

Fundamentals of Louisiana Notarial Law and Practice
The Louisiana Notary Public Examination Official Study Guide
2020 Edition

E R R A T A

Updated 2/3/20

The following changes apply to the 2020 edition of *Fundamentals of Louisiana Notarial Law and Practice – The Louisiana Notary Public Examination Official Study Guide*. For the most current errata for the study guide, please see

<http://www.sos.la.gov/NotaryAndCertifications/PrepareForTheNotaryExam/>

- Page 368
Second paragraph, second line, after “9 West,” insert, “situated in the town of (town), Parish of (parish), State of Louisiana,”
- Page 556
Insert pages 556(2) and 556(3) (attached) before page 557.
Update table of contents on page xxix (immediately *before*
CHAPTER 30: CAVEAT NOTARIUS):
Subordination of Mortgage556(2)
Verification.....556(3)
- Page 596
Following third complete paragraph (U.) add:
V. Repealed by Acts 2019, No. 9, §2, eff. May 24, 2019.
W. Repealed by Acts 2019, No. 9, §2, eff. May 24, 2019.

Readers are encouraged to report errors in the Notary Study Guide to
LSU Office of Testing and Evaluation Services
51 Himes Hall, LSU, Baton Rouge, LA 70803
Phone (225) 578-1145; Email otes@lsu.edu

____ (1) Consent to and authorize such medical care, treatment, or surgery as may be deemed necessary for the health, safety, and welfare of each child.

____ (2) Enroll each child in such schools or educational institutions as may be deemed necessary for his due and proper education.

____ (3) Discipline each child in such reasonable manner as may be necessary for his proper rearing, supervision, and training.

____ (4) Do and perform all other such acts as may be necessary for the shelter, support, and general welfare of each child.

This Provisional Custody by Mandate will continue to be effective until _____, 20 __, or one year from date hereof, whichever period is shorter.

I agree that any third party who receives a copy of this document may rely upon the authority granted the mandatary as indicated herein and may act in reliance on such authority. I agree to indemnify and hold harmless the third party for any claims that arise against him because of reliance on this Provisional Custody by Mandate.

The undersigned mandatary does hereby accept the provisional custody of each child named herein.

THUS DONE AND PASSED at _____, state of _____, in the presence of the undersigned competent witnesses, who sign these presents with the appearer(s) and me, notary, after due reading of the whole

WITNESSES:

(Natural tutor or cotutors with custody, but not yet judicially qualified, or a grandparent awarded custody)

(Other Cotutor or Undertutor)

(Mandatary)

Notary Public

SUBORDINATION OF MORTGAGE

The holder of a security interest, such as a mortgage or privilege, may agree to reduce the priority or ranking of his security interest in favor of another having a security interest of a lesser ranking or priority affecting the same property. This is called *subordination*.

An Act of Subordination must be in writing and recorded in the same manner as the original security interest to affect third persons. When the act of subordination is made

in connection with a conventional mortgage, the note secured by the mortgage must be paraphed for identification with the act of subordination.

Content of act

An act of subordination of mortgage will contain

1. the full appearance clause(s) of current holder(s) of note secured by the mortgage being subordinated, reciting capacity as the last holder thereof;
2. a recitation that appearer(s) presented the note, fully describing the note (date, maker, amount, terms, paraph) and identifying the mortgage securing it (date, parties, notary, recording details), to the notary;
3. a recitation that the appearer(s) declared their consent and agreement that the mortgage securing said note described shall in all respects, be subordinate to another specifically described mortgage (date, parties, notary, recording details) granted to secure another amount;
4. any additional terms and provisions required by the parties;
5. a declaration of paraphing of note to the act of subordination;
6. the appropriate conclusion (see Chapter 19) and signatures.

VERIFICATION

Notaries are authorized under R.S. 35:2(B) to administer oaths in any parish of the state and to verify interrogatories and pleadings to be used in the courts of record in this state.

The verification of pleadings is an affidavit of a petitioner that he is the petitioner who signed an attached or foregoing petition, and that the allegations of fact contained in the petition are true and correct to the best of his knowledge and belief.

The verification of interrogatories follows the same form, but is an affidavit of the person answering the interrogatories.