

BASIC DOCUMENT REQUIREMENTS

In the Document Requirement Section of this manual, the user will find the recording requirements for a number of documents as compiled by the Document Reference Manual Committee of the County Recorder's Association of California. The criteria used in developing the requirements were the Federal, California State and local codes. Each listed requirement was substantiated by a code section and / or a written legal opinion and in consideration of the uniform recording rules of the Association. In many cases the Document Reference Manual Committee found it difficult to separate " traditional requirements" from " actual requirements ". However , in doing so, the committee felt that the result of their work would provide a more valuable training and information resource.

Each document presented for recording must include or comply with the following basic document requirements:

RETURN ADDRESS (GOVT - 27361.6)

The upper left - hand corner of each document is intended for use by the public to show the name and address to whom the document should be returned.

NAME(S) OF PERSON(S) REQUESTING RECORDING (GOVT - 27361.6)

The upper left - hand corner of each document is intended for use by the public to show the person(s) requesting recording.

LEGIBILITY / PHOTOGRAPHABILITY (GOVT - 27361.7)

Whenever a document, or portion of a document, is not sufficiently legible to produce a readable photographic record, a legible copy may be attached and shall be certified by the party creating the copy to be a true copy of the original. Legible copy also pertains to notary seals, certificates and other appendages thereto.

ENGLISH LANGUAGE TRANSLATION (GOVT - 8, 27293; AG OPINION 82 - 1209)

Whenever a document, or portion of a document, is in a foreign language, an English translation, certified by the county clerk, may be attached thereto and subsequently recorded. A document which has a foreign foreign language apostille attached and which has been executed outside the United States, may be recorded without a translation of the apostille.

NAMES OF PARTY(IES) TO BE INDEXED (GOVT - 27280.5)

Names of party(ies) to be indexed shall be legibly signed, typed or printed.

SIGNATURE(S) (GOVT - 27201(B), 27280.5; CC - 1213, 1218)

Signatures must be original unless the document is a certified copy issued by the appropriate custodian of the public record.

READY REFERENCE TO COMMON RECORDING AND INDEXING CODE SECTIONS

When examining documents for compliance with recording requirements or to determine the appropriate indexing criteria it is frequently helpful to have a ready reference to code sections other than those noted as mandatory in the basic document requirements section of this manual.

To assist in the document examination and indexing process we have included, in alphabetical order by subject matter, the most commonly referenced recording and indexing code sections.

RECORDING CODE SECTIONS

SUBJECT	CODE SECTION	SUBJECT	CODE SECTION
Acknowledgment by owner	Govt 27288	Fees - non conforming page size	Govt 27361(2)
Acknowledgment required	Govt 27287	Fees - photocopies	Govt 27366
Address for tax statement	Govt 27321.5	Fees - recording and modernization surcharge	Govt 27361
Advance payment of fees	Govt 27201	Fees - release of public liens	Govt 27361.3
Affidavit (definition)	Govt 2003	Fees - survey monument	Govt 27585
Certificate of acceptance	Govt 27281	Fees - when not required	Govt 6103
Certified copies may be recorded	CC 1218	Foreign judgment (sister - state)	CCP 1913
County where property is located - recording	CC 1169	Form of grant (legal description)	Civil 1092
Debtor's address required on Abstract of Judgment	CCP 674	Instrument (definition)	Govt 27279
Definition - Instrument	Govt 27279	Legal description (form of grant)	Civil 1092
Definitions	Govt 6252	Lien notification required	Govt 27297.5
Document title required	Govt 27324	Names required on documents	Govt 27288.1
Documents affecting title	Govt 27280	Names to index	Govt 27201
Documents provided by law to be recorded	Govt 27201	Notary seal	Govt 8207
Fees - additional indexing	Govt 27361.2	Notice must be signed	Govt 27289
Fees - child support liens	Govt 6103.9	Original signature required	Govt 27201(b)
Fees - combined documents	Govt 27361.1	Page size requirement	Govt 27361
Fees - lien notification	Govt 27387	Photographability	Govt 27201
Fees - filed documents	Govt 27380	Preliminary Change of Ownership Report (PCOR)	Govt 27280
Fees - maps	Govt 27372	Public entity (definition)	Govt 811.2
Fees - micrographic surcharge	Govt 27361.4	Receipts upon request	Govt 6109
Fees - more than 10 names	Govt 27361.8	Recording in county where property is located	CC 1169

RECORDING CODE SECTIONS(cont.)

