



General Information About Recording Functions and Procedures

Office/Recording Hours: Weekdays 8:00am to 5:00pm

Sherman County Clerk
PO Box 365
500 Court Street
Moro, Oregon 97039
Phone: 541-565-3606
Fax: 541-565-3771

County Clerk: Jenine McDermid countyclerk@shermancounty.net

Deputy Clerk: Rita Wilson rwilson@shermancounty.net

The County Clerk's Office records documents that affect title to real property located in Sherman County. All documents received for recording must be in compliance with Oregon statutes. If a document cannot be recorded, it is returned to the sender with an explanation of what is wrong.

This office is prohibited from:

- Giving legal advice
- Helping fill out instruments
- Suggesting what type of instrument to use
- Accepting illegible instruments
- Recording documents other than those specified by Oregon and federal law

Recording Requirements:

ORS 205.125(1)(a) & (b), 205.160 and 205.234(b) outline the requirements for the first page of all instruments to be recorded. Those requirements are:

- **Title of transactions(s):** An instrument presented for recording must be clearly labeled in sufficient detail to enable the clerk to enter it in the appropriate record. (ORS 205.236)
- **Names and Addresses of the Parties:** Instruments submitted for recording must contain the name *and* address of all indexed parties (direct/grantor and indirect/grantee) on the first page. (ORS 205.125(1)(a)&(b), 205.160 and 205.234(b)). This requirement includes the name *and* address of the beneficiary on applicable loan instruments. (ORS 87.005)

PLEASE NOTE: Failure to provide the name AND address of a party, direct or indirect, on an instrument presented for recording may lead to the instrument being rejected or, if otherwise qualified, assessed the \$20 non-standard penalty in accordance with ORS 205.327.

- **Return To Information:** The person and address, for mailing purposes only, of the person to whom the recorded document is to be returned. (ORS 205.180) The return address is not required if the instrument is recorded electronically, however this office does not currently accept recordings electronically.
- **Send Tax Statements to:** For instruments that convey or contract to convey fee title to real estate, the address to which property tax statements shall be mailed. (ORS 93.260)

- **Consideration:** For documents conveying or contracting to convey title to any real estate and all memorandums of such documents, the true and actual consideration paid for such transfer. (ORS 93.030)
- **Name and Address of Assignee:** For documents assigning a mortgage or trust deed the name and address of the assignee must be listed on the first page. (ORS 205.234(1)(g))
- **Clerk's Lien Record:** For documents recorded in the Clerk's Lien Record the amount of any monetary obligation, the name and address of persons subject to an order or warrant and the officer, agency, board, complainant or claimant and the recording reference of any lien being satisfied. (ORS 205.234(f); 205.125(1),(b),(c),(d),(f) and 18.325)

Legibility Requirements:

In accordance with state laws, the county clerk's office shall preserve all records affecting the title to real property. All documents are permanent records and must be legible for the integrity of the public record.

ORS 205.232 states that a county clerk shall not accept a document for recording unless it is:

- Printed on sheets of sufficient quality for recording photographically
- Printed on sheets of paper not larger than 14 inches long and 8-1/2 inches wide
- Printed or written in at least 8-point type
- Documents submitted for recording shall be in the English language. (ORS 192.310)
- Documents, signatures and notary stamps/seals must be *original*; photocopies cannot be recorded unless they are certified copies of an original document. Notary seals must not cover text or signatures on the document. (ORS 93.804)

Non-Standard Form Fee:

A \$20.00 non-standard fee is added to all other fees to instruments that do not meet the requirements as defined in ORS 205.232, 205.234 and 205.327.

Legal Descriptions:

A legal description is not a tax lot number or street address.

As defined in ORS 93.600, acceptable legal descriptions are:

- A subdivision name with lot and block
- A metes and bounds description
- Partition plat recording and parcel number with section, township and range
- Reference to a book and page or instrument of any previously recorded Sherman County record where the description may be found.

Recording of Corrected Instruments (ORS 205.244):

- 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 the instrument for rerecording shall affix a certificate to the first page of the instrument or add a new first page to the instrument containing the text: "RE-RECORDED TO CORRECT (reason for re-recording), See example below.

RE-RECORDING COVER SHEET ORS 205.244
Any errors in this cover sheet **DO NOT** affect the
transaction(s) contained in the instrument itself.

AFTER RECORDING RETURN TO: ORS 205.234(1)(c)

Name: _____

Address: _____

City/State/Zip: _____

RE-RECORDED TO CORRECT _____

AT THE REQUEST OF _____

PREVIOUSLY RECORDED AS MICROFILM # _____

OR BOOK # _____ PAGE # _____

The undersigned hereby certifies the above information to be true and correct.

SIGNATURE

PRINTED NAME & TITLE

SEND TAX STATEMENTS TO: ORS 205.234(1)(e)

DOCUMENT TITLE: _____
ORS 205.234(1)(a)

NAME(S) AND ADDRESS(ES) OF DIRECT PARTY ORS 205.234(1)(b)

(i.e. DEEDS: Seller/Grantor - MORTGAGES: Beneficiary/Lender - LIENS: Creditor/Plaintiff)

1. _____
2. _____
3. _____
4. _____

NAME(S) AND ADDRESS(ES) OF INDIRECT PARTY(S): ORS 205.234(1)(b)

(i.e. DEEDS: Buyer/Grantee - MORTGAGES: Grantor - LIENS: Debtor/Defendant)

1. _____
2. _____
3. _____
4. _____

LIEN DOCUMENTS: Amount of lien \$ _____ ORS 205.234(1)(f)

ALL DOCUMENTS REQUIRING A REFERENCE NUMBER: ORS 205.160(6)(7)(j)

Original recording information: Book _____ Page _____ Instrument # _____