
By: **Senator Boozer**
Introduced and read first time: February 11, 1998
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property - Recordation**

3 FOR the purpose of reorganizing certain provisions of law authorizing the recording
4 of certain instruments in the land records; and generally relating to recordation
5 of certain instruments in the land records.

6 BY repealing and reenacting, with amendments,
7 Article - Real Property
8 Section 3-102
9 Annotated Code of Maryland
10 (1996 Replacement Volume and 1997 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Real Property**

14 3-102.

15 (a) (1) Any other instrument affecting property, including any contract for
16 the grant of property, [any notice of deferred property footage assessment for street
17 construction, any boundary survey plat signed and sealed by a professional land
18 surveyor or property line surveyor licensed in the State,] OR any subordination
19 agreement establishing priorities between interests in property[, any assumption
20 agreement by which a person agrees to assume the liability of a debt or other
21 obligation secured by a mortgage or deed of trust, or any release of personal liability
22 of a borrower or guarantor under a mortgage or under a note or other obligation
23 secured by a deed of trust] may be recorded.

24 (2) THE FOLLOWING INSTRUMENTS ALSO MAY BE RECORDED:

25 (I) ANY NOTICE OF DEFERRED PROPERTY FOOTAGE ASSESSMENT
26 FOR STREET CONSTRUCTION;

1 (II) ANY BOUNDARY SURVEY PLAT SIGNED AND SEALED BY A
2 PROFESSIONAL LAND SURVEYOR OR PROPERTY LINE SURVEYOR LICENSED IN THE
3 STATE;

4 (III) ANY ASSUMPTION AGREEMENT BY WHICH A PERSON AGREES
5 TO ASSUME THE LIABILITY OF A DEBT OR OTHER OBLIGATION SECURED BY A
6 MORTGAGE OR DEED OF TRUST; OR

7 (IV) ANY RELEASE OF PERSONAL LIABILITY OF A BORROWER OR
8 GUARANTOR UNDER A MORTGAGE OR UNDER A NOTE OR OTHER OBLIGATION
9 SECURED BY A DEED OF TRUST.

10 (3) The recording of any instrument constitutes constructive notice from
11 the date of recording.

12 (b) This section may not be construed to authorize the recording of a
13 subdivision plat without any prior review and approval otherwise required by law.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 1998.