

Land Recording Guide

Dear Neighbor,

Welcome to the Nassau County Clerk's Office of Land Recording, 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.

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 impact the recording of documents in this office, please visit our website at: <http://nccivicplusweb.nassaucountyny.gov/458/County-Clerk>

Very truly yours,



Recording a Document

Documents Recorded in this Office:

- Mortgages
- Deeds
- Satisfaction of Mortgages
- Powers of Attorney
- Map Filings

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 our website at <http://nccivicplusweb.nassaucountyny.gov/465/Forms>

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** - Real Property Transfer Report.
- **NYS Form IT-2663**- Nonresident Real Property Estimated Income Tax PaymentForm (*revised annually*).

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

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. Names of parties and acknowledgments should match throughout the document (*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.
 - c. Name, address and telephone number must be imprinted on all 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. A schedule of all fees (**which are subject to change**) can be found in the packet provided by the County Clerk or on the Clerk's website.
5. When requesting a certified copy simultaneous with the recording of a document, a copy of the document to be certified and a self-addressed, stamped envelope must be included, along with the additional fee.
6. If a receipt is requested when recording by mail, a self-addressed, stamped envelope must be included.
7. Land Records are important legal documents. The filer is urged to record the documents in person to avoid processing delays.
8. These documents affect property ownership and rights, so it is important to consult an attorney.
9. To record documents by mail, send to:
Nassau County Clerk
240 Old Country Road - Room 105
Mineola, NY 11501
10. To record documents in person, go to:
Office of the Nassau County Clerk
240 Old Country Road - Room 105
Mineola, NY 11501
11. **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.**

NOTE: To record a document in person, it must be presented no later than 4:00 pm.

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. Photocopies are not acceptable.
- b. For additional information about this form, please visit the New York State Office of Real Property Services' website: www.tax.ny.gov/forms/orpts/sales.htm
- c. A nonresident 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 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).