



RECORDING REQUIREMENTS

Effective April 2012

This notice to inform and assist our customers in understanding the first page requirements of instruments presented for recording in the real property records of Benton County.

Please review the following requirements:

Title(s) of the transaction(s): An instrument presented for recording must be clearly labeled in sufficient detail to enable the clerk to enter it in the appropriate record. [ORS 205.236]

Names of the parties: Instruments submitted for recording, must contain the names of all indexed parties (direct/grantor and indirect/grantee) on the first page. [ORS 205.125(1)(a) & (b), 205.160 and 205.234(b)] This requirement includes the name of the beneficiary on applicable loan instruments. [ORS 87.005]

PLEASE NOTE: *Failure to provide the required information* for each instrument presented for recording *may lead to the instrument being returned unrecorded.* In order to accommodate a customer's request to record, some instruments may be assessed a \$20 non-standard penalty, in accordance with ORS 205.327.

Return To information: The name and address, for mailing purposes only, of the person to whom the recorded document is to be returned. [ORS 205.180] The return address is not required, if the instrument is recorded electronically.

Send tax statements to: For instruments that convey or contract to convey fee title to real estate, the address to which property tax statements shall be mailed. [ORS 93.260]

Name and address of assignee: For documents assigning a mortgage or trust deed the name and address of the assignee must be listed on the first page. [ORS 205.234(1)(g)]

Consideration: For documents conveying or contracting to convey title to any real estate and all memorandums of such documents, the true and actual consideration paid for such transfer. [ORS 93.030]

Clerks Lien Record: For documents recorded in the Clerk's Lien Record the amount of any monetary obligation, the name *and address* of persons subject to an order or warrant and the officer, agency, board, complainant or claimant. [ORS 205.125(1)(a),(b) & (c)]

I hope you find this information helpful in your efforts to generate instruments that will be accepted for recording, feel free to contact us if you have additional questions. Our email address and additional contact information are shown in the letterhead above.

Thank you!