



**South Dakota
Association of County Officials**

Register of Deeds Handbook

April 2009

Dear County Official:

The South Dakota Register of Deeds Handbook is intended to be an informational tool to assist you in performing your duties. We have tried to include sufficient information to make this publication useful and informative. The South Dakota Codified Laws and other relevant laws, regulations and administrative rules should always be consulted before any action is taken. Review of the actual laws or regulations is especially important because of the frequent changes that occur. This handbook is intended as a general reference guide and not as an authority. Your State's Attorney should be consulted for guidance and legal direction. You can access South Dakota Codified Laws on the internet at www.legis.state.sd.us/statutes/index.aspx.

Due to the many different ways the Register of Deeds offices have been established, it is difficult to provide a step-by-step manual. It is recommended that each office does this specifically for their office to provide for consistency in office procedures.

You may find another Register of Deeds to be a great source of information and help. Please refer to the Spotlight on South Dakota County Officials booklet published by SDACO to find contact information for other Registers of Deeds.

We hope this handbook will be useful to you and that reference to it will assist you with questions that arise while serving as a county official.

Sincerely,

Eric Erickson
Executive Director
South Dakota County Officials Association

REGISTER OF DEEDS

CONTACT REFERENCE LIST

Homeland Security	605/773-3450
Internal Revenue Service	800/829-1040
Legislative Research Council – Tom Magedanz	605/773-4300
NACO	202/393-6226
NACRC	919/384-8446
Naturalization & Immigration	605/330-4276
SDACO	605/224-1968
SD Attorney General’s Office	605/773-3215
(Larry Long)	
Consumer Fraud Division	800/300-1986
SD Department of Health	605/773-4961
(Anthony Nelson or Mariah Pokorny)	
SD Department of Labor	605/367-5300 or 605/626-2452
SD Dept. of Motor Vehicles (Mechanic’s Liens)	605/773-3541
SD Department of Revenue (Colleen Skinner)	605/773-3311
SD Department of Transportation	
Karla Engel, atty	605/773-4396
Right of Way Program	605/773-3746 or 605/773-4249
SD Division of Veteran’s Affairs (Pierre, SD)	605/773-3269
Sioux Falls Branch	605/333-6869
Regional Office (Benefits, etc.)	605/336-3230
SD Genealogical Society (Anna Duncan).....	605/997-2786
SD Housing Development Authority (Gloria Albertus)	605/773-5149

SD Legislative Audit – Deene Dayton605/773-3595
 (Accounting/auditing issues)

SD One Call Notification.....1-800-781-7474

SD Records Management Program – Retention and
 Destruction (Dana Hoffer).....605/773-3589

SD Secretary of State605/773-5006
 Corporations.....605/773-4845
 Notary Department (Marianne).....605/773-3537
 UCCs/Fictitious Names..... (Val)605/773-4422
 (Chad)605/773-3537

SD Society of Professional Land Surveyors
 Janelle Finck, Executive Director605/348-1538

SD State Bar Association1-888-952-2333 or 605/224-0282

SD State Historical Society605/773-5521
 (Contact person – Marvene Riis) marvene.riis@state.sd.us

The Register of Deeds Office provides many services to the county and is the primary county record-keeping and archival office. The Register of Deeds records, maintains and works with a vast number of records important to county taxpayers, and generates substantial revenue necessary for ongoing operations of the county. The Register of Deeds office performs these services according to state law and is comprised of several departments. The various departments include:

