

## DOCUMENT STANDARDS 7-4-2636 MCA- new law takes effect 10-1-2011

All documents that are acknowledged as having been executed **prior to 4-28-07** are accepted for recording as a standard document. The fee will be \$7.00 per page.

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

1. Margin requirements are: 3" at top of 1<sup>st</sup> page, at least 1" at top of all subsequent pages, 1" at bottom of each page, **at least ½"** on sides of each page. If an insignificant portion of the signature (such as the "tail-end" of the last letter) is in the margin the document will be standard. If a portion of the 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 the document to be non-standard.
2. **Include the name and mailing address of the person to whom the document is to be returned in the margin in the upper left-hand corner of the 1<sup>st</sup> page of each document which may be legibly printed in ink or typed. The document is non-standard if no return address is included in the upper left-hand corner of the 1<sup>st</sup> page. Documents will be returned to the address written on the document --- NO EXCEPTIONS! If the submitter would like the document sent to an alternate address, they MUST write it on the document BEFORE recording.**
3. Except for page numbers or **other administrative information or designations all margins must be 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

4. The document must be legibly printed or typed in **blue or black ink** on white paper that is either 8 ½ x 11" or 8 ½ x 14" in size. **Addresses of grantees must be in blue or black ink when legibly printed in.** A whole document legibly printed in blue or black ink, meeting all other document standards, is a standard document. A whole document that is written in cursive is non-standard.

5. If a document conveys an interest in real property a legal description of the property must be provided. 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
- d. deeds of trust/trust indentures/mortgages
- e. easements
- f. declarations of homestead
- g. any document requiring an RTC

**A street address is not a legal description of the property, nor is a deed reference.** The full metes and bounds description; subdivision with lot number or certificate of survey number must be included on the document.

**Substitutions of Trustee do not need a legal description, just a reference to a previously recorded document.**

6. Provide the names of the parties to the conveyance on the 1<sup>st</sup> or 2<sup>nd</sup> page of any document with more than one page.

**An acknowledgment by a notary is exempt from the color and margin requirements of this section. The notary seal must be legible.**

**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 Department of Transportation documents and Declaration of Intent to Declare a Mobile Home real property. These documents will always be considered standard.

**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.**