

Document Acceptance Policy

Cherokee County Register of Deeds office is pleased to announce that we have implemented a reception recording system that includes a scanning/imaging process that enables us to archive the records more efficiently. With this new system we have a document acceptance policy in place to help us achieve our objectives:

- Documents presented for recording must be originals, signed and properly notarized and of sufficient legibility so as to produce a clear and legible reproduction. The font size must be no smaller than 8 pt with 10 pt or larger preferred. We accept both standard and legal size pages as well as double-sided documents. K.S.A. 28-115; K.S.A.58-2211; K.S.A. 19-1213
- We need a minimum of 3" at the top and 1" at the bottom of the first page of documents presented for recording. 1" margins at the top and bottom and 1/2" margins on the sides of each additional page are also required. This area needs to be completely blank and if this area is not provided for our recording, we will need to attach a cover sheet before your document can be processed. This additional sheet will become a page of the document at an additional fee for recording deeds, mortgages, or other instrument of writing and for the recording of release or assignment of real estate mortgages per current fee schedule. Per KSA 28-115 and amendments.
- Filing fees (which are set by state statute) must accompany all documents for recording. K.S.A. 28-115 and amendments thereto
- The name(s) of all signing parties, including notaries, must be typed or printed below the signature or an additional fee of \$1.00 per document is required. Per KSA 28-115
- All deeds and affidavits of equitable interest are required to be accompanied by a completed Kansas Real Estate Sales Validation Questionnaire unless there is an exemption clearly stated on the instrument. If an exemption is used, we must have the name and address for tax statements. K.S.A. 58-2221; K.S.A. 79-1437(c),(e)
- All mortgages require a mortgage registration tax to be paid. Mortgage registration tax is being phased out over the next 5 years and the fee is calculated by multiplying the principal amount of indebtedness using the following chart:
Recording dates;
Calendar year 2014 = multiplying the principal amount of indebtedness by \$.0026
Calendar year 2015 = multiplying the principal amount of indebtedness by \$.0020
Calendar year 2016 = multiplying the principal amount of indebtedness by \$.0015
Calendar year 2017 = multiplying the principal amount of indebtedness by \$.0010
Calendar year 2018 = multiplying the principal amount of indebtedness by \$.0005
Calendar year 2019 forward = no mortgage registration tax.
Note: a mortgage registration tax affidavit is required to claim an exemption. K.S.A. 79-3102
- Along with the mortgage registration tax being phased out, at the same time, document fees will increase. Please refer to our web site to keep up-to-date on new fees that will be effective the 1st day of each year for 2015, 2016, 2017 and 2018. Changed through House Bill No. 2643 Kansas Legislation 2014.
- Mortgage assignments must include the address of the assignee. All mortgage assignments and release must reference the original mortgage book and page, along with the original mortgagor and mortgagee. K.S.A. 58-2306; K.S.A. 58-2319
- Documents relating to real estate must have a valid legal description for indexing purposes.
- Certified copies of documents are accepted only if they are certified by another recording office. K.S.A. 58-2230
- We do offer e-recording.
- More information may be found at: Cherokee County Kansas web site (<http://cherokeecountyks.gov>) and Kansas Register of Deeds Association web site (www.ksrods.org).
Forms for your use can be found on the Register of Deeds page of the Cherokee County web site.

Following are the most common reasons documents are returned without being recorded:

1. Incomplete notary; no stamp, no State and/or County or incomplete date
2. Names not typed or printed under signatures or \$1.00 extra fee per document
3. Short filing fees
4. Incomplete legal description
5. Incomplete Sales Validation Questionnaire

**The Register of Deeds office is a recording office and retains land records for public inspection.
We cannot, however, provide any searches of records.**