



## CLERK'S OFFICE

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*Pioneering pathways to prosperity.*

### RECORDING REQUIREMENTS

ORS 205.232 provides that a County Clerk shall not accept a document for recording unless it is:

- Printed on sheets of sufficient quality for recording (not less than 20 pound opaque paper)
- On sheets that are not larger than 14 inches long and 8½ inches wide;
- With text printed or written in minimum 10-point type (larger than 1/8 inch).

In addition to the above, ORS 205.234 requires that certain information is contained on the **first page of the document** presented for recording (or a cover sheet recorded with the document):

- The name of the transaction(s) ORS 205.236;
- The names of the parties;
- The name and address of the person to whom the document will be returned ORS 205.180;
- The true and actual consideration as required by ORS 93.030;
- The name and address to where tax statements will be sent as required by ORS 93.260;
- For documents recorded in the County Clerk Lien records, the information required by ORS 205.125 (1c) and (e).

An exception is provided in ORS 205.327 which allows the recording of a “non-standard” document upon payment of a fee of \$20.00 in addition to the normal recording fees.

### ADDITIONAL REQUIREMENTS/PREFERENCES

In addition to the First Page Requirements, here are some important things to consider before putting together a document for recording. Some are mandated by Oregon Revised Statute as noted, and others are Wasco County requirements:

- **Document Must be the Original:** The original document is required. Photo copies cannot be recorded.
- **Original Signatures and Notaries:** All documents submitted for recording must have the original signatures of the party (ies) referenced in the document. The original Notary signature and stamp/seal must be clear and readable.
- **Required Page size:** Documents must be printed on not less than 20 pound opaque bond paper and not larger than legal size (8.5" X 14"). (ORS 205.232)
- **Required Type size:** All printed text or type-written information must be in 10 point type or larger (larger than 1/8 inch). (ORS 205.232, HB 2029))
- **Preferred Margins:** Top of page – 2"; Sides of page – 1"; Bottom of page 1-2". Documents must also allow sufficient space (2" high X 3" wide) to add a recording label on the first page – the upper right corner is preferred.
- **Location of Property:** Property noted in the document must be within Wasco County.
- **Legal Description:** If required, check that the legal description is included and that it is correct. A legal description is not a tax lot number or street address. Acceptable legal descriptions are:
  - A subdivision name with lot and block
  - A metes and bounds description (section, township & range)
  - Partition plat recording and parcel number
  - Reference to a Recording Number or Book and Page of any previously recorded Wasco County public record where the description may be found
- **Exhibit "A" or other attachments:** Ensure that all exhibits or attachments that are referenced in the document are actually attached.
- **Mandatory Statements for Sales Agreements, Earnest Money Receipts or Other Instruments for Conveyance of Fee Title to Real Property:** Ensure the mandatory statement outlined by ORS 93.040 is present in the document.

## HOW DO I RE-RECORD A DOCUMENT?

Sometimes a document is recorded with the wrong information. If the error is caught while the document is still in process with the County Clerk's office, in most cases it can be easily corrected. If the document has already been recorded and returned to the submitter, it will be necessary to re-record it.

ORS 205.244 outlines the requirements for rerecording corrected instruments.

- Any document that has been previously recorded may be re-recorded to make corrections to the original document.
- The first page of the corrected document must meet all of the first page requirements for recordings.
- The corrected document need not be signed by the party(ies) and acknowledged by a notary a second time.
- The person presenting a document for re-recording shall affix a "re-recording certificate" to the first page or cover sheet of the document. The certificate must not obscure any information contained in the document and shall read as follows:

"RERECORDED AT THE REQUEST OF \_\_\_\_\_  
TO CORRECT \_\_\_\_\_  
PREVIOUSLY RECORDED IN BOOK \_\_\_\_\_ AND PAGE \_\_\_\_\_, OR AS  
FEE/INSTRUMENT NUMBER \_\_\_\_\_."

- A certified copy of a recorded instrument may not be altered for the purpose of correcting the original instrument. The person presenting the instrument may present an unaltered certified copy of the recorded instrument when it is attached to a cover sheet authorized by ORS 205.234 (2).
- The rerecorded document may contain attachments, which need to be identified on a coversheet, that are necessary to make the corrections.
- A fillable coversheet that includes the re-recording certificate is available on our website.
- Regular recording fees apply.