

FILED MAR 13 '03

SENATE FILE 371

BY COMMITTEE ON LOCAL GOVERNMENT

Referred to House Ways + means 4/21/03

(SUCCESSOR TO SSB 1017)

Passed Senate, Date Passed 3/24/03 Passed House, Date 4/7/04

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved 4/14/04

A BILL FOR

1 An Act relating to formatting standards for recording documents
2 or instruments by a county recorder, specifying a recording
3 fee for certain documents or instruments, and providing an
4 effective date.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 371

1 Section 1. NEW SECTION. 331.601A DEFINITIONS.

2 As used in this part, unless the context otherwise
3 requires:

4 1. "Document" or "instrument" means a writing or drawing
5 presented to the recorder for recording, consisting of one or
6 more pages of text and attachments.

7 2. "File or submit" means the act of delivering a document
8 or instrument to a recording office for recording into the
9 public records.

10 3. "Grantor and grantee" means the names of the transferor
11 and transferee in the transaction used to create the recording
12 index.

13 4. "Legible" means capable of being read or deciphered
14 without magnification regardless of the recording process.

15 5. "Page" means a writing, printing, or drawing, other
16 than a plat or survey or a drawing related to a plat or
17 survey, occurring on one side only and covering all or part of
18 such side, and not larger than eight and one-half inches in
19 width and fourteen inches in length.

20 6. "Record" means a process whether by manual, mechanical,
21 electronic, optical, magnetic, microfilm, or other methods of
22 storage, after filing or submission, to incorporate a document
23 or instrument into the public record.

24 7. "Transaction" means a specific legal action in the form
25 of or evidenced by one of the following:

26 a. A title or caption including, but not limited to, a
27 deed, deed of trust, mortgage, or power of attorney.

28 b. A subsequent reference to an original document or
29 instrument including, but not limited to, an assignment or
30 release or satisfaction of mortgage.

31 Sec. 2. Section 331.602, subsection 1, Code 2003, is
32 amended by striking the subsection and inserting in lieu
33 thereof the following:

34 1. Record all documents or instruments presented to the
35 recorder's office for recordation upon payment of the proper

1 fees and compliance with other recording requirements as
2 provided by law.

3 Sec. 3. NEW SECTION. 331.606B DOCUMENT OR DOCUMENT
4 FORMATTING STANDARDS.

5 1. Except as otherwise provided in subsection 6, the
6 county recorder shall refuse any document or instrument
7 presented for recording that does not meet the following
8 requirements:

9 a. Each document or instrument shall consist of one or
10 more individual pages not permanently bound or in a continuous
11 form. The document or instrument shall not have any
12 attachment stapled or otherwise affixed to any page except as
13 necessary to comply with statutory requirements. However, the
14 individual pages of a document or instrument may be stapled
15 together for presentation for recording. A label that is
16 firmly attached with a bar code or return address may be
17 accepted for recording.

18 b. All preprinted text shall be at least eight point in
19 size and no more than twenty characters and spaces per inch.
20 All other text typed or computer generated, including but not
21 limited to all names of parties to an agreement, shall be at
22 least ten point in size and no more than sixteen characters
23 and spaces per inch. If a document or instrument other than a
24 plat or survey or a drawing related to a plat or survey,
25 presented for recording contains type smaller than eight point
26 type for the preprinted text and ten point type for all other
27 text, the document or instrument shall be accompanied by an
28 exact typewritten or printed copy that meets the requirements
29 of this section.

30 c. Each document shall be of sufficient legibility to
31 produce a clear reproduction. If a document or instrument,
32 other than a plat or survey or a drawing related to a plat or
33 survey, is not sufficiently legible to produce a clear
34 reproduction, the document or instrument shall be accompanied
35 by an exact typewritten or printed copy that meets the type

1 size requirements of paragraph "b" and shall be recorded
2 contemporaneously as additional pages of the document or
3 instrument.

