



Administrative Recording Requirements

State of Texas

Marital State: Community Property State

Trust State: Yes

Mortgage State: No

Recording Structure: 254 counties / Recorder

Required Documents: **Designation of Homestead** required for commercial mortgages
<https://www.bankcomplianceforms.com/catalog/images/items/pdf/3560.pdf>

Oath of Consideration

Refinanced Deeds of Extension and Renewal Rider required, and must include the following: 1) Vendor's Lien, 2) Deed of Trust, and 3) Assignment of Mortgage, if applicable

Home Equity Lines of

Credit: Home Equity Affidavit required

Required Statement: "Prepared by" name and address must be on first page
"Mail Tax Statements to:" name and address. This must include an oath of consideration.
"Name and address for Property Owner" name and address
"Return-to" name and address

Notice of Confidentiality Rights must be included in 12 point font and in all caps as follows:

"NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE"

Formatting of Documents:

Format specified by statute
1 1/2" top margin of all pages
4" bottom margin on last page
Paper must be "sufficient weight"
8 1/2 x 11 or 8 1/2 x 14
8 point font or larger
"Clearly identifiable heading" with nature of document
Legible for duplication

Legal Description: Map and parcel number required for all deeds, trust deeds and mortgages

Other Requirements: All signatures require a printed name and title underneath, including notary and all witnesses
Mailing address for grantee is required for all deeds and trust deeds
Notary certification required date, expiration date with stamp or seal. A jurat is not sufficient.

Two witnesses are required
Some counties require self addressed stamped envelope
Re-records require reason listed at top of document and must be re-acknowledged
When adding a spouse to a title, a Warrant Deed is required
When recording certified copies, a cover sheet must be used
Homestead Affidavits must be recorded as separate documents
Assumptions of Mortgage must reference previously recorded mortgage by recorded date, book & page, or instrument number

Death certificates must include **Affidavit of Surviving Spouse** and be recorded as an exhibit, not as separate document, and must include the following verbiage: "Surviving Spouse of ____ deceased, acting here both individually and as surviving partner of the marital partnership, ____ deceased pursuant to Texas Probate Code Section 160". Must include two signatures, one as individual and one as surviving spouse.

Blanket Assignments: Generally accepted for an additional fee

Blanket Releases: Generally accepted for an additional fee

Completion Time: 1 day - 2 weeks

Texas County Specifics

Bexar County 3 1/2" margin required at bottom of last page, penalty fee applies for non-compliance

Bowie County 4 " margin required at bottom of last page, penalty fee applies for non-compliance

Camden County Re-Records must be re-acknowledged

Collin County 3 - 4" margin required at bottom of last page, penalty fee applies for non-compliance

Death certificates must be included as an Exhibit

Galveston County 3 1/2" margin required at bottom of last page, penalty fee applies for non-compliance

Hunt County 4 " margin required at bottom of last page, penalty fee applies for non-compliance

Nueces County Clarity pages not accepted

6 " margin required at bottom of last page, penalty fee applies for non-compliance

Passaic County Corrective documents not accepted for re-records