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Clerk-Recorder, Registrar of Voters

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### **GENERAL RECORDING REQUIREMENTS:**

The items below are general recording requirements and are not a complete list of all recording requirements or fees. Some documents may require additional information or forms to be recorded.

- ❖ Documents must be submitted with the proper fees and taxes. (G.C. 6103 & 27361)
- ❖ Documents submitted for recording must contain sufficient information to be indexed. (G.C. 27201)
- ❖ Documents must be authorized or required by law to be recorded (G.C., C.C., C.C.P., etc.).
- ❖ Documents must be in compliance with state and local laws.
- ❖ **Notice** - If document is a notice required by law to be recorded, it must be signed by the person giving notice, or his agent. (G.C. 27289)
- ❖ **Signatures** - Documents must contain original signature(s), except as otherwise provided by law, or be a certified copy of the original. (G.C. 27201(b) & C.C. 1218)
- ❖ **Legibility** - Documents must be photographically reproducible. When the text of a document, including the notary seal, may be made out but is not sufficiently legible to reproduce a readable photographic record, the recorder may require the person presenting the document to substitute a legible original document, or to prepare a legible copy of the document by handwriting or typewriting, and attach it to the original record. The legible copy shall be certified by the party creating the copy under penalty of perjury as being a true copy of the original. (G.C. 27361.7)
- ❖ **Recording where** - Instruments are recorded in the county where property is located. (C.C. 1169)
- ❖ **Notary acknowledgment** - Document must be acknowledged and acknowledgment must be proper, unless exempt. (G.C. 27282, 27285, 27287)
- ❖ **Reservation of space** - Documents must have the top right 2 ½" x 5" left blank for the Recorder's use. The top left space 2 ½" x 3 ½" must show the name of the requestor and the return mailing address. (G.C. 27361.6 & G.C. 27321)
- ❖ **Mailing address for tax statements** - Every deed or instrument executed to convey fee title to real property shall have noted on the first page the name and address to which future tax statements are to be mailed. (G.C. 27321.5)
- ❖ **Signing on behalf of a Corporation/Partnership** - The corporate or partnership name must appear above the signature(s). Capacity of signer(s) below signature(s). (C.C. 1190 & G.C. 27287)
- ❖ **Legible Names** - If the document is not signed legibly, the names of the signer(s) must be typed or printed on the side of or below the signature(s). (G.C. 27280.5)
- ❖ **Assessor's Parcel Number** - Parcel number may be required on documents conveying property. (Local Ordinance & R&T 11911.1)
- ❖ **Documentary Transfer Tax Declaration** - Documentary Transfer Tax declaration shall be completed and signed. (Local Ordinance)

- ❖ **Location of land** – Documents subject to transfer tax must show the location of land, incorporated city or unincorporated area on the face of the document. (R&T 11932)
  - ❖ **Documentary Transfer Tax Exemption** - Documents subject to Documentary Transfer Tax which are exempt must cite the particular code section under which the exemption is claimed and appropriate wording citing the use of the code on the face of the document. (Local Ordinance)
  - ❖ **Survey Monument Fee** - Each Grant Deed must be examined for Survey Monument Fund Fee applicability. (Local Ordinance)
  - ❖ **Address of Trustor on Deed of Trust** - Each Trust Deed or Mortgage with power of sale must show address of trustor or mortgagee. (G.C. 27321.5)
  - ❖ **Names required on documents** - If document effects or evidences a transfer or encumbrance of an interest in real property, the name or names in which such interest appears of record must show. (G.C. 27288.1)
  - ❖ **Names required on documents** - If document releases or terminates any interest, right or encumbrance, it must contain or have appended thereto all the names of those persons and entities owning the title or interest being relieved thereby, or the names of the owners of such title or interest as they appeared at the time and in the document creating such interest right or encumbrance. (G.C. 27288.1)
  - ❖ **Conveyance to Government Agency** - If document conveys an interest in or easement upon real estate to a political corporation or governmental agency for public purposes, it must have attached the consent of the political subdivision evidenced by its certification or resolution of acceptance. (G.C. 27281)
  - ❖ **Preliminary Change of Ownership form** - Document evidencing a conveyance of property must have a Preliminary Change of Ownership Report (PCOR) or pay a \$20 fee. (G.C. 27321 & R&T 480)
  - ❖ **Prior recording reference requirement** - Any instrument, paper, or notice presented for recordation which in any way modifies releases or cancels the provision of a previously recorded document shall state the recorder identification number or book and page of the document number being modified, released, or canceled. (G.C. 27361.6)
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