

## CALIFORNIA RECORDING REQUIREMENTS

1. **Recording where** - instruments entitled to be recorded must be recorded in the county in which the real property affected is located (Civil Code 1169).
2. **Form standardization** - documents must contain black print on white paper and be at least 8½" x 11", but no larger than 8½" x 14" (Gov. Code 27361.5).
3. **Reservation of space** - documents must have at least a ½" margin on the two vertical sides; the right-hand 5" of the top 2 ½" shall be reserved for recording information (Gov. Code 27361.6).
4. **Requesting party and return address** - the left-hand 3 ½" of the top 2 ½" shall be used for the name of the party requesting recordation and the name and mailing address where the document should be mailed after recording (Gov. Code 27361.6).
5. **Legibility** - documents must be legible and capable of producing a readable photographic record (Gov. Code 27361.7).
6. **Document titles** - all document titles must be identified on the first page, immediately below the space reserved for the recorder's use (see item 3 above; Gov. Code 27324).
7. **Names required on documents** - names of the parties to be indexed must be contained within the document (Gov. Code 27288.1).
8. **Legal description and recording references** - documents referencing land must include a legal description; recording references, if any, must be listed on the document (Civil Code 1092).
9. **Exhibits and riders** - must be clearly marked as such and submitted with the respective document (Gov. Code 27361.1).
10. **Signatures** - documents must contain original signatures or be a certified copy of the original; certified copies must be unaltered (Gov. Code 27201(b); Civil Code 1218).
11. **Legible names** - names must be printed or typed near all signatures and business names (Gov. Code 27280.5).
12. **Notary acknowledgment** - documents affecting title to real property must be properly acknowledged (Gov. Code 27287).
13. **Modifying or releasing interest** - any document which modifies or releases a previously recorded document shall state the names of all parties affected or being released, the county of recordation, the instrument number or book and page, and the date of recordation of the document being modified or released (Gov. Code 27361.6; Gov. Code 27288.1 (b)).
14. **Documents transferring title to real property** - in addition to meeting all of the requirements listed above, documents transferring title must contain a completed documentary transfer tax declaration, the assessor parcel number and the tax rate area of the property. A completed and signed "Documentary Transfer Tax Affidavit" form must accompany the document. A completed and signed "Preliminary Change of Ownership" form must accompany the document, otherwise a \$20.00 fee will be due and the form will be required to be completed at a later date (Gov. Code 27280 (b); Rev. & Tax Code 480; Rev. & Tax Code 480.3 (b); Rev. & Tax Code 11911.1)
15. **Other** - depending on the type of document, additional requirements may apply.

