

## **E-Recording County Procedures Relative to Submitters**

**Simplifile** is the e-recording “**Delivery Agent**” Davison County Register of Deeds Office utilizes to securely transfer documents through their portal to the Register of Deeds office and back to the Submitter for Recording purposes; therefore, all instruments e-recorded in Davison County must be sent through the Simplifile Portal. If you wish to electronically transmit your documents to the Davison County Register of Deeds office, please contact Simplifile <https://simplifile.com/e-recording/> for more information on how to sign up.

1. **E-packages may be submitted at any time, however, they will only be received for recording between the hours set forth in Paragraph 2.**
2. **The Hours During Which Electronic Submissions Shall Be Accepted and Processing Schedules that Affect the Order of Acceptance.**

### **Hours of Operation:**

Normal Business Hours are: Monday thru Friday between 8:00 a.m. and 5:00 p.m. All submitted documents, i.e., submitted over the counter, delivered via U.S. Postal mail, express delivery service mail or thru an electronic delivery system, shall only be processed during normal business hours on normal business days. (Normal business days are set by the Board of County Commission pursuant to SDCL 7-7-2 and 7-7-2.4)

The term “normal business hours” will not include weekends, holidays or any other day the “Participating Register of Deeds” is closed for public business all as set forth by the Davison County Board of County Commission.

In the event of a network or equipment failure with regards to the electronic delivery of documents, then and in that instance, the “Delivery Agent” will notify the Submitters of such failure. If the office is open for business pursuant to the hours set by the Davison County Board of Commission on the day of the delivery system failure, the paper documents will continue to be recorded when received. The electronic documents will not be recorded until they can be opened but only during normal business hours.

### **Processing Schedules that May affect Order of Acceptance:**

The “Participating Register of Deeds” shall record all documents submitted through the Electronic Document Delivery System in the same manner as documents submitted by US Postal or express delivery service mail, in that they are processed periodically throughout the day depending upon staff availability and any other statutory duties that may take precedence.

The Participating Register of Deeds” will not open or receive documents for recording outside the normal business hours as stated above.

3. **THE “PARTICIPATING REGISTER OF DEEDS” SHALL MAKE EVERY REASONABLE ATTEMPT TO RECORD ALL DOCUMENTS ON THE SAME BUSINESS DAY AS RECEIVED BUT IS NOT EXPRESSLY GUARANTEED.**
4. **Model 2 and 3 Recording Models will be accepted.** See following Rule for further information.  
<http://www.sdlegislature.gov/Rules/DisplayRule.aspx?Rule=22:03:01:02>

5. **Document types.** Document types that will be accepted for recording through the Delivery Agent's Secure Portal are as follows:

All documents except the following: (Effective August 16, 2017)

- A. Uniform Commercial Code Filings (UCC's, Continuations, Amendments, Termination of UCC'S)
  - B. Mechanic's Liens or Mechanic Lien Satisfactions, or other documents relating to a Mechanic's Lien Filing
  - C. Lien Filings which include, but may not be limited to Federal Tax Liens, State Tax Liens, Hospital Liens, and County Aid Liens or Satisfactions to these liens or other documents relating to these type of Lien Filings
  - D. Business Name Filings
  - E. Plats and Corner Records
  - F. Any other Filing not specifically delineated
6. **DPI Required.** Documents must be scanned in black and white at 300 dpi.
7. **Document Format.** Images must be sent in a Tiff or PDF document format.
8. **Legible Documents.** Documents may be rejected if they are not legible.
9. **Notary Information.** The Notary Commission Expiration date, the State the Notary is commissioned in, and the Notary's Name must be clearly stated on the document along with a proper acknowledgment. Seals would be appreciated but should not cover up any information to make the document illegible.
10. **Multiple Documents.** When multiple documents are sent in a package, if one document does not qualify for recording, the whole packet of documents will be returned without being recorded.
11. **Restriction on No. of Documents Submitted.** No more than 10 documents may be submitted at one time.
12. **Relative Document to a Document Previously Recorded.** No document to be recorded may contain more than one mortgage, or more than one mortgage or other instrument being assigned, partially released or satisfied;
13. **Termination of Submitter Rights to Electronically Record.** Davison County Register of Deeds, by communicating the request to the Delivery Agent, reserves the right to terminate a submitter from using the electronic delivery system provided by the Delivery Agent.
14. **Payment of recording fees.** Payment of recording fees must be made via ACH thru the Delivery Agent (eRecording Vendor). The County will **not** accept payments for recording fees and/or transfer tax directly from the e-recording (submitter) customer. Contact Simplifile (Delivery Agent) to set up this type of transaction.
15. **Submission Fee charged by Delivery Agent.** There are no additional fees collected by the county for electronically transmitting your documents, however, a submission fee will be required by the Delivery Agent from the Filer/Submitter upon using their system to securely transfer the documents.
- 10/17/2017