- A. Real Estate Department - Reviews, records and indexes all real estate records including, but not limited to, deeds, plats, mortgages, satisfactions, assignments, subordination agreements, and various miscellaneous documents such as easement agreements, covenants and restrictions, powers of attorney, etc.
- B. Filing Dept. – Files misc. documents by individuals’ names, including but not limited to location notices, farm leases, powers of attorney, etc.
- C. Lien Department – Records or files several different types of liens which may be filed against property or persons, such as hospital liens, mechanics liens, county aid liens, court-appointed attorney liens, etc.
- D. Uniform Commercial Code Department – Files liens against personal property, files all federal tax liens, unemployment compensation liens, buried facilities records, etc., as well as terminations or releases of such liens.
- E. Fictitious Name Certificates Department – The Register of Deeds office files Certificates as to Use in a Business of a Trade, Assumed, or Fictitious Name, pursuant to South Dakota law, since businesses are required to register their business name when doing business in the state of South Dakota.
- F. Vital Statistics Department – The Register of Deeds performs many duties associated with vital records. The Vital Statistics Department issues marriage licenses and certified copies of birth, death and marriage certificates, as well as other types of copies of vital records. This department is also responsible for the issuance of burial permits, and maintenance of various county burial records and such other records located in the Register of Deeds office.
- G. Veterans’ Records – The Register of Deeds Office provides certified copies of veterans’ recorded discharge records (DD214) at no charge.
- H. Scanning/Microfilm Department – Responsible for the scanning, or imaging, and microfilming of all recorded or filed documents, including, but not limited to, real estate documents, liens, military discharge records, miscellaneous documents, etc., in order to permanently preserve and maintain recorded documents.

- I. Accounting Department – The accounting department receives all monies collected or received from document recording and filing fees, transfer fees, certified and copy fees, etc., and performs all balancing and accounting functions necessary in the performance of these duties.

- J. Passport Department – Passports may be issued by various Register of Deeds offices located throughout the state of South Dakota. Such an office is responsible for verification of identity and processing passport applications.

ATTACHED YOU WILL FIND A TABLE OF LAWS AND ATTORNEY GENERAL OPINIONS, ADMINISTRATIVE RULES AND SUPREME COURT OPINIONS WITH REFERENCE TO LAWS THAT ARE COMMON TO THE REGISTER OF DEEDS OFFICE.

CATEGORY NAME - The Category name is merely a break down to divide out the Recordings and the Filing laws and also there are categories that might pertain to both or are just administration issues which have been broken down into Computerization, County Matters and a category called Register of Deeds.

DESCRIPTION – Within each category it is somewhat alphabetized by the description of the law having been put into terms used by the Register of Deeds.

STATUTE # – This column is the statute number that can be found on the internet at <http://legis.state.sd.us/statutes/StatutesQuickFind.aspx> by typing in the statute number and then clicking on the “Get Statute” Button. (A statute is 3 numbers divided by a hyphen and a Chapter is two numbers divided by the hyphen)

If it is an Attorney General Opinion in this column it will so indicate.

There is a few Supreme Court Decisions listed and they can be found at <http://www.sdjudicial.com/index.asp?category=opinions&nav=53131&year=2008&month=4&trace=1:2:4:5> and are filed by date.

There are also some administrative rules that can be found at <http://legis.state.sd.us/rules/index.aspx> and the number for that administrative rule is in the OPIN DATE column.

OPIN DATE – This column is basically for the Attorney General’s Opinions which is given by date or number. If it is by number such as 88-02 this means that the opinion was made by the Attorney General’s office in 1988. All official opinions are in the internet back to January of 1975 which can be found at <http://www.state.sd.us/attorney/applications/documents/search.asp?docType=3> or the full website’s home page is at <http://www.state.sd.us/attorney/index.asp> . If the opinion listed on the index is previous to 1975, then hopefully in your courthouse somewhere possibly even in the Judge’s chambers are black books that are entitled “Attorney General of the State of South Dakota” or “Report of Attorney General”. Your State’s attorney should know where they are at and be able to get you a copy. They are issued by years.

IF YOU DO NOT HAVE A COMPUTER AND INTERNET ACCESS, OF COURSE, ALL OF THE LAWS ARE IN BOOKS WHICH YOU SHOULD HAVE COPY OF IN THE COURTHOUSE. (The first number of a statute is the Title Number as is referenced on the binder of the books and then from there just by looking in the books, you can find the statute or chapter listed.) There could be up-dates to the laws and in the books, you always have to check the pocket part in the back of the books for any up-dates to the laws. (The internet will be up-dated to the correct law.)

The South Dakota Statute **Books** also show Attorney General Opinions that may pertain to the laws and/or Supreme Court Decisions and is really a better way to search for an answer.

