

SB150 INTRODUCED



1 0HKAG6-1
2 By Senator Givhan
3 RFD: County and Municipal Government
4 First Read: 04-Apr-23
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SYNOPSIS:

Under existing law, once a judge of probate vacates a map or plat, he or she is required to write "vacated" on the tangible map or plat and refer to it in the records where the map or plat was recorded. For counties where maps or plats are recorded in electronic form, there is no specified method for recording that a map or plat has been vacated.

This bill would provide that once a judge of probate vacates a map or plat that is recorded in electronic form, he or she shall issue a certificate indicating that the map or plat has been vacated, and the certificate shall be made a part of the property records to which it pertains.

A BILL
TO BE ENTITLED
AN ACT

Relating to judges of probate; to amend Section 35-2-57, Code of Alabama 1975, to specify the method for a judge of probate to record that an electronic map or a plat has been vacated.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:



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29 Section 1. Section 35-2-57, Code of Alabama 1975, is
30 amended to read as follows:

31 "§35-2-57

32 When a map or plat or part thereof is vacated, the
33 judge of probate must, upon recording such vacation, do one of
34 the following:

35 (1) Where the most recent record is only a tangible map
36 or plat, write in plain letters across the record of the map
37 or plat, or the part so vacated, the word "vacated" and shall
38 also refer on the same to the volume and page in which the
39 instrument of vacation is recorded.

40 (2) Where the most recent record consists of an
41 electronic or digital image of a map or plat, record a
42 certificate indicating that the map or plat has been vacated,
43 and the certificate shall be made a part of the property
44 records to which it pertains."

45 Section 2. This act shall become effective on the first
46 day of the third month following its passage and approval by
47 the Governor, or its otherwise becoming law.