4 d. Each document or instrument, other than a plat or
5 survey or a drawing related to a plat or survey, shall be on
6 white paper of not less than twenty-pound weight without
7 watermarks or other visible inclusions. All text within the
8 document or instrument shall be of sufficient color and
9 clarity to ensure that the text is readable when reproduced
10 from the record.

11 e. All signatures on a document or instrument shall be in
12 black or dark blue ink and of sufficient color and clarity to
13 ensure that the signatures are readable when the document or
14 instrument is reproduced from the record. The corresponding
15 name shall be typed, printed, or stamped beneath the original
16 signature. The typing or printing of a name or the
17 application of an embossed or inked stamp shall not cover or
18 otherwise materially interfere with any part of the document
19 or instrument except where provided by law. Failure to print
20 or type signatures as provided in this paragraph does not
21 invalidate the document or instrument.

22 f. The first page of each document or instrument, other
23 than a plat or survey or a drawing related to a plat or
24 survey, shall have a top margin of at least three inches of
25 vertical space from left to right which shall be reserved for
26 the recorder's use. All other margins on the document or
27 instrument shall be a minimum of three-fourths of one inch.
28 Nonessential information including but not limited to form
29 numbers, page numbers, or customer notations may be placed in
30 a margin except the top margin. The recorder shall not incur
31 any liability for not showing a seal or information that
32 extends beyond the margin of the permanent archival record.

33 2. Each document or instrument, other than a plat or
34 survey or a drawing related to a plat or survey, that is
35 presented for recording and that contains any of the following

- 1 information shall have that information on the first page
2 below the three-inch margin:
- 3 a. The name, address, and telephone number of the
4 individual who prepared the document.
 - 5 b. The name of the taxpayer and a complete mailing address
6 for any document or instrument of conveyance.
 - 7 c. A return address.
 - 8 d. The title of the document or instrument.
 - 9 e. All grantors' names.
 - 10 f. All grantees' names.
 - 11 g. Any address required by statute.
 - 12 h. The legal description of the property and parcel
13 identification number, if required.
 - 14 i. A document or instrument number for statutory
15 requirements, if applicable.
- 16 3. If insufficient space exists on the first page for all
17 of the information described in subsection 2, the page
18 reference of the document or instrument where the information
19 is located shall be noted on the first page.
- 20 4. The recorder may record the following documents or
21 instruments which are exempt from the format requirements of
22 this section:
- 23 a. A document or instrument that was signed before July 1,
24 2004.
 - 25 b. A military separation document or instrument.
 - 26 c. A document or instrument executed outside the United
27 States.
 - 28 d. A certified copy of a document or instrument issued by
29 a governmental agency, including a vital record.
 - 30 e. A document or instrument where one of the original
31 parties is deceased or otherwise incapacitated.
 - 32 f. A document or instrument formatted to meet court
33 requirements.
 - 34 g. A federal tax lien.
 - 35 h. A filing under the uniform commercial code, chapter

1 554.

2 5. A document or instrument rejected for recording by a
3 recorder shall be returned to the preparer or presenter
4 accompanied by an explanation of the reason for rejection.

5 6. On and after January 1, 2005, a document or instrument
6 that does not conform to the format standards specified in
7 subsections 1 through 3 shall not be recorded except upon
8 payment of an additional recording fee of ten dollars per
9 document or instrument. The requirement applies only to
10 documents or instruments dated on or after January 1, 2005,
11 and does not apply to those documents or instruments
12 specifically exempted in subsection 4.

