

Ex# 23

CHAPTER 6*

UNIFORM ACKNOWLEDGMENT ACT

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APR 22 2025

Land Use Department

*Cited. 176 C. 17.

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Sec. 1-28. Permissible forms of acknowledgment. Any instrument may be acknowledged in the manner and form now provided by other laws of this state, or as provided by this chapter.

(1961, P.A. 65, S. 1.)

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Sec. 1-29. Acknowledgments within state. The acknowledgment of any instrument may be made in this state before: (1) A judge of a court of record or a family support magistrate; (2) a clerk or deputy clerk of a court having a seal; (3) a town clerk; (4) a notary public; (5) a justice of the peace; or (6) an attorney admitted to the bar of this state.

(1961, P.A. 65, S. 2; P.A. 87-316, S. 2; P.A. 03-278, S. 2.)

History: P.A. 87-316 authorized family support magistrates to take acknowledgments; P.A. 03-278 made a technical change in Subdiv. (3), effective July 9, 2003.

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Sec. 1-30. Acknowledgments in other states, territories or possessions. The acknowledgment of any instrument may be made without the state but within the United States or a territory or insular possession of the United States and within the jurisdiction of the officer, before: (1) A clerk or deputy clerk of any federal court; (2) a clerk or deputy clerk of any court of record of any state or other jurisdiction; (3) a notary public; (4) a commissioner of deeds; (5) any person authorized by the laws of such other jurisdiction to take acknowledgments; (6) any attorney admitted to the bar in this state as provided in section [1-31a](#).

(1961, P.A. 65, S. 3; P.A. 91-110, S. 6, 9.)

History: P.A. 91-110 added Subdiv. (6) permitting acknowledgment of instrument as provided in Sec. 1-31a without the state before attorney admitted to bar in this state.

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Sec. 1-31. Acknowledgments without United States. The acknowledgment of any instrument may be made without the United States before: (1) An ambassador, minister, charge d'affaires, counselor to or secretary of a legation, consul general, consul, vice-consul, commercial attache, or consular agent of the United States accredited to the country where the acknowledgment is made; (2) a notary public of the country where the acknowledgment is made; (3) a judge or clerk of a court of record of the country where the acknowledgment is made; (4) any attorney admitted to the bar in this state as provided in section [1-31a](#).

(1961, P.A. 65, S. 4; P.A. 91-110, S. 7, 9.)

History: P.A. 91-110 added Subdiv. (4) permitting acknowledgment of instrument as provided in Sec. 1-31a without the United States before attorney admitted to bar in this state.

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Sec. 1-31a. Acknowledgments by attorney outside state. Exception. An acknowledgment of any instrument pertaining to real property located in this state or a power of attorney may be made outside the state before an attorney admitted to the bar in this state. The provisions of this section shall not apply to any acknowledgment made by a remotely located individual, as defined in section [3-95b](#), in the conduct of a real estate closing, as defined in section [51-88a](#).

(P.A. 91-110, S. 8, 9; P.A. 23-28, S. 2.)

History: P.A. 23-28 added that section is not applicable to acknowledgment made by a remotely located individual in the conduct of a real estate closing.

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Sec. 1-32. Identification of person making acknowledgment. The officer taking the acknowledgment shall know or have satisfactory evidence that the person making the acknowledgment is the person described in and who

executed the instrument.

(1961, P.A. 65, S. 5.)

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Sec. 1-33. Married women. An acknowledgment of a married woman may be made in the same form as though she were unmarried.

(1961, P.A. 65, S. 6.)

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Sec. 1-34. Certificate of officer. An officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in one of the following forms:

(1) By individuals:

State of

County of

On this the day of, 20..., before me,, the undersigned officer, personally appeared, known to me (or satisfactorily proven) to be the person whose name subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand.

....

....

Title of Officer.

(2) By a corporation:

State of

County of

On this the day of, 20..., before me,, the undersigned officer, personally appeared who acknowledged himself to be the of, a corporation, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as

In witness whereof I hereunto set my hand.

....

....

Title of Officer.

(3) By an attorney in fact:

State of

County of

On this the day of, 20..., before me,, the undersigned officer, personally appeared, known to me (or satisfactorily proven) to be the person whose name is subscribed as attorney in fact for, and acknowledged that he executed the same as the act of his principal for the purposes therein contained.

In witness whereof I hereunto set my hand.

....

....

Title of Officer.

(4) By any public officer or deputy thereof, or by any trustee, administrator, guardian, or executor:

State of

County of

On this the day of, 20..., before me,, the undersigned officer, personally appeared, of the State (County or City as the case may be) of, known to me (or satisfactorily proven) to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained.

In witness whereof I hereunto set my hand.

....

....

Title of Officer.

(5) By a limited liability company:

State of

County of

On this the day of, 20..., before me,, the undersigned officer, personally appeared who acknowledged himself to be the of, a (member managed or manager managed) limited liability company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as

In witness whereof I hereunto set my hand.

....

....

Title of Officer.

(6) By a registered limited liability partnership:

State of

County of

On this the day of, 20..., before me,, the undersigned officer, personally appeared who acknowledged himself to be the of, a registered limited liability partnership, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the registered limited liability partnership by himself as

In witness whereof I hereunto set my hand.

....

....

Title of Officer.

(1961, P.A. 65, S. 7; February, 1965, P.A. 226; P.A. 04-132, S. 2.)

History: 1965 act removed requirement officer affix seal; (Revisor's note: In 2001 the references in this section to the date "19.." were changed editorially by the Revisors to "20.." to reflect the new millennium); P.A. 04-132 added Subdivs. (5) and (6) re forms for limited liability company and registered limited liability partnership, respectively.

