

TITLE 2: NATURAL RESOURCES
DIVISION 4: LAND RESOURCES

§ 4521. Acknowledgment of Mortgage.

(a) All mortgages, amendments, renewals, and extensions of mortgages shall be acknowledged or proven, as provided by this chapter, and recorded with the Commonwealth Recorder's Office.

(b) For purposes of this chapter, the proof or acknowledgment of an instrument affecting title to or any interest in real property may be made before a judge of the Commonwealth Trial Court, the Commonwealth Recorder, a Land Commissioner, the clerk of court or any subordinate of the above duly authorized to act in the name of said official.

(c) Nothing in this section shall preclude acknowledgment by a notary public duly authorized to acknowledge instruments in any state or territory of the United States or other foreign jurisdiction; provided, however, that the notary public complies with the laws of that jurisdiction.

Source: DL 4-143, § 10.

Commission Comment: PL 3-64 centralized the recording requirement referred to in subsection (a) in the Commonwealth Recorder's Office; see 1 CMC § 3701 et seq. PL 3-64 §§ 1 and 7 repealed 57 TTC § 11201 and 67 TTC § 119, referred to in DL 4-143, and those references have accordingly been deleted in this section.

Section 4 of PL 6-25, the "Commonwealth Judicial Reorganization Act of 1989," provides that "[w]herever the term 'Commonwealth Trial Court' appears in the Commonwealth Code, it is henceforth to be interpreted and understood to refer to the Commonwealth Superior Court."