



Recording Requirements & Resources

- **Page Specifications**
 - **Size:** Letter (8.5" x 11") or Legal (8.5" x 14") white paper.
 - For pages smaller than letter (flaps or riders) attach to letter size using tape leaving room at top and bottom. **(NO STAPLES)**
 - **Font:** Black type/ink with a 10-point or larger size, legible font types preferred.
 - **Paper weight:** Sufficient to prevent bleed-through to the other side.

- **First Page Requirements**
 - **Recording tickets:** Placed in the upper right corner of the front page of each document accepted for recording. Each document must provide a 3.25"(w) x 2.25"(h) space in the upper right-hand corner of the first page.
 - If the document does not meet this requirement, a recording coversheet may be applied along with an additional \$5 for the page.
 - **Title(s) of transaction:** Title(s) for the document being presented for recording. [ORS 205.236]
 - Must be clearly labeled in sufficient detail to enable Recorder to enter in the appropriate record.
 - Multi-title documents will be assessed an additional \$5 per title.
 - **After Recording Return To:** Name and address of the party the document will be returned to after recording. [205.180]
 - **Send Tax Statements To:** Name and address where future property tax statements will be mailed to. [ORS 93.260]
 - Only applicable on documents that convey or contract to convey fee title to real property.
 - **Consideration:** The true and actual consideration paid for the transfer. [ORS 93.030]
 - Applicable to documents that convey or contract to convey fee title in real property.
 - Includes the amount of cash along with any form of indebtedness the purchaser has taken or assumed against the subject property.
 - **Monetary Obligation:** The amount of the monetary obligation imposed.
 - Applicable to liens, orders, or warrants. [ORS 205.234(1)(f)]
 - **Names of the Parties:** Must contain the names of all indexed parties (Grantor/Grantee) within the document. [205.125(1)(a) & (b), 205.160 and 205.234(b)]
 - Trust Deeds & Deeds of Trust "Beneficiary & Trustee" must be identified.
 - **Assignee Address:** Assignments of mortgage and loan documents must provide the assignee's address.

In some cases, documents submitted with deficiencies in certain recording requirements, may be accepted with the assessment of a \$20 Non-Standard fee.

- **Additional Requirements**

- **Legal Description:** Included within the document, when required, identifying property located in Benton County.
 - Use metes & bounds or lot and block description. [ORS 93.600]
 - Reference number to a previously recorded conveyance instrument in the Benton County Real Property Records which contains the legal description of subject property is acceptable.
- **Clerk Lien Records:** Hospital Liens, Construction Liens, etc. [ORS 205.125(1)(a), (b) &(c)]
 - Amount of monetary obligation owed to the claimant.
 - Name & Address of person(s) subject to lien, order, or warrant
 - Name and/or agency of claimant
- **Reference number:** Used to identify an instrument currently recorded in Benton County Real Property Records.
 - Applicable to documents assigning, releasing, amending, satisfying, etcetera a previously recorded document.
 - Deed reference(s) for subject property, can serve as a legal description.
- **Recording reproduced documents with original signatures**
 - Documents of poor quality (photocopies/ facsimiles) for recording
 - Attach a typed copy of the original page(s). The attached page(s) should contain the following statement:
 - Because the previous page(s) do not meet the recording standards for permanent records in Benton County, Oregon, the following is a typed reproduction of the original page(s)."
 - Signatures should be shown on the typed reproduction in the following manner: s/ John Doe
 - The regular recording fee will be applied to each page.

- **Document Terminology**

- **Consideration:** The money or other value given to the grantor by the grantee in exchange for the property.
- **Conveyance:** A transfer of title or property from one owner to another.
- **Defective Title:** A title to a parcel of real estate that is clouded, has mortgage claims, tax liens, title claims, judgments, or mechanic's liens against it, or is subject to litigation. A parcel of real property that is transferred with a defective title can jeopardize the grantee's right to ownership.
- **Fee Simple or Fee Title:** When real property real property is held in this manner, the owner's rights in a parcel of real property can be conveyed to others or inherited by heirs, giving the owner the most extensive rights one can have in land.
- **Good/Clear Title:** The parcel of real property is free of any mortgage claims, tax liens, title claims, judgments, or mechanic's liens against it.
- **Grantee:** A person who receives title to the property after a grantor executes the deed transferring the property.
- **Grantor:** A person who holds title to the property and executes a deed transferring the property to another person.
- **Legal Description:** A description of land based on surveys stating the boundaries of the real property parcel.
- **Tenants in Common, Joint Tenants, or Tenants by Entirety:** Types of ownership where there is more than one owner, and the manner of vesting is implied.
- **Words of Conveyance:** Words that show intent to transfer the title to a parcel of real property. Conveyance language is usually required by law and may vary by jurisdiction.