

CHAPTER 63

(House Bill 370)

AN ACT concerning

Montgomery County - Real Property - Recordation

MC 824-98

FOR the purpose of providing that, in Montgomery County, recordation of instruments affecting property by the Clerk of the Circuit Court may be done prior to transfer of the property on the assessment records; providing for transfer of the property on the assessment records; providing for formulation of certain procedures; and generally relating to recordation of instruments in Montgomery County.

BY repealing and reenacting, with amendments,

Article - Real Property

Section 3-104(a)

Annotated Code of Maryland

(1996 Replacement Volume and 1997 Supplement)

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

Article - Real Property

3-104.

(a) (1) Except as provided in paragraph (2) of this subsection, a deed or other instrument which effects a change of ownership on the assessment books under the Tax - Property Article may not be recorded until the property granted is transferred on the assessment books or records of the county where the property is located to the grantee or assignee named in the deed or other instrument. When submitting the deed or other instrument for transfer on the assessment books, the person offering the deed or other instrument, on request, shall mail or deliver to the person having charge of the assessment books, a statement of any building and improvement on the property granted. When the property is transferred on the assessment books, the person recording the transfer shall evidence the fact of transfer on the deed or other instrument. This endorsement is sufficient to authorize the recording of the deed or other instrument by the clerk of the appropriate court.

(2) (i) The provisions of this paragraph apply only in the following counties:

1. Baltimore County;
2. Cecil County;
3. Charles County;