
SENATE BILL 6163

State of Washington

52nd Legislature

1992 Regular Session

By Senators Skratek and Bailey

Read first time 01/20/92. Referred to Committee on Governmental Operations.

1 AN ACT Relating to recording flood insurance documents; and
2 amending RCW 65.08.160.

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

4 **Sec. 1.** RCW 65.08.160 and 1967 c 148 s 1 are each amended to read
5 as follows:

6 A mortgage or deed of trust of real estate may be recorded and
7 constructive notice of the same and the contents thereof given in the
8 following manner:

9 (1) An instrument containing a form or forms of covenants,
10 conditions, obligations, powers, and other clauses of a mortgage or
11 deed of trust, or the flood insurance rate map in the case of counties
12 participating in the national flood insurance program as established by
13 42 U.S.C. Sec. 4001 et seq., may be recorded in the office of the
14 county auditor of any county and the auditor of such county, upon the

1 request of any person, on tender of the lawful fees therefor, shall
2 record the same. Every such instrument shall be entitled on the face
3 thereof as a "Master form recorded by . . . (name of person
4 causing the instrument to be recorded)." Such instrument need not be
5 acknowledged to be entitled to record.

6 (2) When any such instrument is recorded, the county auditor shall
7 index such instrument under the name of the person causing it to be
8 recorded in the manner provided for miscellaneous instruments relating
9 to real estate.

10 (3) Thereafter any of the provisions of such master form instrument
11 may be incorporated by reference in any mortgage or deed of trust of
12 real estate situated within this state, if such reference in the
13 mortgage or deed of trust states that the master form instrument was
14 recorded in the county in which the mortgage or deed of trust is
15 offered for record, the date when and the book and page or pages where
16 such master form instrument was recorded, and that a copy of such
17 master form instrument was furnished to the person executing the
18 mortgage or deed of trust. The recording of any mortgage or deed of
19 trust which has so incorporated by reference therein any of the
20 provisions of a master form instrument recorded as provided in this
21 section shall have like effect as if such provisions of the master form
22 so incorporated by reference had been set forth fully in the mortgage
23 or deed of trust.

24 (4) Whenever a mortgage or deed of trust is presented for recording
25 on which is set forth matter purporting to be a copy or reproduction of
26 such master form instrument or of part thereof, identified by its title
27 as provided in subdivision (1) of this section and stating the date
28 when it was recorded and the book and page where it was recorded,
29 preceded by the words "do not record" or "not to be recorded," and
30 plainly separated from the matter to be recorded as a part of the

1 mortgage or deed of trust in such manner that it will not appear upon
2 a photographic reproduction of any page containing any part of the
3 mortgage or deed of trust, such matter shall not be recorded by the
4 county auditor to whom the instrument is presented for recording; in
5 such case the county auditor shall record only the mortgage or deed of
6 trust apart from such matter and shall not be liable for so doing, any
7 other provisions of law to the contrary notwithstanding.