13 Sec. 4. EFFECTIVE DATE. This Act takes effect July 1,
14 2004.

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EXPLANATION

16 This bill specifies formatting standards for documents or
17 instruments that are presented for recording by the county
18 recorder. Each document or instrument, except a survey and
19 plat or a drawing related to a survey or plat, is to be
20 presented for recording with writing, printing, or drawing
21 only on one side of the page, each page is to be no larger
22 than eight and one-half inches in width and 14 inches in
23 length, and each page is to be of white paper of not less than
24 20-pound weight without watermarks. All preprinted text is to
25 be at least eight point in size and no more than 20 characters
26 and spaces per inch. All other text typed or computer
27 generated, including all names of parties to an agreement,
28 shall be at least 10 point in size and no more than 16
29 characters and spaces per inch. If a document or instrument
30 is presented for recording with preprinted text smaller than
31 eight point and 10 point type for all other text, the document
32 or instrument shall be accompanied by an exact typewritten or
33 printed copy that meets type size requirements. All
34 signatures on a document or instrument shall be in black or
35 dark blue ink and of sufficient color and clarity to ensure

1 that the signatures are readable when the document or
2 instrument is reproduced. Each document or instrument shall
3 have a top margin of at least three inches of vertical space
4 from left to right, which shall be reserved for the recorder's
5 use. All other margins shall be a minimum of three-fourths of
6 one inch.

7 Each document or instrument containing any of the following
8 information shall have that information on the first page of
9 the document or instrument below the three-inch margin: the
10 name, address, and telephone number of the preparer, the name
11 and complete address of a taxpayer for any document or
12 instrument of conveyance, a return address, the title of a
13 document or instrument, all grantors' or grantees' names, an
14 address required by statute, the legal description of the
15 property and parcel identification number, or a document or
16 instrument number for statutory requirements. If there is
17 insufficient space on the first page for all of the above
18 information, the page reference of the document or instrument
19 where the information is located shall be noted on the first
20 page.

21 The following documents or instruments are exempt from the
22 formatting requirements: a document or instrument which is
23 signed before July 1, 2004; a military separation document or
24 instrument; a document or instrument executed outside the
25 United States; a certified copy of a vital record issued by a
26 governmental agency; a document or instrument where one of the
27 original parties is deceased or otherwise incapacitated; a
28 document or instrument formatted to meet court requirements; a
29 federal tax lien; or a filing under the uniform commercial
30 code.

31 A document or instrument rejected for recording by the
32 county recorder shall be returned to the preparer or presenter
33 with an explanation of the reason for rejection.

34 On or after January 1, 2005, a document or instrument that
35 does not conform to the format standards shall not be recorded

1 except upon payment of an additional recording fee of \$10 per
2 document or instrument. The additional recording fee applies
3 only to documents or instruments dated on or after January 1,
4 2005, and does not apply to exempt documents or instruments.
5 The bill takes effect July 1, 2004.

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SENATE FILE 371

H-8312

1 Amend Senate File 371, as passed by the Senate, as
2 follows:
3 1. Page 5, line 5, by striking the word "January"
4 and inserting the following: "July".
5 2. Page 5, line 10, by striking the word
6 "January" and inserting the following: "July".

By SANDS of Louisa

H-8312 FILED MARCH 24, 2004

SENATE FILE 371

H-8314

1 Amend Senate File 371, as passed by the Senate, as
2 follows:
3 1. Page 1, line 31, by inserting after the word
4 "Code" the following: "Supplement".

By KURTENBACH of Story

H-8314 FILED MARCH 24, 2004

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**HOUSE AMENDMENT TO
SENATE FILE 371**

S-5172

1 Amend Senate File 371, as passed by the Senate, as
2 follows:
3 1. Page 1, line 31, by inserting after the word
4 "Code" the following: "Supplement".
5 2. Page 5, line 5, by striking the word "January"
6 and inserting the following: "July".
7 3. Page 5, line 10, by striking the word
8 "January" and inserting the following: "July".
9 4. By renumbering, relettering, or redesignating
10 and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-5172 FILED MARCH 29, 2004

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35

Houser
Rehberg
Kreiman

SSB 1017

SENATE FILE Local Government

BY (PROPOSED COMMITTEE ON LOCAL GOVERNMENT BILL BY CHAIRPERSON GASKILL)

Succeeded By
(SF) HF 371

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to formatting standards for recording documents
2 or instruments by a county recorder, specifying a recording
3 fee for certain documents or instruments, and providing an
4 effective date.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 331.601A DEFINITIONS.