This index by no means is an index of all laws, Attorney General Opinions, Supreme Ct. Opinions or Administrative Rules or other references that may pertain to the Register of Deeds. For all questions and interpretations, please contact your State’s Attorney or the Attorney General’s Office.

ROD LAW INDEX MANUAL 2008

ID	CATEGORY NAME	DESCRIPTION	STATUTE #	OPIN DATE
1	1 Call Notification	Buried and underground utilities 1-800-781-7474	49-7A-7(1)	
2	Computerization	General Statute	6-1-11	
3	Computerization	Register of Deeds more specific law	7-9-1.1	
4	Computerization	Reproduction of Documents (mechanical,electronically, etc.)	1-27-4	
5	Computerization	Viewing Equipment Available	1-27-7	
6	County Matters	County Offices General Statute	7-7	
7	County Matters	County Officers Salaries (minimum salaries)	7-7-9.1	
8	County Matters	County Officers Mileage cannot exceed State Mileage Rate	7-7-24	
9	County Matters	County Officers shall have the sole power of appointing and removing deputies	7-7-21	
10	County Matters	County Officers can go to educational meetings in and out of State w/approval of board	7-7-25	
11	County Matters	Business Hours set out in Law	7-7-2	
12	County Matters	Retiring Employees Insurance	6-1-16	
13	County Matters	Stationery/Cannot order without approval of auditor	7-28-1	
14	County Matters	Resolution and Ordinance Definitions	7-18A-1	
15	Filings	Ambulance Liens General Chapter	44-13	
16	Filings	Ambulance Liens/Notice of Lien/Statement	44-13-2	
17	Filings	Bottles or containers used for liquids upon application shall file their trademark	37-6-28	
18	Filings	Business Name	37-11	
19	Filings	Business Name Amendment and fee for the same	37-11-2	
20	Filings	Business Name/Purpose and Fee	37-11-1	
21	Filings	CAA Liens/Commissioners can compromise	23A-40-14	
22	Filings	CAA Liens/Correcting Record	23A-40-16	
23	Filings	CAA Liens/Lien created on parents and minor	23A-40-11	
24	Filings	CAA Liens/Statement filed By Auditor	23A-40-13	
25	Filings	Child Support Lien (we cannot charge a fee) (This lien can come from another state also)	25-7-6.20	
26	Filings	County Poor Liens A-General Statute	28-14	
27	Filings	County Poor Liens/Can be against husband and wife if listed on lien	28-14-6	
28	Filings	County Poor Liens/Certified copies required	28-14-8	
29	Filings	County Poor Liens/Definition of a County Poor Assistance	28-14-3	
30	Filings	County Poor Liens/Duplicate Record Atty General Opinion	Atty General Opin	1937pg.505
31	Filings	County Poor Liens/Lien effective upon paying AND filing with Reg. of Deeds	28-14-5	
32	Filings	County Poor Liens/Lien Satisfactions /Recording at No Fee	28-14-18	
33	Filings	County Poor Liens/Lien Satisfactions/Auditor's Authority to Sign	28-14-14	
34	Filings	County Poor Liens/Liens are not to be thrown away	Atty. General Opin	88-02
35	Filings	County Poor Liens/Liens prior to July 1, 1970 terminated	28-14-20	
36	Filings	County Poor Liens/Procedure of filing	Atty General Opin	1955pg.272
37	Filings	County Poor Liens/Publication of names prohibited in County Minutes	7-18-3.1	
38	Filings	County Poor Liens/Publication of names prohibited by any official	28-13-42	
39	Filings	County Poor Liens/Publication of Names prohibited but open for the public in our office	Atty General Opin	83-16
40	Filings	County Poor Liens/Requirement to be recorded with Reg. of Deeds	28-14-7	
41	Filings	Federal Tax Lien General Chapter	44-7	
42	Filings	Federal Tax Liens/Fees for Filing Lien, Releases or other notices affecting the Lien	44-7-8.1	
43	Filings	Federal Tax Liens/Procedure on how to File	44-7-4.1	

