



Good Deeds

News from the Office of the Recorder of Deeds, Chester County, Pennsylvania

Volume 1, Issue 7

10/29/2009

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Click on "Records Search" for records online.

Hours:

The office is open Monday through Friday from 8:30am to 4:30pm. However, same-day document recording stops at 4:00pm on all days. The Search Library is open from 8:30am to 4:15pm, weather permitting.

Fees:

For a full list of service fees, see our website: www.chesco.org/recorder.

Reminder:

To save time and facilitate the filing and recording of documents, submitting parties should include two return self-addressed, stamped envelopes with the initial filing. The first envelope will be used to notify the submitting party the document has been received and the second envelope will be used to return the original recorded document. If return envelopes are not included, the notification process will take longer to complete.

Prior Newsletters are available at www.chesco.org/recorder.

PA House Bills 1607 & 1861 Mandate Increases in Recording Fees

On October 9, 2009, Governor Rendell signed House Bill 1607 amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes. This bill, in part, mandates an additional \$13.50 fee be charged and collected statewide by Recorders of Deeds. These funds will be deposited into the State's Judicial Computer System Augmentation Account, the Access to Justice Account, and the Criminal Justice Enhancement Account. The monies are specifically designated to fund Constable training and full-time County district attorney salaries.

This \$13.50 increase will be collected on documents recorded as deeds, mortgages, mortgage satisfactions, mortgage assignments and releases, and easements. **This mandated fee increase will take effect Tuesday December 8, 2009. Documents submitted to our office on or after Tuesday December 8, 2009 will incur the \$13.50 fee increase regardless of the date stated on the document.**

Additionally, the Pennsylvania General Assembly is currently considering House Bill 1861. This bill would further amend Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes and also proposes an increase in the fees each Recorder of Deeds office must charge and collect for the Commonwealth. Those additional funds would be deposited into the Judicial Computer System Augmentation Account, the Access to Justice Account, and will be used "as needed to fund the Judicial Department due to insufficiencies in a general appropriation act". The bill has passed the House and is currently with the Senate Judiciary Committee.

Please understand that the Commonwealth has mandated Recorders statewide to charge and collect these additional fees. Our office has no ability to prevent or circumvent these newly mandated fees. None of these increased fee amounts are retained for use by Chester County or this Recorder of Deeds office.

I opposed these bills—writing to local legislators voicing my concerns—but ultimately my opposition and that of others in the title industry did not prevail, and now we must administer this new fee as a matter of law.

Ryan Costello, Esq.
Recorder of Deeds



Recorder Ryan Costello discusses new recording system with staff.

CountyFusion Conversion Moves Forward

Our new recording system, CountyFusion, is in the process of being installed and tested. The current iCRIS system and the new CountyFusion system will run concurrently during the initial stages of the migration. The new system will be fully implemented during the first quarter of 2010. Check our website for updates and news on the system implementation!

ATTENTION - ELECTRONIC NOTARY APPLICANTS

Effective September 25, 2009, the PA Department of State no longer accepts new applications for the current e-Notarization program. The Department's website states it is, "...currently reevaluating the existing process for obtaining a digital certificate...". A Pennsylvania notary who has already obtained a digital certificate may continue to utilize that Electronic Notary Seal until June 30, 2010, or the assigned date of expiration, whichever comes first.

For additional information, please visit the PA DOS website at www.dos.state.pa.us/Notaries

Recording Refresher...Your Municipality & Your Notarial Seal

Recently, our office has rejected a number of documents containing invalid notarial seals. The seals incorrectly state the notary's municipality. Often, the notary's post office designated city (mailing address) is used on the seal instead of the notary's municipality.

The following is "What is a Municipality?" from the May/June 2009 "Notary Notes", published by the Pennsylvania Association of Notaries and reprinted here with PAN's permission. This article offers a clear definition of a municipality and describes its proper placement on the notarial seal:

What is a Municipality?

When you apply for or renew a notarial commission in Pennsylvania, you must provide the name of the municipality where your office of record is located. This information must be entered on your notary application.

The name of the municipality also must appear on your seal of office. The Notary Public Law requires you to "provide and keep an official seal which shall be used to

authenticate all acts, instruments and attestations" as a notary.

"The seal shall be a rubber stamp and shall show clearly in the following order: the words "Notarial Seal," the name and surname of the notary and the words "Notary Public," the name of the municipality and county in which the notary maintains an office and the date the notary's commission expires." [57 P.S. § 158(a)]

The municipality where your home is located (if you are a resident) or where your employer is located (if you are a non-resident but work in Pennsylvania) determines which state senator must sign your application.

But what is a municipality? Article 9, Section 14 of the Pennsylvania Constitution defines a municipality as "a county, city, borough, incorporated town, township or any similar general purpose unit of government which shall hereafter be created by the General Assembly."

All municipalities except boroughs are classified according to population. Codes of Law, such as

the County Code, the Third Class City Code, and the First Class Township Code, describe how the municipal governments in each class are structured and what powers they have. In addition, the General Assembly can pass laws affecting separate classes. However, a municipality can also vote to adopt a home rule charter that determines what structure its government will take. The charter then describes the municipality's operation regardless of the structure and responsibilities described in the codes for municipalities of the same class.

Municipal governments provide services such as police and fire protection, street and road maintenance, water and sewage treatment, garbage collection, traffic control, zoning and building code enforcement, parks and recreational services, and business licensing. They also collect real estate, income and other types of taxes as permitted by law.

If you are not sure of your municipality, call your local municipal tax office.

Upcoming County Holidays

All County Offices Will Be Closed on the Following Dates:

November 3rd – Election Day
November 11th – Veterans Day
November 26th & 27th – Thanksgiving Holiday
December 25th – Christmas Holiday