

RECORDING YOUR DOCUMENT

Office hours are 8:30 a.m. through 5:00 p.m. each weekday. You may record "in person" or you may submit your documents by mail or courier.

We will accept any document authorized by Florida law to be recorded, provided that it is in the proper format, is photographically reproducible, contains required information and provided that the proper fees and taxes are remitted.

We are neither qualified, nor permitted by law, to make a determination as to the legal sufficiency of your document other than its recordability, and **we may not assist you in preparing your document. If you are unsure in any way, we urge you to seek the advice of an attorney or title company.**

REQUIREMENTS FOR RECORDING

Following are commonly overlooked general real property document recording requirements, established in part by FS 695.03 and 695.26.

--PREPARED BY: The name and address of the actual person who prepared the instrument or under whose supervision it was prepared legibly printed, typed, or stamped upon the instrument (Ex: PREPARED BY: person's names, address)

--Mailing address of each person executing the instrument printed, typed, or stamped on the instrument

--Mailing address of the Grantee (second party) on any instrument other than a Mortgage conveying any interest in real property legibly printed, typed, or stamped on the instrument

--Names printed, typed, or stamped immediately beneath signatures of each person executing the instrument

--Names printed, typed or stamped immediately beneath signatures of each person witnessing the instrument

--Name printed, typed, or stamped immediately beneath signature of notary public or other officer authorized to take acknowledgments

--Notary's acknowledgment: **COMPLETED** - including names of persons appearing before notary, date of acknowledgment, notary's seal, and notary's signature

--A 3-inch by 3-inch blank space at the top right-hand corner on the first page and a 1-inch by 3-inch blank space at the top right-hand corner on each subsequent page (reserved for use by the clerk of the court)

PHOTOGRAPHIC CLARITY

Your recorded instrument will be scanned and/or microfilmed before it is returned to you. The appearance of the original document will determine the photographic clarity of your document in the Official Records. Photographic clarity is better if you use white paper and black ink. Avoid dark backgrounds. Typewritten documents are consistently more clearly reproducible, more legible and easier to read than hand written documents.

FEES & RELATED ISSUES

--Recording Fees are \$10.00 for the first page and \$8.50 for each additional page of the same document. For pages over 14-inches by 8½-inches, add \$8.50 for each additional 14-inch by 8½-inch portion.

--Indexing fees for instruments recorded, which contain more than four names are \$1.00 per name for each name over four. We index ALL names except persons executing as Attorney in Fact under a Power of Attorney. If the same name appears as both Grantor and Grantee, count it twice. Include names designated as FKA, AKA, NKA, DBA, TA, FBO, ASO, Custodian, Estate, Executor, Guardian, Personal Rep.,

Trustee, Conservator, Receiver, etc. On Assignments of Mortgage, be sure to count all named Borrowers as well as the Assignor and Assignee.

--Documentary Stamp Tax on a DEED: Tax is calculated @ \$0.70 per \$100 (rounded up to the nearest hundred). If property being conveyed is encumbered by a Mortgage, the balance of the Mortgage is a consideration, even if it is not assumed. If it states that the Grantee assumes and agrees to pay the mortgage, then assumption tax at \$0.35 per \$100 is also due.

--Documentary Stamp Tax on a MORTGAGE: Tax is calculated @ \$0.35 per \$100 (rounded up to the nearest hundred) of indebtedness or obligation.

--Intangible Tax on a MORTGAGE: Tax is calculated @ .002 X the EXACT amount of the indebtedness or obligation secured by real property.

--Additional Tax information may be obtained by calling the Florida Department of Revenue, Tax Information, in Tallahassee at (850) 487-3273

--Copies/Certified Copies: Copies are \$1 per page. For Certified Copies add an additional \$2.00 per document.

--Overpayment Policy: An overpayment that **exceeds** \$10 shall be refunded to the person who made the payment. If the amount of overpayment is \$10.00 or less, no refund check is generated unless provided written request for refund.

RECORDING PROCESS

Documents are reviewed to make sure they meet Florida Statute requirements. Appropriate fees are collected. Consecutive Clerk's number and Official Record book and page numbers along with the date and time of recording are printed on the document. Documentary tax is also placed on the document, if required. An alphabetical official record index and numeric index is created by compiling names contained in each document. Each document is digitally imaged and film is created from the image. The quality of the digital image is then verified. The original document is returned to the party indicated on the document.

Procedures and Suggestions

Provide clear instructions if special services are requested, or when unusual circumstances exist affecting fees or taxes due on your document. If taxes are not due, or have been paid on another document, indicate this on the face of the new document, such as "*Documentary Stamp Tax paid on document recorded under OR Book ___ Page ___*", or "*In accordance with (explain) taxes are not due on this recording*". This information not only assists in getting your document recorded, but may also prevent penalties and interest being levied by the Department of Revenue.

--Please be sure that all pages of the same document are stapled together, as it is sometimes difficult to tell whether certain documents are intended to be recorded on their own or as riders or attachments to another document. Do not staple documents together which are to be recorded separately.

--Indicate on Assignments of Mortgage (being recorded simultaneously with Mortgages) if you want us to write in the Clerk's File Number or Book & Page Number from the Mortgage. Be sure to provide a specific space for the number. **We will make every effort to comply, but we do not accept responsibility for errors or omissions.**

--Postage-paid return envelopes are not required, but are helpful in returning recorded documents.

OFFICIAL RECORDS FORMS

To access Official Records forms, please refer to our website @ www.gadsdenclerk.com.

Definitions

Grantor - One who conveys property to another; First Party

Grantee - One to whom property is conveyed; Second Party

Quitclaim Deed - A deed that conveys a grantor's complete interest or claim in certain real property but that neither warrants nor professes that the title is valid.

Warranty Deed - A deed containing one or more covenants of title; esp., a deed that expressly guarantees the grantor's good, clear title and that contains covenants concerning the quality of title, including warranties of seisin, quiet enjoyment, right to convey, freedom from encumbrances, and defense of title against all claims

Mortgagor - One who mortgages property; the Borrower; First Party

Mortgagee - One to whom property is mortgaged; the Lender; Second Party

Mortgage - A conveyance of title to property that is given as security for the payment of a debt and that will become void upon payment or performance according to stipulated terms. A lien against property that is granted to secure an obligation (such as a debt) and that is extinguished upon payment or performance according to stipulated terms

Satisfaction of Mortgage - The complete payment of a mortgage. A discharge signed by the mortgagee or mortgage holder indicating that the property subject to the mortgage is released or that the mortgage debt has been paid and the mortgage conditions have been fully satisfied.