

DOCUMENT STANDARDS 7-4-2636 MCA-NEW LAW TAKES EFFECT 10-1-2011

Unless accompanied by the fee required in 7-4-2637(2), all documents submitted for recording must meet the following requirements:

Standard requirements:

1. Margin requirements:

- at least 3" at top of 1st page
- at least 1" at top of second and any subsequent pages at least 1" on bottom of each page
- at least 1/2" on the sides of each page
- Insignificant portion of signature -such as tail end of last letter-is in margin document will be considered standard. If portion of signature in the margin is a designation -such as Sr., Jr., II, III, POA or Attorney – In fact – these designations will be considered significant and cause document to be non-standard.
- Except for page numbers, initials, or other designations, have margins clear of all markings. The document standards committee has determined that other designations may be:
 - a. Form numbers
 - b. Form names
 - c. Last date form updated
 - d. Fax transmittal information
 - e. Tribal information
 - f. Initials
 - g. Barcodes
 - h. Order numbers
 - i. Name of Lending Institution

2. Document must be Legible

- a.** Printed or typed in blue or black ink-which includes all signatures, initials, dates, or handwriting
- b.** White paper that is either 8 1/2 x 11 inches or 8 1/2 x 14 inches
- c.** Addresses of grantees must be in blue or black ink when legibly printed in.
- d.** A whole document legible printed in blue or black ink, meeting all other document standards, is standard
- e.** A whole document that is written in cursive is non-standard.
- f.** Signatures do not have to be legible

3. Provide names of the parties to the conveyance on the 1st or 2nd page of any document with more than 1 page.

4. Name and Mailing Address to whom document is to be returned:

- a. in upper left hand corner of 1st page between the 1/2 inch side margins of each document submitted
- b. This may include legibly printed or typed transactional information
- c. No return address - document is non-standard
- d. Documents will be returned to the address written on the document - NO EXCEPTIONS
- e. "Return to Grantee" is not an acceptable mailing address- document is non-standard

If submitter would like the document returned to an alternate address, they **MUST** write it on the document before recording.

5. Provide a legal description of the property if the document conveys an interest in real property. Documents that convey an interest in real property may include, but is not limited to, the following:

- a. Deeds
- b. Contracts for deed
- c. Reconveyances and releases of mortgage
- d. Deeds of trust, trust indentures and mortgages
- e. Easements
- f. Declarations of homestead
- g. Assignments of mortgage and assignments of deed of trust or trust indentures
- h. Any document requiring a Realty Transfer Certificate

A street address is not a legal description of the property, nor is a deed reference.

Exceptions:

- 1. Documents acknowledged prior to 4-28-07 are accepted for recording as standard document.
- 2. An acknowledgment by a notary is exempt from the color and margin requirements of this section. If the notarial seal is made by impression of an embosser, the seal is exempt from the margin requirements of this section. The notary information and seal must be legible.
- 3. An officially certified court or other government document, whether from an in-state or out-of-state office, is exempt from the provisions of this section. Government

documents include: Dept. of Transportation documents and Declaration of Intent to Declare a Mobile Home real property.

DOCUMENTS THAT DO NOT REQUIRE A LEGAL DESCRIPTION TO BE CONSIDERED A STANDARD DOCUMENT:

- a. Substitutions of Trustee
- b. Subordination Agreement
- c. Modification Agreement
- d. Affidavits of Mailing, Posting & Publication
- e. Cancellation of Trustee Sales

A document which includes highlighting is a non-standard document. Be sure to put in the note field of your program that the document contained highlights which may not show up on the scanned image and microfilm.

7-4-2637 Fees for Recording Documents

Except as provided in 7-2-2803(4) and 7-4-2631, the fee for recording a standard document that meets the requirements of 7-4-2636 **is \$8.00 for each page or fraction of a page.** (2) Except as provided in 7-2-2803 (4), the fee for recording a document that **does not** meet the requirements of 7-4-2636 is the fee specified in subsection (1) **plus \$10.00.**