ROD LAW INDEX MANUAL 2008

ID	CATEGORY NAME	DESCRIPTION	STATUTE #	OPIN DATE
44	Filings	Federal Tax Liens/Searches allowed by law and Fee for Same	44-7-8.2	
45	Filings	Hospital Lien/Is Lien against the injured parties settlement to be rec'd from insurance	44-12-1	
46	Filings	Hospital Lien/Fee for filing and procedure	44-12-5	
47	Filings	Hospital Lien/Place and time of filing	44-12-4	
48	Filings	Location Notice/Dry Draw	46-4-3	
49	Filings	Location Notice/Dry Draw Fee/Note SD 12.0712(9) recodified to 7-9-15	Atty General Opin	1967pg.295
50	Filings	Mechanic's Lien General Chapter	44-9	
51	Filings	Mechanic's Lien Fees	44-9-19	
52	Filings	Mechanic's Lien good for six years unless complaint started	44-9-24	
53	Filings	Mechanic's Lien Notice of Commencement Procedure	44-9-50-53	
54	Filings	Mechanic's Lien Postage Receipt Attached for Filing	44-9-17	
55	Filings	Mechanic's Lien Procedures on how to File	44-9-18	
56	Filings	Mechanic's Lien Release for failure to prosecute in civil court - ROD MUST RELEASE	44-9-26	
57	Filings	Mechanic's Lien Release of Lien by Undertaking	44-4	
58	Filings	Mechanic's Lien Release of Lien by Undertaking Fee	44-4-4	
59	Filings	Mechanic's Lien Statement	44-9-16	
60	Filings	Mechanic's Lien to be valid must be filed 120 days after work done	44-9-15	
61	Filings	Military Discharges (no fee to be charged)	33-17-14	
62	Filings	Personal Property Lien where no other provision is made/file like a UCC	44-2	
63	Filings	Personal Property Lien/ Procedure and fee is like a UCC	44-2-5	
64	Filings	Records Open for Inspection	1-27-1	
65	Filings	Records Open for Inspection/Attorney General 's Opinion	Atty General Opin	1949pg.226
66	Filings	Seed Liens General Chapter	38-17	
67	Filings	Seed Liens filed in the personal property index and not against R.E.	38-17-7	S.A. 5-13-05
68	Filings	Social Services Liens/Overpayment of Assistance/Liens Filed with ROD	28-20	
69	Filings	State Tax Liens	10-59-11	
70	Filings	State Tax Lien procedure on how to file and there is no fee to the state for filing the lien	10-59-12	
71	Filings	Storage Facility Liens/Self Service /File Like a UCC	44-14	
72	Filings	UCC Code General Chapter	57A	
73	Filings	UCC/Acknowledgment of filing	57A-9-523	
74	Filings	UCC/Continuations & Amendment Requirements	57A-9-512	
75	Filings	UCC/Duties on how to file a UCC	57A-9-519	
76	Filings	UCC/Effective dates for continuations	57A-9-515	
77	Filings	UCC/Mortgage filed as a financing statement	57A-9-502	
78	Filings	UCC/Proper place to file (Secretary of State or Register of Deeds)	57A-9-501	
79	Filings	UCC/Record (prior to July 1, 2001, we were allowed to record due to A.G.)	A.G. Opinion	68-33
80	Filings	UCC/Refusal to File (Record date and time of refusal and return 2 days)	57A-9-520	
81	Filings	UCC/Rejection by filing officer	57A-9-516	
82	Filings	UCC/Search Fee	57A-9-525	
83	Filings	Unemployment Insurance Liens/Notice of Lien Filed with the ROD	61-5-41	
84	Filings	Unemployment Insurance Liens/Overpayment of Benefits/Lien can be filed	61-6-23	
85	Filings	Unemployment Insurance Liens/Procedure of Filing and No Fee	61-5-42	
86	Filings	Counterfeit Lien Filing a class 1 Misdemeanor and the 2nd one is Class 6 Felony	22-11-28	

