

**CROOK COUNTY CLERK
RECORDING POLICY**

SUBJECT: RE-RECORDING TO CORRECT A PREVIOUSLY RECORDED DOCUMENT

EFFECTIVE DATE: September 22, 2008

APPROVED: Dave Gordon, Crook County Counsel

PURPOSE: Legal Counsel's determination in the application of ORS 205.244

DEFINITION: **ORS 205.244 Recording of corrected instruments.** (1) Any instrument that has been previously recorded may be rerecorded to make corrections in the original instrument.

(2) The county clerk shall record any instrument presented for rerecording as provided in subsection (1) of this section. The corrected instrument need not be acknowledged again. The person presenting the instrument for rerecording shall cause a rerecording certificate [*“certificate” defined below*] to be affixed to the first page of the instrument or added as a new first page to the instrument. The rerecording certificate shall contain the words “RERECORDED AT THE REQUEST OF _____ TO CORRECT _____. PREVIOUSLY RECORDED IN BOOK _____ AND PAGE ____, OR AS FEE NUMBER ____.”

(3) A county clerk shall not incur civil or criminal liability, either personally or in an official capacity, for recording a corrected instrument under this section. [1991 c.230 §9]

Webster's Dictionary: **cer·tif·i·cate** **3. Law.** a statement, written and signed, which is by law made evidence of the truth of the facts stated, for all or for certain purposes.

Black's Law Dictionary: **Certificate** /sertifeket/ A statement of some fact in a writing signed by the party certifying.

POLICY: All re-recordings must contain, in addition to the words “RERECORDED AT THE REQUEST OF _____ TO CORRECT _____. PREVIOUSLY RECORDED IN BOOK _____ AND PAGE ____, OR AS FEE NUMBER ____”, the statement “**The undersigned hereby certifies corrections to the previously recorded instrument are true and correct.**” The statement must be signed and include the printed name and title of the person(s) making the correction. This signed statement does not require notarization.