

LAND RECORDING GUIDE

DEEDS-MORTGAGES-SATISFACTIONS
AGREEMENTS-ASSIGNMENTS
e-RECORDING



MAUREEN O'CONNELL

NASSAU COUNTY CLERK
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516-571-2664

Visit our website:

www.nassaucountyny.gov/clerk





A Message From
Maureen O'Connell
NASSAU COUNTY CLERK

Dear Neighbor,

Welcome to the Nassau County Clerk's Office Land Recording Division, the official registrar of deeds, mortgages, assignments of mortgages, and satisfactions of mortgages. This department indexes and preserves these documents to protect the rights of the interested parties and permanently maintain the record of transactions for all real estate located within Nassau County. These land records are available for public review.

This guide identifies the information required on documents presented for recording. Because these documents become public record, filers should be diligent in reviewing the items submitted. To avoid identity theft, filers are urged not to include personal identifying information (e.g., social security numbers, copy of driver's licenses, etc.) on documents presented for recording.

As Nassau County Clerk, I am working to integrate available technology while continuing to maintain the highest standard of service to best meet the needs of residents. The Land Recording Department offers e-recording as a secure process of submitting, receiving, and processing documents for electronic recording that have traditionally been presented for recording by runner, express mail, or courier service. This process simplifies and accelerates all aspects of the recording process and improves efficiency to better serve Nassau's residents. See page 3 for more information on e-recording.

In addition, be mindful that these are legal documents, so it is recommended that an attorney be consulted. The Clerk's Office is a filing office and is unable to provide legal advice. We are also unable to provide property ownership information via telephone.

For more information, as well as any updates that may relate to the recording of documents in this office, please visit our website at: www.nassaucountyny.gov/clerk

Very truly yours,

A handwritten signature in blue ink that reads "Maureen O'Connell". The signature is written in a cursive, flowing style.

Recording a Document

Documents Recorded in this Office:

- Mortgages
- Deeds
- Satisfaction of Mortgages
- Powers of Attorney
- Map Filings
- Tax Map Verification Letter

Please be sure that all required information is included in all documents submitted for recording.

To record a document, the filer must determine which form is appropriate to use:

- Documents must be prepared using recordable forms that comply with all legal requirements. **The Office of the County Clerk does not supply deed, mortgage or satisfaction forms. If needed, such forms are available at a legal stationery store.**
- Each form must be completed and acknowledged (notarized) prior to submission.
- If an acknowledgement was taken in New York State, an all-purpose acknowledgment must be completed, and it must include the venue. (See NYS Real Property Law, section 309-a.)
- For acknowledgements outside New York State, please refer to section 309-b of NYS Real Property Law.
- The notary public must be valid and currently commissioned.
- All signatures must be original.
- All signatures and information must be legible.
- Acknowledgment forms can be found on the County Clerk's website:
<http://www.nassaucountyny.gov/clerk>

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In addition, complete all forms necessary to avoid rejection of the document(s). These forms include:

- NYS Form TP-584 - Combined Real Estate Transfer Tax Return, Credit Line Mortgage Certificate, and Certification of Exemption from the Payment of Estimated Personal Income Tax.
- NYS Form RP-5217-PDF - Real Property Transfer Report.
- NYS Form IT-2663 - Nonresident Real Property Estimated Income Tax Payment Form (*revised annually*).

Forms TP-584, TP-584.1, RP-5217-PDF* and IT-2663 along with instructions are available on the NYS Department of Taxation and Finance website:

RP-5217-PDF: <http://www.tax.ny.gov/research/property/assess/rp5217/index.htm>

TP-584, TP-584.1 & IT-2663: <http://www.tax.ny.gov/forms/>

Unless the transfer is exempt as explained in the instructions found on the website, complete Form IT-2663 to compute the gain (or loss) and pay the full amount of estimated tax due, if applicable.

