

19-10-31. [Filing and recording of leases, other instruments and assignments with commissioner; constructive notice; recording in county waived.] (1925)

Statute text

All leases and other instruments executed or issued by the commissioner of public lands, hereinafter referred to as the commissioner, pertaining to oil and gas rights in state lands, and including assignments of such rights when approved by the commissioner, shall be made in duplicate and one copy thereof retained in the files of the state land office and recorded in full by the commissioner in suitable books provided by him and kept for such purpose. Such filing and recording shall be constructive notice to all persons of the contents of such instruments from the date of such filing and it shall not be necessary to record such instruments in the county where the lands affected thereby are located, and the filing and recording in the office of the commissioner as provided herein shall have the same force and effect as the filing and recording of such instruments in the county where the lands affected thereby are located would now have under existing statutes.

History

History: Laws 1925, ch. 68, § 1; C.S. 1929, § 132-501; 1941 Comp., § 8-1124; 1953 Comp., § 7-11-25.

Annotations

Cross references. - For recording of certain agricultural and grazing lease or contract assignments in office of commissioner, see 19-7-39 NMSA 1978.

For recording of instruments effecting real estate and giving of constructive notice thereby generally, see 14-9-1, 14-9-2 NMSA 1978.

For recording of assignment made for benefit of creditors, see 56-9-10 NMSA 1978.

Assignment of partial lease filed with county, not state, offices. - Because an assignment of a partial lease is not recognized by the commissioner of public lands, pursuant to 19-10-13 NMSA 1978, the assignment cannot be filed in the state land office, but must be filed in the appropriate county clerk's office; there it provides constructive notice of its contents. *Angle v. Slayton*, 102 N.M. 521, 697 P.2d 940 (1985).