ROD LAW INDEX MANUAL 2008

ID	CATEGORY NAME	DESCRIPTION	STATUTE #	OPIN DATE
87	Language	English language to be utilized in documents	1-27-20	
88	Recordings	Abstractors/Fees to charge a new title company to get all of the ROD records.	Supreme Court Opin	Oct. 1996
89	Recordings	Abstractors/Interpreting documents-ROD not responsible	AG Opinion 85-10	
90	Recordings	Abstractors/Plant and Certificate required to be an Abstractor	36-18-8 & 9	
91	Recordings	Abstractors/Replacement of Records by them in case of Destruction	36-13-27	
92	Recordings	Abstractors cannot copy and use your index for their plant - they need docs but not indexes	Administrative Rule	20:36:04:01
93	Recordings	Acknowledgment/Notarization needed to record documents	43-28-8	
94	Recordings	Acknowledgment/Notarization not needed on these instruments	43-28-2 & 43-28-4	
95	Recordings	Affidavit & Death Cert. Terminating joint or life tenant (certified copy dc must be attached)	21-44-2	
96	Recordings	Affidavit & Death Cert. Terminating Spousal Jt. Tenancy (certified copy dc must be attached)	21-44-27	
97	Recordings	Affidavit of Identity acceptable for recordation	43-28-4.1	
98	Recordings	Annexation Requirements to include map filed	9-4-11	
99	Recordings	Annexation/De-Annexation (taking land out of a municipality)	9-4-6	
100	Recordings	Assignment for benefit of creditors (recording required)	54-9-8	
101	Recordings	Bonds county and precinct officers and fee for the same	3-5-9 and 3-5-10	
102	Recordings	Certificate of Real Estate Value	7-9-7	
103	Recordings	Clouding title - Right to Refuse	Atty General Opin.	1965pg.182
104	Recordings	Condo's/Master Deed and Requirements	43-15A-3&4	
105	Recordings	Condo's/Transfer Fee exempt on Master Deed	43-15A-9	
106	Recordings	Coordinate System	43-22-9	
107	Recordings	Copy Fees ("copy of any instrument of record") certified or uncertified	7-9-15 (2)	
108	Recordings	Copy Fees (if people want to use their own equipment to take copies) copy attached	AG letter opinion	5/3/1995
109	Recordings	Certified copies admissible in court	1-27-8	
110	Recordings	Corner Record Statute to include our fee	43-20	
111	Recordings	Corporate Seals (New Law which went into effect 7/1/99)	43-25-21	
112	Recordings	Corporate Seals for Banking Institutions	51a-4-11	
113	Recordings	Corporate Seals/Atty General's Opinion	Atty General Opin	7/27/1988
114	Recordings	Corporate Seals/Municipalities must have one and use it	9-1-4	
115	Recordings	Corporate Seals/State's Attorney Opinion dated 7/10/00	St. Atty Opinion	
116	Recordings	Deed Unrecorded/Validity if it is unrecorded	43-28-14	
117	Recordings	Document Standards	43-28-23	
118	Recordings	Document Standards/Doc. Standards does not apply docs that don't relate to real property	Atty General Opin	03-06
119	Recordings	Easement Supreme Court Opinion from Lawrence County	Supreme Court Opin	03-26-08
120	Recordings	Fee must be written on Document which is recorded	43-28-11	
121	Recordings	Fees of Register of Deeds for Recording Documents	7-9-15(1) & (4)	
122	Recordings	Fees/copies (certified & uncertified of any record in our office - (not birth,deathormarriage)	7-9-15 (2)	
123	Recordings	Grantee's Address Requirement on Deeds, oil, gas or mineral leases	7-9-7	
124	Recordings	Grantee's Address to be PROVIDED on all conveyances	43-28-21	
125	Recordings	Judgment effective as a discharge (certified copy can be recorded to discharge liens or mtgs)	21-51-10	
126	Recordings	Lien that may be counterfeit /If you suspect a lien is counterfeit - contact owner	7-9-22	
127	Recordings	Metes and Bounds	43-21-1	