See Sec. 52-262 re fee for taking of acknowledgment.

Cited. 176 C. 17.

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Sec. 1-35. Identification of acknowledging officer. The certificate of the acknowledging officer shall be completed by his signature, his official seal if he has one, the title of his office and, if he is a notary public, the date his commission expires.

(1961, P.A. 65, S. 8.)

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Sec. 1-36. Authentication. (1) If the acknowledgment is taken within this state or is made without the United States by an officer of the United States no authentication shall be necessary.

(2) If the acknowledgment is taken without this state, but in the United States, or a territory or insular possession of the United States, the certificate shall be authenticated by a certificate as to the official character of such officer, executed, if the acknowledgment is taken by a clerk or deputy clerk of a court, by the presiding judge of the court or, if the acknowledgment is taken by a notary public, or any other person authorized to take acknowledgments, by a clerk of a court of record of the county, parish or district, or the clerk of the town, in which the acknowledgment is taken. The signature to such authenticating certificate may be a facsimile printed, stamped, photographed or engraved thereon when the certificate bears the seal of the authenticating officer. A judge or clerk authenticating an acknowledgment shall endorse thereon or attach thereto a certificate in substantially the following form:

State of

County of

I (judge or clerk) of the in and for said county, which court is a court of record, having a seal, (or I, clerk of the town of in said county,) do hereby certify that by and before whom the foregoing (or annexed) acknowledgment was taken, was at the time of taking the same a notary public (or other officer) residing (or authorized to act) in said county, and was authorized by the laws of said state to take and certify acknowledgments in said state, and, further, that I am acquainted with his handwriting and that I believe that the signature to the certificate of acknowledgment is genuine.

In testimony whereof I have hereunto set my hand and affixed the seal of the court this day of, 20...

(3) If the acknowledgment is taken without the United States and by a notary public or a judge or clerk of a court of record of the country or the clerk of the town where the acknowledgment is taken, the certificate shall be authenticated by a certificate under the great seal of state of the country, affixed by the custodian of such seal, or by a certificate of a diplomatic, consular or commercial officer of the United States accredited to that country, certifying as to the official character of such officer. The officer authenticating an acknowledgment shall endorse thereon or attach thereto a certificate in substantially the form prescribed in subsection (2) of this section.

(1961, P.A. 65, S. 9; 1971, P.A. 387, S. 2.)

History: 1971 act included town clerks; (Revisor's note: In 2001 the reference in this section to the date "19.." was changed editorially by the Revisors to "20.." to reflect the new millennium).

See Sec. 47-7 re validity of acknowledgments taken in other state or U.S. territory.

These statutory requirements are inapplicable to extradition documentation because Sec. 54-159 provides for authentication by the executive authority. 195 C. 465.

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Sec. 1-37. Acknowledgment in compliance with law of other jurisdiction. Exception. (a) Notwithstanding any provision in this chapter, the acknowledgment of any instrument without this state in compliance with the manner and form prescribed by the laws of the place of its execution, if in a state, a territory or insular possession of the United States, or in the District of Columbia, verified by the official seal of the officer before whom it is acknowledged, and authenticated in the manner provided by subsection (2) of section [1-36](#), shall have the same effect as an acknowledgment in the manner and form prescribed by the laws of this state for instruments executed within the state.

(b) The provisions of this section shall not apply to any acknowledgment made by a remotely located individual, as defined in section [3-95b](#), in the conduct of a real estate closing, as defined in section [51-88a](#).

(1961, P.A. 65, S. 10; P.A. 23-28, S. 4.)

History: P.A. 23-28 redesignated existing provision as Subsec. (a) and added Subsec. (b) re section not applicable to acknowledgment made by a remotely located individual in the conduct of a real estate closing.

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Sec. 1-38. Acknowledgment of person in armed forces. In addition to the acknowledgment of instruments in the manner and form and as otherwise authorized by this chapter, persons serving in or with the armed forces of the United States or their dependents, wherever located, may acknowledge the same before any commissioned officer in active service of the armed forces of the United States with the rank of second lieutenant or higher in the Army, Air Force, Marine Corps or Space Force, or ensign or higher in the Navy or Coast Guard. The instrument shall not be rendered invalid by the failure to state therein the place of execution or acknowledgment.

No authentication of the officer's certificate of acknowledgment shall be required but the officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in the following form:

On this the day of, 20.., before me,, the undersigned officer, personally appeared (Serial No.) (if any), known to me (or satisfactorily proven) to be (serving in or with the armed forces of the United States) (a dependent of, (Serial No.) (if any), a person serving in or with the armed forces of the United States) and to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained. And the undersigned does further certify that he is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the armed forces of the United States.

....

Signature of the Officer

....

Rank and Serial No. of Officer

and Command to which attached.

(1961, P.A. 65, S. 11; P.A. 23-71, S. 10.)

History: (Revisor's note: In 2001 the reference in this section to the date "19.." was changed editorially by the Revisors to "20.." to reflect the new millennium); P.A. 23-71 added reference to United States Space Force.

See Sec. 27-137 re acknowledgments by persons serving in armed forces and their spouses.

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Sec. 1-39. Prior acknowledgments unaffected. No acknowledgment taken prior to October 1, 1961, shall be affected by anything contained in this chapter.

(1961, P.A. 65, S. 12.)

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Sec. 1-40. Interpretation of chapter. This chapter shall be so interpreted as to make uniform the laws of those states which enact it.

(1961, P.A. 65, S. 13.)

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Sec. 1-41. Short title: Uniform Acknowledgment Act. This chapter may be cited as the "Uniform Acknowledgment Act".

(1961, P.A. 65, S. 14.)

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