Enrolled

House Bill 2560

Sponsored by Representative GILMAN (at the request of Dee Berman)

CHAPTER ....

AN ACT

Relating to county clerk rerecording of instruments; amending ORS 205.244.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 205.244 is amended to read:

205.244. (1) [*Any*] **An** instrument that has been previously recorded may be rerecorded to make corrections in the original instrument.

(2) The county clerk shall record [*any*] **an** instrument presented for rerecording as provided in subsection (1) of this section. The corrected instrument need not be acknowledged again. The person presenting the instrument for rerecording shall cause a rerecording certificate to be affixed to the first page of the instrument or **to a cover sheet authorized by ORS 205.234 (2)** added as a new first page to the instrument. The rerecording certificate shall contain the words "RERECORDED **AT THE REQUEST OF** _____ TO CORRECT _____. PREVIOUSLY RECORDED IN BOOK _____ AND PAGE _____, OR AS FEE NUMBER _____."

(3) A certified copy of a recorded instrument may not be altered for the purpose of correcting the original instrument. The person presenting the instrument may present an unaltered certified copy of the recorded instrument when it is attached to a cover sheet authorized by ORS 205.234 (2). The cover sheet must contain the rerecording certificate described in subsection (2) of this section. The rerecorded document may include attachments identified on the cover sheet that are necessary to make the corrections.

[*(3)*] **(4)** A county clerk shall not incur civil or criminal liability, either personally or in an official capacity, for recording a corrected instrument under this section.

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Passed by House March 20, 2009

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Chief Clerk of House

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Speaker of House

Passed by Senate May 29, 2009

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President of Senate

Received by Governor:

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Approved:

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Governor

Filed in Office of Secretary of State:

........................M.,.., 2009

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Secretary of State