

## CHAPTER 386

## COUNTY RECORDER; ABSTRACTER

386.071 Documents misfiled.  
386.31 Consecutive numbering.

386.78 Security deposits.

**386.071 DOCUMENTS MISFILED.**

The county recorder may reasonably rely on the affirmative representation of the party presenting instruments for filing as to whether the land described in the instruments or any part of it is registered or unregistered. A party who requests that misfiled instruments be refiled with the registrar is responsible for paying any additional fees required to properly file any instrument misfiled because of an incorrect representation and, if applicable, to enter a new certificate of title.

**History:** 1999 c 11 art 1 s 7

**386.31 CONSECUTIVE NUMBERING.**

Each county recorder shall endorse plainly upon each instrument received for record or filing as soon as received a number consecutive, to the extent practicable, to the number affixed to the instrument next previously received and enter such number as a part of the entry relating to such instrument in all the indexes kept in the office and on the margin of the record of the instrument, and such number shall be prima facie evidence of priority of registration. If more than one instrument shall be received at the same time, by mail or other like enclosure, the recorder shall affix such number in the order directed by the sender; if no direction be given, then in the order in which the instruments actually come to the recorder's hand in opening the enclosures.

**History:** 1999 c 11 art 4 s 2

**386.78 SECURITY DEPOSITS.**

The county recorder in each county shall accept security deposits to guarantee payment of charges. Any person desiring to make such deposits may deposit any amount desired with the county recorder who shall deposit this in a security fund with the county treasurer. The county treasurer may invest said funds and the income therefrom shall be deposited in the general fund of the county.

The county recorder shall extend credit to any person who has made such deposit up to the amount of the deposit.

Any person may withdraw any such deposit provided that any unpaid items shall first be deducted therefrom, except that the county recorder may require a reasonable minimum deposit be maintained based on anticipated monthly charges of the depositor.

**History:** 1999 c 69 s 1