

2 HB 2414 - S COMM AMD

3 By Committee on Government Operations

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 36.18.010 and 1995 c 246 s 37 are each amended to
8 read as follows:

9 County auditors or recording officers shall collect the following
10 fees for their official services:

11 For recording instruments, for the first page(~~(, legal size~~
12 ~~(+))~~eight and one-half by fourteen inches or less(~~(+))~~), five dollars;
13 for each additional (~~(legal size)~~) page eight and one-half by fourteen
14 inches or less, one dollar; the fee for recording multiple transactions
15 contained in one instrument will be calculated individually for each
16 transaction requiring separate indexing as required under RCW
17 65.04.050;

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

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

24 For administering an oath or taking an affidavit, with or without
25 seal, two dollars;

26 For issuing a marriage license, eight dollars, (this fee includes
27 taking necessary affidavits, filing returns, indexing, and transmittal
28 of a record of the marriage to the state registrar of vital statistics)
29 plus an additional five-dollar fee for use and support of the
30 prevention of child abuse and neglect activities to be transmitted
31 monthly to the state treasurer and deposited in the state general fund
32 plus an additional ten-dollar fee to be transmitted monthly to the
33 state treasurer and deposited in the state general fund. The
34 legislature intends to appropriate an amount at least equal to the
35 revenue generated by this fee for the purposes of the displaced
36 homemaker act, chapter 28B.04 RCW;

1 For searching records per hour, eight dollars;

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

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

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

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 65.04 RCW
13 to read as follows:

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

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

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

21 (c) The title or titles of the instrument to be recorded indicating
22 the kind or kinds of documents or transactions contained therein. The
23 auditor or recording officer shall only be required to index the title
24 or titles captioned on the document;

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

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

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

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

35 (2) All pages of the document shall be on sheets of paper of a
36 weight and color capable of producing a legible image that are not
37 larger than fourteen inches long and eight and one-half inches wide
38 with text printed or written in eight point type or larger. Further,

1 all instruments presented for recording must have a one-inch margin on
2 the top, bottom, and sides for all pages except page one, be prepared
3 in ink color capable of being imaged, and have all seals legible and
4 capable of being imaged, and no attachments may be affixed to the
5 pages.

6 The information provided on the instrument must be in substantially
7 the following form:

8 This Space Provided for Recorder's Use

9 When Recorded Return to:

10

11 Document Title(s)

12 Grantor(s)

13 Grantee(s)

14 Legal Description

15 Assessor's Property Tax Parcel or Account Number

16 Reference Numbers of Documents Assigned or Released

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

19 If an instrument presented for recording does not contain the
20 information required by section 2(1)(a) through (e) of this act, the
21 person preparing the instrument for recording shall prepare a cover
22 sheet that contains the required information. The cover sheet shall be
23 attached to the instrument and shall be recorded as a part of the
24 instrument. An additional page fee as determined under RCW 36.18.010
25 shall be collected for recording of the cover sheet. Any errors in the
26 cover sheet shall not affect the transactions contained in the
27 instrument itself. The cover sheet need not be separately signed or
28 acknowledged. The cover sheet information shall be used to generate
29 the auditor's grantor/grantee index, however, the names and legal

1 description in the instrument itself will determine the legal chain of
2 title. The cover sheet shall be substantially the following form:

3 WASHINGTON STATE COUNTY AUDITOR/RECORDER'S
4 INDEXING FORM

5 Return Address

6 Please print or type information

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

- 8 1.
- 9 2.
- 10 3.
- 11 4.

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

- 13 1.
- 14 2.
- 15 3.
- 16 4.
- 17 5. Additional names on page ___ of document.

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

- 19 1.
- 20 2.
- 21 3.
- 22 4.
- 23 5. Additional names on page ___ of document.

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

25 Additional legal description is on page ___ of document.

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

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

1 Additional references on page ___ of document.

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

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

7 Every auditor or recording officer must keep a general index,
8 direct and inverted. The index may be either printed on paper or
9 produced on microfilm or microfiche, or it can be created from a
10 computerized data base and displayed on a video display terminal. Any
11 reference to a prior record location number may be entered in the
12 remarks column. Any property legal description contained in the
13 instrument must be entered in the description of property column of the
14 general index. The direct index shall be divided into ((~~seven~~)) eight
15 columns, and with heads to the respective columns, as follows: Date of
16 reception, grantor, grantee, nature of instrument, volume and page
17 where recorded and/or the auditor's file number, remarks, description
18 of property, assessor's property tax parcel or account number. The
19 auditor or recording officer shall correctly enter in such index every
20 instrument concerning or affecting real estate which by law is required
21 to be recorded, the names of grantors being in alphabetical order. The
22 inverted index shall also be divided into ((~~seven~~)) eight columns,
23 precisely similar, except that "grantee" shall occupy the second column
24 and "grantor" the third, the names of grantees being in alphabetical
25 order. The auditor or recording officer may combine the direct and
26 indirect indexes into a single index if it contains all the information
27 required to be contained in the separate direct and indirect indexes
28 and the names of all grantors and grantees can be found by a person
29 searching the combined index. For the purposes of this chapter, the
30 term "grantor" means any person conveying or encumbering the title to
31 any property, or any person against whom any lis pendens, judgment,
32 notice of lien, order of sale, execution, writ of attachment, or claims
33 of separate or community property shall be placed on record. The
34 auditor or recording officer shall also enter in the general index, the
35 name of the party or parties platting a town, village, or addition in
36 the column prescribed for "grantors," describing the grantee in such
37 case as "the public." However, the auditor or recording officer shall
38 not receive or record any such plat or map until it has been approved

1 by the mayor and common council of the municipality in which the
2 property so platted is situated, or if the property be not situated
3 within any municipal corporation, then the plat must be first approved
4 by the county legislative authority. The auditor or recording officer
5 shall not receive for record any plat, map, or subdivision of land
6 bearing a name the same or similar to the name of any map or plat
7 already on record in the office. The auditor or recording officer may
8 establish a name reservation system to preclude the possibility of
9 duplication of names.

10 NEW SECTION. **Sec. 5.** This act shall take effect January 1, 1997."

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14 On page 1, line 1 of the title, after "documents;" strike the
15 remainder of the title and insert "amending RCW 36.18.010 and
16 65.04.050; adding new sections to chapter 65.04 RCW; and providing an
17 effective date."

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