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SENATE BILL NO. 1061

Offered January 14, 2009

Prefiled January 13, 2009

A BILL to amend and reenact § 17.1-227 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 55-106.6, relating to house location surveys.

Patron—Puller

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-227 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 55-106.6 as follows:

§ 17.1-227. Documents to be recorded in deed books; social security numbers.

All deeds, deeds of trust, deeds of release, certificates of satisfaction or certificates of partial satisfaction, quitclaim deeds, homestead deeds, grants, transfers and mortgages of real estate, releases of such mortgages, powers of attorney to convey real estate, leases of real estate, notices of lis pendens and all contracts in reference to real estate, which have been acknowledged as required by law, and certified copies of final judgments or decrees of partition affecting the title or possession of real estate, any part of which is situated in the county or city in which it is sought to be recorded, *house location surveys prepared pursuant to the terms of real estate contracts, as defined in § 55-517*, and all other writings relating to or affecting real estate which are authorized to be recorded, shall, unless otherwise provided, be recorded in a book to be known as the deed book. All deeds, deeds of trust, deeds of release, quitclaim deeds, grants, transfers, and mortgages of real estate or any addendum or memorandum relating to any of these instruments submitted for recordation in the deed books of the appropriate office of the clerk of court shall be prepared according to the requirements for deeds as set forth in §§ 55-48 and 55-58 and shall include the names of all grantors and grantees in the first clause of each such instrument. The clerk may refuse to accept any instrument submitted for recordation that includes a grantor's, grantee's or trustee's social security number. However, the attorney or party who prepares or submits the instrument has responsibility for ensuring that the social security number is removed from the instrument prior to the instrument being submitted for recordation. Each instrument shall be indexed under all such names in accordance with the provisions of § 17.1-249.

§ 55-106.6. *House location survey to be recorded.*

A *house location survey prepared pursuant to the terms of a real estate contract, as defined in § 55-517*, shall be recorded in the deed book, in accordance with § 17.1-227, of the clerk's office of the county or city in which such real estate lies. For purposes of this section, a *house location survey* is a site plan that has been prepared by a surveyor, engineer, or architect, who is licensed by the Commonwealth of Virginia, showing the location of all improvements on a residential lot with distances to all of the property lines.

INTRODUCED

SB1061