AN ACT
RELATING TO Formatting STANDARDS FOR Recording DOCUMENTS OR
INSTRUMENTS BY A COUNTY RECORDER, SPECIFYING A RECORDING
FEE FOR CERTAIN DOCUMENTS OR INSTRUMENTS, AND PROVIDING AN
EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 331.601A DEFINITIONS.
As used in this part, unless the context otherwise requires:
1. "Document" or "instrument" means a writing or drawing presented to the recorder for recording, consisting of one or more pages of text and attachments.
2. "File or submit" means the act of delivering a document or instrument to a recording office for recording into the public records.
3. "Grantor and grantee" means the names of the transferor and transferee in the transaction used to create the recording index.
4. "Legible" means capable of being read or deciphered without magnification regardless of the recording process.
5. "Page" means a writing, printing, or drawing, other than a plat or survey or a drawing related to a plat or survey, occurring on one side only and covering all or part of such side, and not larger than eight and one-half inches in width and fourteen inches in length.
6. "Record" means a process whether by manual, mechanical, electronic, optical, magnetic, microfilm, or other methods of storage, after filing or submission, to incorporate a document or instrument into the public record.
7. "Transaction" means a specific legal action in the form of or evidenced by one of the following:
   a. A title or caption including, but not limited to, a deed, deed of trust, mortgage, or power of attorney.
   b. A subsequent reference to an original document or instrument including, but not limited to, an assignment or release or satisfaction of mortgage.

Sec. 2. Section 331.602, subsection 1, Code Supplement 2003, is amended by striking the subsection and inserting in lieu thereof the following:
1. Record all documents or instruments presented to the recorder's office for recordation upon payment of the proper fees and compliance with other recording requirements as provided by law.

Sec. 3. NEW SECTION. 331.606B DOCUMENT OR DOCUMENT FORMATTING STANDARDS.
1. Except as otherwise provided in subsection 6, the county recorder shall refuse any document or instrument presented for recording that does not meet the following requirements:
   a. Each document or instrument shall consist of one or more individual pages not permanently bound or in a continuous form. The document or instrument shall not have any attachment stapled or otherwise affixed to any page except as necessary to comply with statutory requirements. However, the individual pages of a document or instrument may be stapled together for presentation for recording. A label that is
firmly attached with a bar code or return address may be accepted for recording.

b. All preprinted text shall be at least eight point in size and no more than twenty characters and spaces per inch. All other text typed or computer generated, including but not limited to all names of parties to an agreement, shall be at least ten point in size and no more than sixteen characters and spaces per inch. If a document or instrument other than a plat or survey or a drawing related to a plat or survey, presented for recording contains type smaller than eight point type for the preprinted text and ten point type for all other text, the document or instrument shall be accompanied by an exact typewritten or printed copy that meets the requirements of this section.

c. Each document shall be of sufficient legibility to produce a clear reproduction. If a document or instrument, other than a plat or survey or a drawing related to a plat or survey, is not sufficiently legible to produce a clear reproduction, the document or instrument shall be accompanied by an exact typewritten or printed copy that meets the type size requirements of paragraph "b" and shall be recorded contemporaneously as additional pages of the document or instrument.

d. Each document or instrument, other than a plat or survey or a drawing related to a plat or survey, shall be on white paper of not less than twenty-pound weight without watermarks or other visible inclusions. All text within the document or instrument shall be of sufficient color and clarity to ensure that the text is readable when reproduced from the record.

e. All signatures on a document or instrument shall be in black or dark blue ink and of sufficient color and clarity to ensure that the signatures are readable when the document or instrument is reproduced from the record. The corresponding name shall be typed, printed, or stamped beneath the original signature. The typing or printing of a name or the application of an embossed or inked stamp shall not cover or otherwise materially interfere with any part of the document or instrument except where provided by law. Failure to print or type signatures as provided in this paragraph does not invalidate the document or instrument.

f. The first page of each document or instrument, other than a plat or survey or a drawing related to a plat or survey, shall have a top margin of at least three inches of vertical space from left to right which shall be reserved for the recorder's use. All other margins on the document or instrument shall be a minimum of three-fourths of one inch. Nonessential information including but not limited to form numbers, page numbers, or customer notations may be placed in a margin except the top margin. The recorder shall not incur any liability for not showing a seal or information that extends beyond the margin of the permanent archival record.

2. Each document or instrument, other than a plat or survey or a drawing related to a plat or survey, that is presented for recording and that contains any of the following information shall have that information on the first page below the three-inch margin:

a. The name, address, and telephone number of the individual who prepared the document.

b. The name of the taxpayer and a complete mailing address for any document or instrument of conveyance.

c. A return address.

d. The title of the document or instrument.

e. All grantors' names.

f. All grantees' names.
21  g. Any address required by statute.
22  h. The legal description of the property and parcel
23  identification number, if required.
24  i. A document or instrument number for statutory
25  requirements, if applicable.
26  3. If insufficient space exists on the first page for all
27  of the information described in subsection 2, the page
28  reference of the document or instrument where the information
29  is located shall be noted on the first page.
30  4. The recorder may record the following documents or
31  instruments which are exempt from the format requirements of
32  this section:
33  a. A document or instrument that was signed before July 1,
34  2004.
35  b. A military separation document or instrument.
36  c. A document or instrument executed outside the United
37  States.
38  d. A certified copy of a document or instrument issued by
39  a governmental agency, including a vital record.
40  e. A document or instrument where one of the original
41  parties is deceased or otherwise incapacitated.
42  f. A document or instrument formatted to meet court
43  requirements.
44  g. A federal tax lien.
45  h. A filing under the uniform commercial code, chapter
46  554.
47  5. A document or instrument rejected for recording by a
48  recorder shall be returned to the preparer or presenter
49  accompanied by an explanation of the reason for rejection.
50  6. On and after July 1, 2005, a document or instrument
51  that does not conform to the format standards specified in
52  subsections 1 through 3 shall not be recorded except upon
53  payment of an additional recording fee of ten dollars per
54  document or instrument. The requirement applies only to
55  documents or instruments dated on or after July 1, 2005, and
56  does not apply to those documents or instruments specifically
57  exempted in subsection 4.
58  Sec. 4. EFFECTIVE DATE. This Act takes effect July 1,
Amend Senate File 371, as passed by the Senate, as follows:

#1. Page 5, line 5, by striking the word
and inserting the following:

#2. Page 5, line 10, by striking the word
and inserting the following:

SANDS of Louisa
SF 371.701 80
sc/gg

Amend Senate File 371, as passed by the Senate, as follows:

#1. Page 31, line 31, by inserting after the word the following: 

KURTENBACH of Story
Amend Senate File 371, as passed by the Senate, as follows:

#1. Page 1, line 31, by inserting after the word

#2. Page 5, line 5, by striking the word

#3. Page 5, line 10, by striking the word

#4. By renumbering, relettering, or redesignating

and correcting internal references as necessary.

SF 371.H
sc/es/25