2 As used in this part, unless the context otherwise
3 requires:

4 1. "Document" or "instrument" means a writing or drawing
5 presented to the recorder for recording, consisting of one or
6 more pages of text and attachments.

7 2. "File or submit" means the act of delivering a document
8 or instrument to a recording office for recording into the
9 public records.

10 3. "Grantor and grantee" means the names of the transferor
11 and transferee in the transaction used to create the recording
12 index.

13 4. "Legible" means capable of being read or deciphered
14 without magnification regardless of the recording process.

15 5. "Page" means a writing, printing, or drawing, other
16 than a plat or survey, occurring on one side only and covering
17 all or part of such side, and not larger than eight and one-
18 half inches in width and fourteen inches in length.

19 6. "Record" means a process whether by manual, mechanical,
20 electronic, optical, magnetic, microfilm, or other methods of
21 storage, after filing or submission, to incorporate a document
22 or instrument into the public record.

23 7. "Transaction" means a specific legal action in the form
24 of or evidenced by one of the following:

25 a. A title or caption including, but not limited to, a
26 deed, deed of trust, mortgage, or power of attorney.

27 b. A subsequent reference to an original document or
28 instrument including, but not limited to, an assignment or
29 release or satisfaction of mortgage.

30 Sec. 2. Section 331.602, subsection 1, Code 2003, is
31 amended by striking the subsection and inserting in lieu
32 thereof the following:

33 1. Record all documents or instruments presented to the
34 recorder's office for recordation upon payment of the proper
35 fees and compliance with other recording requirements as

1 provided by law.

2 Sec. 3. NEW SECTION. 331.606B DOCUMENT OR DOCUMENT
3 FORMATTING STANDARDS.

4 1. The county recorder may refuse any document or
5 instrument presented for recording that does not meet the
6 following requirements:

7 a. Each document or instrument shall consist of one or
8 more individual pages not permanently bound or in a continuous
9 form. The document or instrument shall not have any
10 attachment stapled or otherwise affixed to any page except as
11 necessary to comply with statutory requirements. However, the
12 individual pages of a document or instrument may be stapled
13 together for presentation for recording. A label that is
14 firmly attached with a code bar or return address may be
15 accepted for recording.

16 b. All preprinted text shall be at least eight point in
17 size and no more than twenty characters and spaces per inch.
18 All other text typed or computer generated, including but not
19 limited to all names of parties to an agreement, shall be at
20 least ten point in size and no more than sixteen characters
21 and spaces per inch. If a document or instrument other than a
22 plat or survey, presented for recording contains type smaller
23 than eight point type for the preprinted text and ten point
24 type for all other text, the document or instrument shall be
25 accompanied by an exact typewritten or printed copy that meets
26 the requirements of this section.

27 c. Each document shall be of sufficient legibility to
28 produce a clear reproduction. If a document or instrument,
29 other than a plat or survey, is not sufficiently legible to
30 produce a clear reproduction, the document or instrument shall
31 be accompanied by an exact typewritten or printed copy that
32 meets the type size requirements of paragraph "b" and shall be
33 recorded contemporaneously as additional pages of the document
34 or instrument.

35 d. Each document or instrument, other than a plat or

1 survey, shall be on white paper of not less than twenty-pound
2 weight without watermarks or other visible inclusions. All
3 text within the document or instrument shall be of sufficient
4 color and clarity to ensure that the text is readable when
5 reproduced from the record.

6 e. All signatures on a document or instrument shall be in
7 black or dark blue ink and of sufficient color and clarity to
8 ensure that the signatures are readable when the document or
9 instrument is reproduced from the record. The corresponding
10 name shall be typed, printed, or stamped beneath the
11 signature. The typing or printing of a name or the
12 application of an embossed or inked stamp shall not cover or
13 otherwise materially interfere with any part of the document
14 or instrument except where provided by law.

