

## Essential Recording Requirements

**Acknowledgements:** To entitle any conveyance, mortgage, or instrument of writing to be recorded.

**Legibility of Names:** Typed or printed under each signature exactly as signed.

**Name of Person Preparing Instrument:** Each document executed or notarized in Indiana.

**Notarized Documents:** Requires county residence of notary and commission expiration.

**Transfer of Deeds of Taxation:** Endorsement by Auditor before recording.

**Release of Satisfaction of Liens:** May be executed by President, Vice-President, Cashier, Secretary, Treasurer, General Manager, or Attorney-in-Fact only.

## Responsibilities of the Preparer or Reviewer

New legislation will take effect regarding the recording of instruments in the County Recorder's Office. This specifically has to do with reviewing documents presented for recording for social security numbers.

Responsibilities of the Preparer or Reviewer of a document to be recorded:

- A document may not be submitted to the County Recorder for recording or filing that contains a Social Security number unless required by law. IC 36-2-7.5-4
- The preparer must make the statement required by IC 36-2-11-15(c), identifying the name of the preparer, on all instruments not exempted under IC 36-2-11-15(a).
- Any document that must by statute have a prepared by statement must also have the affirmation statement listed in IC 36-2-11-15(d). Typed exactly as quoted in the statute, "I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law (name)." Exceptions to this rule are instruments executed before 7-1-1959, judgments, court orders, writs, wills, death certificates, federal tax liens, federal tax lien releases, and instruments prepared or acknowledged outside Indiana. The name can be typed, printed or a signature. Effective July 1, 2007, Senate Bill 0412 amends this law to add that the statement must be at the conclusion of the instrument and immediately preceding or following the preparation statement.
- Anyone who submits a document with the affirmation statement and without redacting a Social Security number commits perjury.

#### Grantee's Address

- Senate Bill 0232-Amends IC 32-32-2-3
- Effective July 2, 2007, if the mailing address on the conveyance is not a street address or a rural route address of the grantee, the conveyance must also include a street address or rural route address of the grantee after the mailing address. P O Box numbers are not acceptable as the grantee's address.

#### Sales Disclosures

- Senate Bill 0287-Amends IC 6-1.1-5.5-3(b)
- Effective July 2, 2007, before filing a conveyance document with the county auditor all the parties to the conveyance must submit the sales disclosure form to the county assessor.

#### Military Discharges

- Effective May 15, 2007 House Bill 1546.
- A military discharge record is not a public record under IC 5-14-3. A county recorder may provide a certified copy of a discharge record only to those persons named within the law.