

# How To Record A Document

You **ARE REQUIRED** to provide a legible copy before your document is recorded.

Any text of an instrument submitted for recording **not sufficiently legible** to reproduce a readable photographic record after the recording process **will be returned without being recorded**.

The first page of the instrument must have a 2-inch border at the top of the page, 1-inch border on the sides of the page and 1-2 inch border along the bottom of the page. This space is for recording information and is to be left blank. If this space is not provided you will be charged for an extra page (\$5.00)

## REQUIREMENTS FOR STANDARD RECORDING

### Recording Requirements for Standard Recording:

- Page size 8 ½ x 14 or smaller
- Smaller than 8 ½ x 11; place on white 8 ½ x 11
- Font size; 10 point or larger
- Paper weight; does not allow bleed-through from back side

### The following must be clearly labeled and shown on the first page:

- Name(s) of transaction(s) (Document type)
- Name(s) of parties
- Person and address to whom the instrument is to be returned, labeled: **"RETURN TO:"**
- True and actual consideration (for instruments meeting requirements of ORS 93.030).
- Situs Address or Physical Address of the property. (Clatsop County Ordinance 2004-03).
- Name and address to where the tax statement is to be sent, labeled: **"MAIL TAX**

**STATEMENTS TO:"** (for instruments meeting requirements of ORS 93.260).

- Information required for County Clerk Lien Records by ORS 205.125(1)(c) and (e). Lien amount must also be listed on the first page.
- Clatsop County Assessor's Account Number. Must have **BOTH** Map# and Tax Account ID# (Clatsop County Ordinance 2004-03)(Please contact Assessment & Taxation for Map and Tax Account ID# at (503) 325-8522).
- Legal description – Real property description by tax lot number is not adequate. (ORS 93.600) requires subdivision information according to US survey boundaries or by lots, block and additional names or by partition plat recording and parcel numbers or by metes and bounds or by reference to the book and page or instrument of the public record of the county where the description can be found.
- Per ORS 93.040, the following **LAND USE STATEMENT** is required on all deeds:

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

### **Non-Standard Form Fee:**

A \$20.00 non-standard fee, in addition to all other fees, is added to instruments that do not meet the requirements as outlined in ORS 205.232, 205.234, 205.327.

All assignments or Mortgages and Trust Deeds must include the **name and address** of the assignee on the **FIRST PAGE** of the document. If the assignee's name appears without the address, the document shall be rejected as **Non-Recordable**. If the assignee's name and address appear on a page **other than the first page**, the non-standard document fee (\$20.00) shall be charged in addition to all other applicable recording fees. (ORS 205.234)

The recording fee includes a fee mandated by the passage of the Oregon Housing Alliance 2018 HB 4007 ORS 205.323 (1) (c). The following document types are exempted from the fee:

- Instruments that is otherwise exempt from recording or filing fees under any provision of law.
- Any satisfaction of judgment or certificate of satisfaction of judgment.
- Internal county government instruments not otherwise charged a recording or filing fee.
- Affidavits of Annual Assessment (mining claims)
- Warrants issued by the Employment Department pursuant to ORS 657.397, 657.642 and 657.646.
- A certified copy of a judgment, a lien record abstract as described in ORS 18.170 or a satisfaction of judgment noticed by recordation of a lien record abstract.
- Instruments presented for recording by the Department of Revenue or County Tax Collector.

### **HOW TO RE-RECORD A DOCUMENT**

If your instrument is recorded and later found to have missing, incomplete, or incorrect information, you may wish to re-record the instrument. If you correct and re-record an

instrument, the recording fee is charged again. In addition, there will be a charge for an additional page for the re-recording cover sheet.

**Re-recording of an ORIGINAL instrument:**

- The necessary additions or corrections may be made on the document itself.
- The required re-recording statement on an attached cover sheet that contains the information specified in ORS 205.234(2).
- The corrected instrument need not be acknowledged again.

**Re-recording a CERTIFIED COPY of a previously recorded instrument:**

- A certified copy of the original instrument **may not** be altered to correct the original instrument (ORS 205.244(3)).
- An unaltered certified copy of the original recorded instrument should be attached to a cover sheet. The cover sheet must contain the information specified in ORS 205.234(2). The re-recorded document may include attachments identified on the cover sheet that are necessary to make the corrections.

**Effective 01/01/2024 - (HB 2029)**

**Amends ORS 205.232 changing the minimum font size from 8-point to 10-point type for recorded documents.**

Beginning that day, documents being recorded in County Clerks' property records in Oregon must have text with font sizes no smaller than 10-point. We urge all our customers to begin updating their forms and templates early to avoid recording delays or extra charges beginning in 2024.

The statute now reads: ORS 205.232 Conditions for instruments to be recorded; exception. Except as provided in ORS 205.327, a county clerk shall not accept any instrument for recording unless the text of the instrument is typed, written or printed in 10-point type or larger on paper that is not larger than 14 inches long and 8-1/2 inches wide and which paper is of sufficient quality for recording photographically. However, this section does not apply to out-of-state notarial acts or to certified copies of public records presented to a county clerk for recording.

This transition is being made for accessibility purposes. It also brings Oregon's standards up to the best practices recommended by PRIA (Property Records Industry Association) to ensure readability after scanning, indexing, filming, and archiving of permanent records.

**Effective 10/07/2015 - (HB 2127)**

**TRANSFERS TO TAX-EXEMPT GOVERNMENTAL ENTITIES**

**DOCUMENTS:** Deeds or other documents transferring fee title being recorded

**APPLICATION:** Where the grantee is an exempt entity as defined in ORS 304.040/303.090

Prior to a deed or other document transferring fee title being recorded - - where the grantee is an exempt entity as defined in ORS 307.040 and 307.090.

- The document shall be delivered to the County Assessor's Office (in person, e-mail attachment, etc.) for review.
- The deed or other document must include the legal description of the real property being transferred.
- The County Assessor's Office will review the legal description and will identify all accounts associated.
- They will check to see if all charges owing have been paid, including any special assessments, for each account.
- The person reviewing the document will request a verification of charges owing from the Assessor/Tax office.
- After it has been established that all charges have been paid, the County Assessor's Office will issue the certificate as prescribed by the Department of Revenue, listing account numbers for exempted property.
- When the deed or other document is submitted to the County Clerk's Office for recording, it must include the legal description with the account number(s) and the corresponding certificate, recording fees will apply.

If the review of the deed or other document is between July 1st and the certification of the tax roll, usually the beginning of October, the County Assessor's Office will estimate the amount of charges owing for the year. Once the pre-payment of charges has been satisfied with the Taxation Office, the Assessor's Office will issue the certificate with account(s) # noted. For questions regarding the certificate contact the County Assessor's Office at (503) 325-8522.

## Supporting Documents

Re-recording Cover Sheet Form 46.13 KB