

or by will, the auditor shall enter the information in the certificate upon the transfer books, upon payment of a fee in the amount specified in section 331.507, subsection 2, paragraph "a", which fee shall be taxed as court costs, collected by the clerk, and paid to the ~~auditor~~ treasurer by the recorder as provided in section ~~558.58~~ 331.902, subsection ~~±~~ 3.

Sec. 5. Section 598.21, subsection 8, unnumbered paragraph 2, Code Supplement 1985, is amended to read as follows:

If the court orders a transfer of title to real property, the clerk of court shall issue a certificate under chapter 558 relative to each parcel of real estate affected by the order and immediately deliver the certificate for recording to the county recorder of the county in which the real estate is located. Any fees assessed shall be included as part of the court costs; however, the certificates shall be recorded whether the costs are paid or not. The county recorder shall deliver the certificates and ~~appropriate~~ fees to the county auditor as provided in section 558.58, subsection 1.

Sec. 6. Section 633.481, Code 1985, is amended to read as follows:

**633.481 CERTIFICATE TO COUNTY RECORDER FOR TAX PURPOSES WITHOUT ADMINISTRATION.**

When an inventory or report is filed under section 450.22, without administration of the estate of the decedent, the clerk shall issue and deliver to the county recorder of the county in which the real estate is situated a certificate pertaining to each parcel of real estate described in the inventory or report. Any fees for certificates or recording fees required by this section or section 633.480 shall be assessed as costs of administration, but the certificates shall be filed whether fees are paid or not. The county recorder shall deliver the certificates and ~~appropriate~~ fees to the county auditor as provided in section 558.58.

Sec. 7. Sections 558.46 and 558.47, Code 1985, are repealed.

Approved April 15, 1986

## CHAPTER 1080

### APPROVAL OF LEGAL DESCRIPTIONS OF LAND

*S.F. 2262*

**AN ACT** relating to the approval of legal descriptions of parcels of land.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 409.1, unnumbered paragraph 1, Code 1985, is amended to read as follows:

A proprietor of a parcel of land of any size who divides the property into two parts, either of which is described by a metes and bounds description and is ten acres or less, shall have a survey made of the subdivision, unless the county ~~recorder~~ auditor determines that this description is adequate and a survey is not necessary. The survey shall be prepared and recorded in accordance with sections 355.4, 355.7 and 355.16. A proprietor of a parcel of land of any size who divides the property into three or more parts, any of which are described by a metes and bounds description and are ten acres or less, shall have a plat made of the subdivision. The plat shall be made by a registered land surveyor holding a certificate under chapter 114. The plat shall make reference to monuments of record or permanent control monuments and shall give bearing and distance from a corner of the plat to two corners of the congressional division of which it is a part. The plat shall accurately describe each part of the subdivision by giving its dimensions, length, and breadth and shall number the parts by progressive number.

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