ROD LAW INDEX MANUAL 2008

ID	CATEGORY NAME	DESCRIPTION	STATUTE #	OPIN DATE
128	Recordings	Metes and Bounds/Easement Recordings	Atty General Opin	86-35pg.254
129	Recordings	Metes and Bounds/Previous Recording by Metes & Bounds	43-21-4.1	
130	Recordings	Metes and Bounds/Railroad has authority to use Metes and Bounds descriptions	Atty General Opin	85-50
131	Recordings	Microfilm/paper copies necessary as backup if you have digital (scanned) records.	1-27-4	
132	Recordings	Mineral Interest Defined	43-30A-1	
133	Recordings	Mineral Interests/Statement of claims to be filed every 23 years to retain rights	43-30A-4	
134	Recordings	Mineral Notices for exploration mailed to owner using ROD address for owner	45-5A-5	
135	Recordings	Mineral, Gas and Oil Leases and the cancellation of the same by Reg. of Deeds	45-7	
136	Recordings	Mining claims/Affidavit of Labor fees	45-4-23	
137	Recordings	Mining claims/Location Certificate (filing fee) (certified copy upon demand)	45-4-7	
138	Recordings	Mortgage Assignments and Requirements of the Same	44-8-13	
139	Recordings	Mortgage Requirements (if not 180 day then 7-9-7 applies)	Atty General Opin	01-17-03
140	Recordings	Mortgage Requirements negated in 7-9-7 by another Statute	21-49-14	
141	Recordings	Mortgage Satisfactions and Requirements /markings on Mortgage	44-8-14	
142	Recordings	Mortgage Satisfaction may be signed by Abstract Company	44-8-30	
143	Recordings	Mortgage/ Republic of Lakotah mortgage - do not record (Atty General's email of 1-3-08)	Atty General Opin	84-27
144	Recordings	Notarizing Document/Statute which requires it to be done* (see Acknowledgements)	43-28-8	
145	Recordings	Notarizing/Illegible name of Notary (Notary's name should be legible somewhere)	18-5-3	
146	Recordings	Notarizing/If a notarization is from out of state and doesn't require seals, we can't require	90-41	
147	Recordings	Ownership is not a duty of the Register of Deeds	Atty General Opin	85-10
148	Recordings	Personal Representatives Deeds/Title Standards for conveyance comp.	43-30/titstdrd 2.5	
149	Recordings	Plat/Affidavits of Correction acceptable (there are exceptions)	43-18-11	
150	Recordings	Plat/Marketing a piece of ground before platted is a petty offense	11-6-35	
151	Recordings	Plat/must be received before recording any other documents	7-9-5	
152	Recordings	Plats/Affidavits of Correction Not acceptable (SDCL 43-18-11was passed after this issued)	Atty General Opin	97-02
153	Recordings	Plats/Easements on them (A Supreme Court opinion concerning Easements on Plats)	Supreme Court Opin	03-26-08
154	Recordings	Plats/Fees	11-3-11	
155	Recordings	Plats/footage descrip. (Can you record them if zoning has restrictions to plat?)	Atty General Opin	06-04
156	Recordings	Plats/Government entities exempt from plat laws 11-3&43-21	43-21-5	
157	Recordings	Plats/Ink must be black on plats and waterproof	11-3-10	
158	Recordings	Plats/RR and Municipalities describing easements or ROW for Utilities	7-9-6	
159	Recordings	Plats/SD DOT are exempt from tax payment certificate whether state owns land or not.	7-9-6	
160	Recordings	Plats/Size, must be on mylar or drafting linen	11-3-10	
161	Recordings	Plats/Vacation - ROD shall Mark the Plat Vacated - see statute for specific details	11-13-18	
162	Recordings	Plats/Vacation - Surveyor must state on Plat the book and page of Plat to be vacated.	11-3-20.2	
163	Recordings	Plats/Verbiage to protect water from sewage	11-3-8.1	
164	Recordings	Prepared By Statement to be on document to record	7-9-1	
165	Recordings	Recording of Instruments	43-28	

