

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2414

Chapter 143, Laws of 1996

54th Legislature
1996 Regular Session

STANDARDIZATION OF RECORDED DOCUMENTS

EFFECTIVE DATE: 1/1/97

Passed by the House March 4, 1996
Yeas 95 Nays 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

Passed by the Senate February 29, 1996
Yeas 47 Nays 0

JOEL PRITCHARD
President of the Senate

Approved March 25, 1996

MIKE LOWRY
Governor of the State of Washington

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2414** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

FILED

March 25, 1996 - 4:16 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 2414

AS AMENDED BY THE SENATE

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1996 Regular Session

By Representatives D. Schmidt, Chopp and L. Thomas

Read first time 01/10/96. Referred to Committee on Government Operations.

1 AN ACT Relating to standardization of recorded documents; amending
2 RCW 36.18.010 and 65.04.050; adding new sections to chapter 65.04 RCW;
3 and providing an effective date.

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

5 **Sec. 1.** RCW 36.18.010 and 1995 c 246 s 37 are each amended to read
6 as follows:

7 County auditors or recording officers shall collect the following
8 fees for their official services:

9 For recording instruments, for the first page(~~(, legal size~~
10 ~~(+))~~eight and one-half by fourteen inches or less(~~(+))~~), five dollars;
11 for each additional (~~(legal size)~~) page eight and one-half by fourteen
12 inches or less, one dollar; the fee for recording multiple transactions
13 contained in one instrument will be calculated individually for each
14 transaction requiring separate indexing as required under RCW
15 65.04.050;

16 For preparing and certifying copies, for the first (~~(legal size)~~)
17 page eight and one-half by fourteen inches or less, three dollars; for
18 each additional (~~(legal size)~~) page eight and one-half by fourteen
19 inches or less, one dollar;

1 For preparing noncertified copies, for each (~~legal-size~~) page
2 eight and one-half by fourteen inches or less, one dollar;

3 For administering an oath or taking an affidavit, with or without
4 seal, two dollars;

5 For issuing a marriage license, eight dollars, (this fee includes
6 taking necessary affidavits, filing returns, indexing, and transmittal
7 of a record of the marriage to the state registrar of vital statistics)
8 plus an additional five-dollar fee for use and support of the
9 prevention of child abuse and neglect activities to be transmitted
10 monthly to the state treasurer and deposited in the state general fund
11 plus an additional ten-dollar fee to be transmitted monthly to the
12 state treasurer and deposited in the state general fund. The
13 legislature intends to appropriate an amount at least equal to the
14 revenue generated by this fee for the purposes of the displaced
15 homemaker act, chapter 28B.04 RCW;

16 For searching records per hour, eight dollars;

17 For recording plats, fifty cents for each lot except cemetery plats
18 for which the charge shall be twenty-five cents per lot; also one
19 dollar for each acknowledgment, dedication, and description: PROVIDED,
20 That there shall be a minimum fee of twenty-five dollars per plat;

21 For recording of miscellaneous records(~~(7)~~) not listed above, for
22 the first (~~legal-size~~) page eight and one-half by fourteen inches or
23 less, five dollars; for each additional (~~legal-size~~) page eight and
24 one-half by fourteen inches or less, one dollar;

25 For modernization and improvement of the recording and indexing
26 system, a surcharge as provided in RCW 36.22.170.

27 NEW SECTION. Sec. 2. A new section is added to chapter 65.04 RCW
28 to read as follows:

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

32 (a) A top margin of at least three inches and a one-inch margin on
33 the bottom and sides;

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

36 (c) The title or titles of the instrument to be recorded indicating
37 the kind or kinds of documents or transactions contained therein. The

1 auditor or recording officer shall only be required to index the title
2 or titles captioned on the document;

3 (d) Reference numbers of documents assigned or released with
4 reference to the document page number where additional references can
5 be found, if applicable;

6 (e) The names of the grantor(s) and grantee(s) with reference to
7 the document page number where additional names are if applicable;

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

12 (g) The assessor's property tax parcel or account number;

