

By: Snowden

To: Judiciary A

HOUSE BILL NO. 1395
(As Passed the House)

1 AN ACT TO AMEND SECTION 89-3-7, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE FORMS OF ACKNOWLEDGMENTS FOR CORPORATE GENERAL PARTNERS OF
3 PARTNERSHIPS AND CORPORATE MEMBERS AND MANAGERS OF LIMITED
4 LIABILITY COMPANIES; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. Section 89-3-7, Mississippi Code of 1972, is
7 amended as follows:

8 89-3-7. The following forms of acknowledgment may be used in
9 the case of conveyances or other written instruments affecting
10 real estate or personal property; and any acknowledgment so taken
11 and certified shall be sufficient to satisfy all requirements of
12 law:

13 (a) In the case of natural persons acting in their own
14 right:

15 "STATE OF _____

16 COUNTY OF _____

17 Personally appeared before me, the undersigned authority in
18 and for the said county and state, on this ____ day of _____,
19 20, within my jurisdiction, the within named _____, who
20 acknowledged that (he)(she)(they) executed the above and foregoing
21 instrument.

22 _____(NOTARY PUBLIC)

23 My commission expires:

24 _____"

25 (Affix official seal, if applicable)

26 (b) In the case of corporations:

27 "STATE OF _____

28 COUNTY OF _____

29 Personally appeared before me, the undersigned authority in
30 and for the said county and state, on this ____ day of _____,
31 20, within my jurisdiction, the within named _____, who
32 acknowledged that (he)(she) is _____ of _____, a
33 _____corporation, and that for and on behalf of the said
34 corporation, and as its act and deed (he)(she) executed the above
35 and foregoing instrument, after first having been duly authorized
36 by said corporation so to do.

37 _____(NOTARY PUBLIC)

38 My commission expires:

39 _____"

40 (Affix official seal, if applicable)

41 (c) In the case of a corporate general partner of a
42 limited partnership:

43 "STATE OF _____

44 COUNTY OF _____

45 Personally appeared before me, the undersigned authority in
46 and for the said county and state, on this _____ day of _____,
47 20, within my jurisdiction, the within named _____, who
48 acknowledged to me that (he)(she) is _____ of _____,
49 a _____ corporation and general partner
50 of _____, a _____ limited
51 partnership, and that for and on behalf of said corporation as
52 general partner of said limited partnership, and as the act and
53 deed of said corporation as general partner of said limited
54 partnership, and as the act and deed of said limited partnership,
55 (he)(she) executed the above and foregoing instrument, after first
56 having been duly authorized by said corporation and said limited
57 partnership so to do.

58 _____(NOTARY PUBLIC)

59 My commission expires:

60 _____"

61 (Affix official seal, if applicable)

62 (d) In the case of a corporate member of a
63 member-managed limited liability company:

64 "STATE OF _____

65 COUNTY OF _____

66 Personally appeared before me, the undersigned authority in
67 and for the said county and state, on this _____ day of _____, 20____,
68 within my jurisdiction, the within named _____, who
69 acknowledged to me that (he)(she) is _____ of
70 _____, a _____ corporation and member of
71 _____, a _____ member-managed limited
72 liability company, and that for and on behalf of said corporation
73 as member of said limited liability company, and as the act and
74 deed of said corporation as member of said limited liability
75 company, and as the act and deed of said limited liability
76 company, (he)(she) executed the above and foregoing instrument,
77 after first having been duly authorized by said corporation and
78 said limited liability company so to do.

79 _____ (NOTARY PUBLIC)

80 My commission expires:

81 _____ "

82 (Affix official seal, if applicable)

83 (e) In the case of a corporate manager of a
84 manager-managed limited liability company:

85 "STATE OF _____

86 COUNTY OF _____

87 Personally appeared before me, the undersigned authority in
88 and for the said county and state, on this _____ day of _____, 20____,
89 within my jurisdiction, the within named _____, who
90 acknowledged to me that (he)(she) is _____ of _____, a
91 _____
92 _____ corporation and manager of _____,
93 a _____ manager-managed limited liability company, and that

94 for and on behalf of said corporation as manager of said limited
95 liability company, and as the act and deed of said corporation as
96 manager of said limited liability company, and as the act and deed
97 of said limited liability company, (he)(she) executed the above
98 and foregoing instrument, after first having been duly authorized
99 by said corporation and said limited liability company so to do.

100 _____ (NOTARY PUBLIC)

101 My commission expires:

102 _____"

103 (Affix official seal, if applicable)

104 (f) In the case of persons acting in representative
105 capacities:

106 "STATE OF _____

107 COUNTY OF _____

108 Personally appeared before me, the undersigned authority in
109 and for the said county and state, on this ____ day of _____,
110 20__, within my jurisdiction, the within named _____, who
111 acknowledged that (he)(she) is _____of _____and that
112 in said representative capacity (he)(she) executed the above and
113 foregoing instrument, after first having been duly authorized so
114 to do.

115 _____ (NOTARY PUBLIC)

116 My commission expires:

117 _____"

118 (Affix official seal, if applicable)

119 (g) In the case of proof of execution of the instrument
120 made by a subscribing witness:

121 "STATE OF _____

122 COUNTY OF _____

123 Personally appeared before me, the undersigned authority in
124 and for the said county and state, on this ____ day of _____,
125 20__, within my jurisdiction, CD, one of the subscribing witnesses
126 to the above and foregoing instrument, who, being first duly

127 sworn, states that (he)(she) saw the within (or above) named AB,
128 whose name is subscribed thereto, sign and deliver the same to EF
129 (or that (he)(she) heard AB acknowledge that (he)(she) signed and
130 delivered the same to EF); and that the affiant subscribed
131 (his)(her) name as witness thereto in the presence of AB.

132 _____(CD)

133 _____(NOTARY PUBLIC)

134 My commission expires:

135 _____"

136 (Affix official seal, if applicable)

137 SECTION 2. This act shall take effect and be in force from
138 and after July 1, 2000.