ROD LAW INDEX MANUAL 2008

ID	CATEGORY NAME	DESCRIPTION	STATUTE #	OPIN DATE
166	Recordings	Records Open for Inspection	1-27-1	
167	Recordings	Records Open for Inspection/policies may be set on how the public record is searched	Atty General Opin	1949 pg. 226
168	Recordings	Refuse to Record Documents (you can refuse to record docs espec. counterfeit liens	7-9-19	
169	Recordings	Refuse/Counterfeit Lien Filing a class 1 Misdemeanor and the 2nd one is Class 6 Felony	22-11-28	
170	Recordings	South Dakota Housing/No Fee to be charged to Record	11-11-101	
171	Recordings	Survey Corners	43-20	
172	Recordings	Survey Corners/Fee	43-20-10	
173	Recordings	Survey Corners/Required to be in a hard bound Book`	43-20-12	
174	Recordings	Termination of Joint Tenancy/by Affidavit and Death Certificate	21-44-27	
175	Recordings	Termination of Life Estates	22-44	
176	Recordings	Timing of Documents	7-9-3	
177	Recordings	Timing of Documents - Liens upon the same property have priority based on time	44-2-1	
178	Recordings	Transfer Fee and Exemption Codes General Statute	43-4	
179	Recordings	Transfer Fee Exemption Codes	43-4-22	
180	Recordings	Transfer Fee Law	43-4-21	
181	Recordings	Transfer Fee to be marked exempt on document	43-4-23	
182	Recordings	Transfer Fee to be placed on front of deed in Red Ink	43-4-24	
183	Recordings	UCC Attorney General Opinion allowing recording of a UCC	Atty General Opin	68-33
184	Recordings	Vacation of Highway - Validation two years from date of recordation	31-3-11	
185	Recordings	Acknowledgment Laws (Forms provided on Corporate, Individual, Partnership, POA etc.)	Chapters 18-4 & 18-5	
186	Recordings	Levy Notice of by Sheriff on personal property which cannot be moved (file as a Lis Pendens	15-18-23	
187	Recordings	Levy Notice of by Sheriff on personal property without moving property (need legal descrip)	10-22-17	
188	Recordings	Levy Notice of by Sheriff record like a Lis Pendens (on Real Estate)	15-18-22	
189	Recordings	Microfilm/National Standards do not recognize digital records as permanent records.	Records Managemnt	can verify
190	Recordings	Plats/County Planning required to approve plat in extraterritorial jurisdiction/water protection	Atty General Opin	02-04-1997
191	Recordings	Plats/Vacation by owners without replatting-must mail to municipality within 10 days by ROD	11-3-16	
192	Recordings	Weed Liens (needs to be a certified copy - see SDCL 43-28-4)	38-22-23.13	
193	Recordings	Weed Liens (Weed Supervisor can charge for expenses - Auditor to do to bill)	38-22-23.14	
194	Register of Deeds	Certified copies admissible in court	1-27-8	
195	Register of Deeds	Destruction of records prohibited unless following Destruction schedules	1-27-10	
196	Register of Deeds	General Statute	7-9	
197	Register of Deeds	Monthly Fees and payment to Treasurer and Charging of Fees on Account allowed	7-9-17	
198	Register of Deeds	Open Records - Records open to public during normal business hours	1-27-1	
199	Register of Deeds	Public document or record defined (specific as to deeds and mortgages)	1-27-21	
200	Register of Deeds	Records Management in charge of Retention and Destruction of records	1-27-12	
201	Register of Deeds	Records Management Local	1-27-18	
202	Register of Deeds	Records Open for Inspection/Attorney General 's Opinion	Atty General Opin	1949pg.226
203	Register of Deeds	Records Open for Inspection but can be supervised	Atty General Opin	9-14-49pg.226

ROD LAW INDEX MANUAL 2008

ID	CATEGORY NAME	DESCRIPTION	STATUTE #	OPIN DATE
204	Register of Deeds	Restoration of Public Records (Register of Deeds specifically set forth in these laws)	21-38	
205	Register of Deeds	Viewing equipment necessary if the original is not kept	1-27-7	
206	Vital Records	You should have a Manual issued by the Department of Health-Vital Records Department		
207	Vital Records	Register of Deeds required to prepare Medical Cert. on Deaths if Coroner or Dep not avail.	34-25-21	
208	Vital Records	Coroner Appointment and deputies	7-14-9	
209	Vital Records	Gives the Register of Deeds authority to be the local Registrar	34-25-4.1	
210	Vital Records	State Department of Health has supervisory power over local registrars	34-25-58	
211	Vital Records	Failure of a local Register to perform duties a Vital Records - Class 1 Misdemeanor	34-25-57	