SUBJECT	CODE SECTION
Recording reference required	Govt 27361.6
Recording without acknowledgment	Govt 27282
	Govt 27285
Signature and acknowledgment of owner	Govt 27288
Signature by "mark"	Govt 16
Sister - state judgment (foreign lien)	CCP 1913

INDEXING CODE SECTIONS

SUBJECT	CODE SECTION
Documents without titles	Govt 27325
Index specifications and automation	Govt 27257
Separate indexes - additional types	Govt 27256
Separate indexes for specific documents	Govt 27232-54
Specific names / parties to be indexed	Govt 27263
Titles to be indexed	Govt 27324

**UNIFORM RECORDING RULES
COUNTY RECORDERS' ASSOCIATION OF CALIFORNIA**

Rules of recording procedure have been adopted by a majority vote of the County Recorders' Association of California to establish uniformity among County Recorders in the acceptance, indexing, processing and return of documents wherever the State laws and codes, court decisions and legal opinions do not specifically control.

The effectiveness of these rules is dependent on the degree of voluntary compliance by each County Recorder.

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| <p>1. A certified copy of a document must contain all of the information required for recording.</p> <p>2. All pages of a document shall be filmed.</p> <p>3. A document should be returned to the filor if one of several acknowledgments or signature lines is incomplete. On request of the filor, it should subsequently be accepted if the signature of at least one principal party is properly acknowledged. A document complete in other respects is sufficient as to that party for recording purposes. (L.A. training manual)</p> <p>4. Papers not part of the original record shall not be attached to certified copies of recorded documents when these documents are presented for recording. Cover sheets and affidavits executed pursuant to Govt. 27361.7(illegible document), however, may be attached to a certified copy.</p> <p>5. A document should be accepted for recording even if the acknowledgment is placed before the execution.</p> <p>6. Facimile signatures shall be accepted on liens recorded by a governmental agency when such facsimile signature has been officially adopted by that agency. Liens shall have noted on their face a statement to that effect, or have a request from the agency using such facsimile signature on file in the Recorder's Office (not recorded).</p> | <p>7. Documents to be re-recorded need not be resigned or re-acknowledged unless they contain a material change. All documents shall have noted on their face the reason for rerecording.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Material Change</td> <td style="width: 50%;">Non-Material Change</td> </tr> <tr> <td>1. Change in legal description</td> <td>1. Name of corporation missing in execution</td> </tr> <tr> <td>2. Name of party being released omitted</td> <td>2. Map book and page missing from legal</td> </tr> <tr> <td>3. Names reversed or missing in caption</td> <td>3. Change in Transfer tax</td> </tr> <tr> <td>4. Incorrect acknowledgement</td> <td>4. Change in city or unincorporated area for tax distribution</td> </tr> <tr> <td>5. Recording reference omitted in Request for Notice</td> <td>5. Documents recorded in wrong order</td> </tr> </table> <p>8. The execution of a document transferring title may be used in lieu of an additional signature to the Documentary Transfer Tax declaration provided such tax declaration contains language that so incorporates the execution.</p> <p>9. An \$8.00 recording fee, plus the \$1.00 micrographic conversion fee, \$1.00 days of operation fee and the \$1.00 second day indexing fee (if applicable) should be charged on full releases of governmental liens or satisfaction of judgment. Partial release or matured installment should be charged the regular recording fee. If multiple releases are contained in a single document and the references to the liens to be released indicate multiple documents the full release shall be charged for each recording reference.</p> | Material Change | Non-Material Change | 1. Change in legal description | 1. Name of corporation missing in execution | 2. Name of party being released omitted | 2. Map book and page missing from legal | 3. Names reversed or missing in caption | 3. Change in Transfer tax | 4. Incorrect acknowledgement | 4. Change in city or unincorporated area for tax distribution | 5. Recording reference omitted in Request for Notice | 5. Documents recorded in wrong order |
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IX

10. Only that portion of a document that is illegible need be copied in order to comply with Government Code 27361.7.
11. An assignment of partnership interest shall be accepted for recording if signed and acknowledged by the assignor.
12. The words "We, the undersigned" or "I, the undersigned" are acceptable in lieu of names in the caption of documents (Childs vs Newfield 1934).
13. A certificate of Limited Partnership, an Amendment to a Certificate of Limited Partnership or a Cancellation of Certificate of Limited Partnership shall not be accepted for recording unless it is certified by the Secretary of State.
14. All "exhibits" or "attachments" shall be clearly identified as such and be referenced in and related to the primary document.
15. Preliminary Change of Ownership Reports: When this report is not filed with the Recorder a \$20 penalty recording fee shall be charged. The signature of the transferee is required. An attorney for the transferee may sign for the transferee. If the transferee is an out of state resident no PCOR shall be required.
16. Purple ink shall be used when certifying copies of Recorders' records. Whenever possible the wording of the certification shall read substantially as follows: "This is a true certified copy of the record if it bears the seal, imprinted in purple ink, of the County Recorder". The words "imprinted in purple ink" should not be placed at the end or beginning of a sentence in order to impede the altering of the copy.