15 f. The first page of each document or instrument shall
16 have a top margin of at least three inches of vertical space
17 from left to right which shall be reserved for the recorder's
18 use. All other margins on the document or instrument shall be
19 a minimum of three-fourths of one inch. Nonessential
20 information including but not limited to form numbers, page
21 numbers, or customer notations may be placed in a margin
22 except the top margin. The recorder shall not incur any
23 liability for not showing a seal or information that extends
24 beyond the margin of the permanent archival record.

25 2. Each document or instrument, other than a plat or
26 survey, that is presented for recording and that contains any
27 of the following information shall have that information on
28 the first page below the three-inch margin:

29 a. The name, address, and telephone number of the
30 individual who prepared the document.

31 b. The name of the taxpayer and a complete mailing address
32 for any document or instrument of conveyance.

33 c. A return address.

34 d. The title of the document or instrument.

35 e. All grantors' names.

- 1 f. All grantees' names.
- 2 g. Any address required by statute.
- 3 h. The legal description of the property and parcel
4 identification number, if required.
- 5 i. A document or instrument number for statutory
6 requirements, if applicable.
- 7 3. If insufficient space exists on the first page for all
8 of the information described in subsection 2, the page
9 reference of the document or instrument where the information
10 is located shall be noted on the first page.
- 11 4. The recorder may record the following documents or
12 instruments which are exempt from the format requirements of
13 this section:
 - 14 a. A document or instrument that was signed before July 1,
15 2004.
 - 16 b. A military separation document or instrument.
 - 17 c. A document or instrument executed outside the United
18 States.
 - 19 d. A certified copy of a document or instrument issued by
20 a governmental agency, including a vital record.
 - 21 e. A document or instrument where one of the original
22 parties is deceased or otherwise incapacitated.
 - 23 f. A document or instrument formatted to meet court
24 requirements.
 - 25 g. A federal tax lien.
 - 26 h. A filing under the uniform commercial code, chapter
27 554.
- 28 5. A document or instrument rejected for recording by a
29 recorder shall be returned to the preparer or presenter
30 accompanied by an explanation of the reason for rejection.
- 31 6. On and after July 1, 2004, a document or instrument
32 that does not conform to the format standards specified in
33 subsections 1 through 3 shall not be recorded except upon
34 payment of an additional recording fee of ten dollars per
35 document or instrument. The requirement applies only to

1 documents or instruments dated on or after July 1, 2004, and
2 does not apply to those documents or instruments specifically
3 exempted in subsection 4.

4 Sec. 4. EFFECTIVE DATE. This Act takes effect July 1,
5 2004.

6 EXPLANATION

7 This bill specifies formatting standards for documents or
8 instruments that are presented for recording by the county
9 recorder. Each document or instrument, except a survey and
10 plat, is to be presented for recording with writing, printing,
11 or drawing only on one side of the page, each page is to be no
12 larger than eight and one-half inches in width and 14 inches
13 in length, and each page is to be of white paper of not less
14 than 20-pound weight without watermarks. All preprinted text
15 is to be at least eight point in size and no more than 20
16 characters and spaces per inch. All other text typed or
17 computer generated, including all names of parties to an
18 agreement, shall be at least 10 point in size and no more than
19 16 characters and spaces per inch. If a document or
20 instrument is presented for recording with preprinted text
21 smaller than eight point and 10 point type for all other text,
22 the document or instrument shall be accompanied by an exact
23 typewritten or printed copy that meets type size requirements.
24 All signatures on a document or instrument shall be in black
25 or dark blue ink and of sufficient color and clarity to ensure
26 that the signatures are readable when the document or
27 instrument is reproduced. Each document or instrument shall
28 have a top margin of at least three inches of vertical space
29 from left to right, which shall be reserved for the recorder's
30 use. All other margins shall be a minimum of three-fourths of
31 one inch.

