CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE HOUSE BILL 2297

Chapter 27, Laws of 1998

55th Legislature
1998 Regular Session

RECORDING OF DOCUMENTS BY COUNTY AUDITORS

EFFECTIVE DATE: 6/11/98

Passed by the House February 6, 1998
Yeas 93   Nays 0

CLYDE BALLARD
Speaker of the House of Representatives

Passed by the Senate March 2, 1998
Yeas 45   Nays 0

IRV NEWHOUSE
President of the Senate

CERTIFICATE
I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is ENGROSSED SUBSTITUTE HOUSE BILL 2297 as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

Approved March 12, 1998

FILED

March 12, 1998 - 4:04 p.m.

GARY LOCKE
Governor of the State of Washington

SECRETARY OF STATE
STATE OF WASHINGTON
AN ACT Relating to recording documents; and amending RCW 65.04.045, 65.04.047, and 65.04.015.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 65.04.045 and 1996 c 143 s 2 are each amended to read as follows:

(1) When any instrument is presented to a county auditor or recording officer for recording, the first page of the instrument shall contain:

(a) A top margin of at least three inches and a one-inch margin on the bottom and sides, except that an instrument may be recorded if a minor portion of a notary seal, incidental writing, or minor portion of a signature extends beyond the margins;

(b) The top left-hand side of the page shall contain the name and address to whom the instrument will be returned;

(c) The title or titles, or type or types, of the instrument to be recorded indicating the kind or kinds of documents or transactions contained therein. The auditor or recording officer shall only be required to index the title or titles captioned on the document;
(d) Reference numbers of documents assigned or released with reference to the document page number where additional references can be found, if applicable;

(e) The names of the grantor(s) and grantee(s), as defined under RCW 65.04.015, with reference to the document page number where additional names are located, if applicable;

(f) An abbreviated legal description of the property, including lot, block, plat, or section, township, and range, and reference to the document page number where the full legal description is included, if applicable;

(g) The assessor’s property tax parcel or account number.

(2) All pages of the document shall be on sheets of paper of a weight and color capable of producing a legible image that are not larger than fourteen inches long and eight and one-half inches wide with text printed or written in eight point type or larger. Further, all instruments presented for recording must have a one-inch margin on the top, bottom, and sides for all pages except page one, be prepared in ink color capable of being imaged, and have all seals legible and capable of being imaged, and no attachments may be affixed to the pages.

The information provided on the instrument must be in substantially the following form:

This Space Provided for Recorder’s Use

When Recorded Return to:

Document Title(s)

Grantor(s)

Grantee(s)

Legal Description

Assessor’s Property Tax Parcel or Account Number
Sec. 2. RCW 65.04.047 and 1996 c 143 s 3 are each amended to read as follows:

If an instrument presented for recording does not contain the information required by RCW 65.04.045(1) ((a) through (e))), the person preparing the instrument for recording shall prepare a cover sheet that contains the required information. The cover sheet shall be attached to the instrument and shall be recorded as a part of the instrument. An additional page fee as determined under RCW 36.18.010 shall be collected for recording of the cover sheet. Any errors in the cover sheet shall not affect the transactions contained in the instrument itself. The cover sheet need not be separately signed or acknowledged. The cover sheet information shall be used to generate the auditor’s grantor/grantee index, however, the names and legal description in the instrument itself will determine the legal chain of title. The cover sheet shall be substantially the following form:

WASHINGTON STATE COUNTY AUDITOR/RECORDER’S INDEXING FORM

Return Address

Please print or type information

Document Title(s) (or transactions contained therein):

1.
2.
3.
4.

Grantor(s) (Last name first, then first name and initials)

1.
2.
3.
4.
5. Additional names on page ___ of document.

Grantee(s) (Last name first, then first name and initials)
1 1.

2 2.

3 3.

4 4.

5 5. Additional names on page ___ of document.

6 Legal Description  (abbreviated: i.e., lot, block, plat or section, township, range)

7 Additional legal description is on page ___ of document.

8 Assessor’s Property Tax Parcel or Account Number:

9 Reference Number(s) of Documents assigned or released:

10 Additional references on page ___ of document.

11 The Auditor or Recording Officer will rely on the information provided on this form. The staff will not read the document to verify the accuracy of or the completeness of the indexing information provided herein.

12 Sec. 3. RCW 65.04.015 and 1996 c 229 s 1 are each amended to read as follows:

13 The definitions set forth in this section apply throughout this chapter unless the context clearly requires otherwise.

14 (1) "Recording officer" means the county auditor, or in charter counties the county official charged with the responsibility for recording instruments in the county records.

15 (2) "File," "filed," or "filing" means the act of delivering or transmitting electronically an instrument to the auditor or recording officer for recording into the official public records.

16 (3) "Record," "recorded," or "recording" means the process, such as electronic, mechanical, optical, magnetic, or microfilm storage used by the auditor or recording officer after filing to incorporate the instrument into the public records.

17 (4) "Record location number" means a unique number that identifies the storage location (book or volume and page, reel and frame, instrument number, auditor or recording officer file number, receiving
number, electronic retrieval code, or other specific place) of each
instrument in the public records accessible in the same recording
office where the instrument containing the reference to the location is
found.

(5) "Grantor/grantee" for recording purposes means the names of the
parties involved in the transaction used to create the recording index.
There will always be at least one grantor and one grantee for any
document. In some cases, the grantor and the grantee will be the same
individual(s), or one of the parties may be the public.

Passed the House February 6, 1998.
Passed the Senate March 2, 1998.
Approved by the Governor March 12, 1998.
Filed in Office of Secretary of State March 12, 1998.