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

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

24 This Space Provided for Recorder's Use

25 When Recorded Return to:

26

27 Document Title(s)

28 Grantor(s)

29 Grantee(s)

30 Legal Description

1 Assessor's Property Tax Parcel or Account Number

2 Reference Numbers of Documents Assigned or Released

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 65.04 RCW
4 to read as follows:

5 If an instrument presented for recording does not contain the
6 information required by section 2(1)(a) through (e) of this act, the
7 person preparing the instrument for recording shall prepare a cover
8 sheet that contains the required information. The cover sheet shall be
9 attached to the instrument and shall be recorded as a part of the
10 instrument. An additional page fee as determined under RCW 36.18.010
11 shall be collected for recording of the cover sheet. Any errors in the
12 cover sheet shall not affect the transactions contained in the
13 instrument itself. The cover sheet need not be separately signed or
14 acknowledged. The cover sheet information shall be used to generate
15 the auditor's grantor/grantee index, however, the names and legal
16 description in the instrument itself will determine the legal chain of
17 title. The cover sheet shall be substantially the following form:

18 WASHINGTON STATE COUNTY AUDITOR/RECORDER'S
19 INDEXING FORM

20 Return Address

21 Please print or type information

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

- 23 1.
24 2.
25 3.
26 4.

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

- 28 1.
29 2.
30 3.
31 4.
32 5. Additional names on page ___ of document.

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

2 1.

3 2.

4 3.

5 4.

6 5. Additional names on page ___ of document.

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

8 Additional legal description is on page ___ of document.

9 **Assessor's Property Tax Parcel or Account Number:**

10 **Reference Number(s) of Documents assigned or released:**

11 Additional references on page ___ of document.

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

15 **Sec. 4.** RCW 65.04.050 and 1991 c 26 s 6 are each amended to read
16 as follows:

17 Every auditor or recording officer must keep a general index,
18 direct and inverted. The index may be either printed on paper or
19 produced on microfilm or microfiche, or it can be created from a
20 computerized data base and displayed on a video display terminal. Any
21 reference to a prior record location number may be entered in the
22 remarks column. Any property legal description contained in the
23 instrument must be entered in the description of property column of the
24 general index. The direct index shall be divided into (~~seven~~) eight
25 columns, and with heads to the respective columns, as follows: Date of
26 reception, grantor, grantee, nature of instrument, volume and page
27 where recorded and/or the auditor's file number, remarks, description
28 of property, assessor's property tax parcel or account number. The
29 auditor or recording officer shall correctly enter in such index every
30 instrument concerning or affecting real estate which by law is required
31 to be recorded, the names of grantors being in alphabetical order. The

1 inverted index shall also be divided into ((seven)) eight columns,
2 precisely similar, except that "grantee" shall occupy the second column
3 and "grantor" the third, the names of grantees being in alphabetical
4 order. The auditor or recording officer may combine the direct and
5 indirect indexes into a single index if it contains all the information
6 required to be contained in the separate direct and indirect indexes
7 and the names of all grantors and grantees can be found by a person
8 searching the combined index. For the purposes of this chapter, the
9 term "grantor" means any person conveying or encumbering the title to
10 any property, or any person against whom any lis pendens, judgment,
11 notice of lien, order of sale, execution, writ of attachment, or claims
12 of separate or community property shall be placed on record. The
13 auditor or recording officer shall also enter in the general index, the
14 name of the party or parties platting a town, village, or addition in
15 the column prescribed for "grantors," describing the grantee in such
16 case as "the public." However, the auditor or recording officer shall
17 not receive or record any such plat or map until it has been approved
18 by the mayor and common council of the municipality in which the
19 property so platted is situated, or if the property be not situated
20 within any municipal corporation, then the plat must be first approved
21 by the county legislative authority. The auditor or recording officer
22 shall not receive for record any plat, map, or subdivision of land
23 bearing a name the same or similar to the name of any map or plat
24 already on record in the office. The auditor or recording officer may
25 establish a name reservation system to preclude the possibility of
26 duplication of names.

27 NEW SECTION. **Sec. 5.** This act shall take effect January 1, 1997.
Passed the House March 4, 1996.
Passed the Senate February 29, 1996.
Approved by the Governor March 25, 1996.
Filed in Office of Secretary of State March 25, 1996.