32 Each document or instrument containing any of the following
33 information shall have that information on the first page of
34 the document or instrument below the three-inch margin: the
35 name, address, and telephone number of the preparer, the name

1 and complete address of a taxpayer of any document or
2 instrument of conveyance, a return address, the title of a
3 document or instrument, all grantors' or grantees' names, an
4 address required by statute, the legal description of the
5 property and parcel identification number, or a document or
6 instrument number for statutory requirements. If there is
7 insufficient space on the first page for all of the above
8 information, the page reference of the document or instrument
9 where the information is located shall be noted on the first
10 page.

11 The following documents or instruments are exempt from the
12 formatting requirements: a document or instrument which is
13 signed before July 1, 2004; a military separation document or
14 instrument; a document or instrument executed outside the
15 United States; a certified copy of a vital record issued by a
16 governmental agency; a document or instrument where one of the
17 original parties is deceased or otherwise incapacitated; a
18 document or instrument formatted to meet court requirements; a
19 federal tax lien; or a filing under the uniform commercial
20 code.

21 A document or instrument rejected for recording by the
22 county recorder shall be returned to the preparer or presenter
23 with an explanation of the reason for rejection.

24 On or after July 1, 2004, a document or instrument that
25 does not conform to the format standards shall not be recorded
26 except upon payment of an additional recording fee of \$10 per
27 document or instrument. The additional recording fee applies
28 only to documents or instruments dated on or after July 1,
29 2004, and does not apply to exempt documents or instruments.

30 The bill takes effect July 1, 2004.

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SENATE FILE 371

AN ACT

RELATING TO FORMATTING STANDARDS FOR RECORDING DOCUMENTS OR INSTRUMENTS BY A COUNTY RECORDER, SPECIFYING A RECORDING FEE FOR CERTAIN DOCUMENTS OR INSTRUMENTS, AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 331.601A DEFINITIONS.

As used in this part, unless the context otherwise requires:

1. "Document" or "instrument" means a writing or drawing presented to the recorder for recording, consisting of one or more pages of text and attachments.
2. "File or submit" means the act of delivering a document or instrument to a recording office for recording into the public records.
3. "Grantor and grantee" means the names of the transferor and transferee in the transaction used to create the recording index.
4. "Legible" means capable of being read or deciphered without magnification regardless of the recording process.
5. "Page" means a writing, printing, or drawing, other than a plat or survey or a drawing related to a plat or

survey, occurring on one side only and covering all or part of such side, and not larger than eight and one-half inches in width and fourteen inches in length.

6. "Record" means a process whether by manual, mechanical, electronic, optical, magnetic, microfilm, or other methods of storage, after filing or submission, to incorporate a document or instrument into the public record.

7. "Transaction" means a specific legal action in the form of or evidenced by one of the following:

a. A title or caption including, but not limited to, a deed, deed of trust, mortgage, or power of attorney.

b. A subsequent reference to an original document or instrument including, but not limited to, an assignment or release or satisfaction of mortgage.

Sec. 2. Section 331.602, subsection 1, Code Supplement 2003, is amended by striking the subsection and inserting in lieu thereof the following:

1. Record all documents or instruments presented to the recorder's office for recordation upon payment of the proper fees and compliance with other recording requirements as provided by law.

Sec. 3. NEW SECTION. 331.606B DOCUMENT OR DOCUMENT FORMATTING STANDARDS.