**Please Note: the RP-5217-PDF form cannot be photocopied and re-used as the system generates a unique barcode used by New York State for each submission.*

e-Recording

Land recording documents including deeds, mortgages, and satisfactions may now be recorded electronically in Nassau County. Title companies, legal professionals, and services providers can obtain a subscription with e-recording service providers that allows them to scan and email land documents without the originals ever leaving their office. This process streamlines recording by eliminating expenses associated with mailing, check writing, and maintaining paper files. Contact one of the three approved e-recording companies listed to improve efficiencies and reduce costs:

Corporation Service Company (CSC)

1-855-200-1150

www.erecording.com

e-Recording Partners (ePN)

1-888-325-3365

www.erecordingpartners.net

Simplifile

1-800-460-5657

www.simplifile.com

Things to Know

1. The section/block and lot numbers (or if a condo, the section/block and unit number) **must be clearly indicated** on the first (front) page of ALL documents submitted, preferably in the lower left hand margin. This information may be found on the property's current tax bill.
2. Complete the names and address of all parties of the 1st part and parties of the 2nd part.
 - a. **POST OFFICE BOXES ARE NOT ACCEPTED AS ADDRESSES.**
 - b. Name of party in heading must match exactly in the acknowledgement (e.g, if using an initial, it should be used throughout).
3. All documents must be legible and suitable for microfilming.
4. Regarding fees:
 - a. Transfer and Mortgage Tax payments **MUST BE MADE BY CERTIFIED CHECK.**
 - b. Recording fee payments may be made by personal check or credit cards* (Visa or MasterCard)
**nominal convenience fee for credit cards apply.*
 - c. Name and address must be imprinted on all checks and phone number must visible. **No starter checks.**
 - d. Except for estimated income tax, all checks must be made payable to the "Nassau County Clerk." Income tax checks should be made payable to "NYS Income Tax."
 - e. Attorney's checks drawn from a professional account are accepted for recording fees. However, payment of Mortgage and Transfer Taxes must have "Iola, Trust, Special or Escrow" imprinted on them.
 - f. Recording fee schedule (*subject to change*) is available on the County Clerk's website: www.nassaucountyny.gov/clerk

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5. Land Records are important legal documents that affect property ownership and rights, so it is important to consult an attorney.
6. **Save time with e-Recording.** See page 3 for list of approved e-Recording companies.
7. To record documents in person or by mail, send to:
Nassau County Clerk
240 Old Country Road - Room 107
Mineola, NY 11501
(If a receipt is requested when recording by mail, a self-addressed, stamped envelope must be included)

All document recordings must be presented at least an hour before closing.

8. **The Office of the County Clerk does not verify the accuracy of information, i.e., Section, Block, Lot and Unit numbers. Correct indexing is the responsibility of the filer and may be found on the most current County Tax Bill.**

Errors to Avoid

Failure to properly complete forms in accordance with legal requirements will result in rejection and delay of document recording by the Clerk's office.

1. **Invalid or missing Section, Block and Lot numbers (and if a condo, Unit number).** This is the most common cause for rejection by the Clerk's Office.

The filer must verify all information before presenting it for recording. The filer should review all information since the document will only be recorded as directed. The accuracy of the information provided IS NOT VERIFIED by this office. Before recording, check the Clerk's index to be sure that there have been no changes since the last tax bill.

2. **Incomplete and Inaccurate Forms**

- a. Please follow ALL instructions for the RP-5217-PDF. (Photocopies are not acceptable).

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- b. For additional information on the RP-5217-PDF, please visit the New York State Office of Real Property Services' website: www.tax.ny.gov/forms/orpts/sales.htm
- c. A non-resident individual, estate, or trust instrument, who is required to file Form IT-2663 must make payments of estimated income tax directly to the recording officer upon the filing of a deed.
- d. Forms and instructions are available on the NYS Department of taxation and finance website: www.tax.ny.gov/forms/

3. Incorrect Fees

Problems are sometimes created by fees paid by checks printed with limitations, such as "not valid after 90 days." Inaccurate payment of fees and taxes can be avoided by consulting the schedule contained in the Clerk's Deed Packet, the County Clerk's website or by referring to CPLR Article 80. Many rejected documents are corrected and resubmitted with the same check, which can result in the check being stale. Before resubmitting, please verify the check's date to confirm it is still valid.

4. Missing Attachments or Seals

If the document indicates "Exhibit A Attached," be sure it is. If the document indicates the use of a corporate seal, be certain to seal the instrument.

5. Record and Return to Address

Please provide a complete "Record and Return to" address. Preferably, this should be on the last page, so that the recorded document can be mailed to the proper party.

6. Incorrect Acknowledgment

Include the Uniform Acknowledgment for all of the parties executing the instruments, as required by New York State Law (see Real Property Law sections 309, 309a and 309b, and Article 9, generally).