1. Except as otherwise provided in subsection 6, the county recorder shall refuse any document or instrument presented for recording that does not meet the following requirements:

a. Each document or instrument shall consist of one or more individual pages not permanently bound or in a continuous form. The document or instrument shall not have any attachment stapled or otherwise affixed to any page except as necessary to comply with statutory requirements. However, the individual pages of a document or instrument may be stapled

together for presentation for recording. A label that is firmly attached with a bar code or return address may be accepted for recording.

b. All preprinted text shall be at least eight point in size and no more than twenty characters and spaces per inch. All other text typed or computer generated, including but not limited to all names of parties to an agreement, shall be at least ten point in size and no more than sixteen characters and spaces per inch. If a document or instrument other than a plat or survey or a drawing related to a plat or survey, presented for recording contains type smaller than eight point type for the preprinted text and ten point type for all other text, the document or instrument shall be accompanied by an exact typewritten or printed copy that meets the requirements of this section.

c. Each document shall be of sufficient legibility to produce a clear reproduction. If a document or instrument, other than a plat or survey or a drawing related to a plat or survey, is not sufficiently legible to produce a clear reproduction, the document or instrument shall be accompanied by an exact typewritten or printed copy that meets the type size requirements of paragraph "b" and shall be recorded contemporaneously as additional pages of the document or instrument.

d. Each document or instrument, other than a plat or survey or a drawing related to a plat or survey, shall be on white paper of not less than twenty-pound weight without watermarks or other visible inclusions. All text within the document or instrument shall be of sufficient color and clarity to ensure that the text is readable when reproduced from the record.

e. All signatures on a document or instrument shall be in black or dark blue ink and of sufficient color and clarity to

ensure that the signatures are readable when the document or instrument is reproduced from the record. The corresponding name shall be typed, printed, or stamped beneath the original signature. The typing or printing of a name or the application of an embossed or inked stamp shall not cover or otherwise materially interfere with any part of the document or instrument except where provided by law. Failure to print or type signatures as provided in this paragraph does not invalidate the document or instrument.

f. The first page of each document or instrument, other than a plat or survey or a drawing related to a plat or survey, shall have a top margin of at least three inches of vertical space from left to right which shall be reserved for the recorder's use. All other margins on the document or instrument shall be a minimum of three-fourths of one inch. Nonessential information including but not limited to form numbers, page numbers, or customer notations may be placed in a margin except the top margin. The recorder shall not incur any liability for not showing a seal or information that extends beyond the margin of the permanent archival record.

2. Each document or instrument, other than a plat or survey or a drawing related to a plat or survey, that is presented for recording and that contains any of the following information shall have that information on the first page below the three-inch margin:

- a. The name, address, and telephone number of the individual who prepared the document.
- b. The name of the taxpayer and a complete mailing address for any document or instrument of conveyance.
- c. A return address.
- d. The title of the document or instrument.
- e. All grantors' names.
- f. All grantees' names.

- g. Any address required by statute.
- h. The legal description of the property and parcel identification number, if required.
 - i. A document or instrument number for statutory requirements, if applicable.
- 3. If insufficient space exists on the first page for all of the information described in subsection 2, the page reference of the document or instrument where the information is located shall be noted on the first page.
- 4. The recorder may record the following documents or instruments which are exempt from the format requirements of this section:
 - a. A document or instrument that was signed before July 1, 2004.
 - b. A military separation document or instrument.
 - c. A document or instrument executed outside the United States.
 - d. A certified copy of a document or instrument issued by a governmental agency, including a vital record.
 - e. A document or instrument where one of the original parties is deceased or otherwise incapacitated.
 - f. A document or instrument formatted to meet court requirements.
 - g. A federal tax lien.
 - h. A filing under the uniform commercial code, chapter 554.
- 5. A document or instrument rejected for recording by a recorder shall be returned to the preparer or presenter accompanied by an explanation of the reason for rejection.
- 6. On and after July 1, 2005, a document or instrument that does not conform to the format standards specified in subsections 1 through 3 shall not be recorded except upon payment of an additional recording fee of ten dollars per

document or instrument. The requirement applies only to documents or instruments dated on or after July 1, 2005, and does not apply to those documents or instruments specifically exempted in subsection 4.

Sec. 4. EFFECTIVE DATE. This Act takes effect July 1, 2004.

JEFFREY M. LAMBERTI
President of the Senate

CHRISTOPHER C. RANTS
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 371, Eightieth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2004

THOMAS J. VILSACK
Governor