

ESS

Electronic Services System – Standards Subcommittee Meeting

Agenda

October 18, 2022

8711 Windsor Parkway, Suite 2, Johnston, Iowa

10:00 A.M. to 3:30 PM

- **Welcome and Introductions**
- **July 19, 2022, Meeting Summary – Approval**
- **Committee Nominations and Appointments**
- **ESS Treasury Management Update**
- **MOU Update**
 - Recorders Manual
 - Preparations for 2023 Session – Trade Names
 - District Meetings, Fees, Vital Records
- **Legislative Update**
 - Stakeholder Discussions
 - ESS Terms of Use
 - ESS API and Batch Transfer Authorizations
 - Smart Contracts Working Group (update ppt)
 - Legislative Engagement
- **Policies and Procedures**
 - Technical Updates – 1.6(5), 1.10, 3.2(2), 3.6(3)
 - Compensation of Members – 1.6(10)
 - New Section 1.14 – User Authentication Policy
 - Bill of Sale-Bargain and Sale – 3.5, 3.6
 - Processes for refunding transfer tax paid in error – 4.7
 - P&P Technical Corrections –
 - Formatting - 5.4(1)f, h, k, n
 - Smart Contract Reference
 - Document “Decline”
 - New Section - Recording Stamp Area 3.3(13)
 - New Definition & Practices – Standard Index Legend 3.1, 3.3(11), 5.1, 5.4(1)c,
 - New Section - Cover Page Policy
 - Definition – Attestation Statement - 3.1
 - Cover Pages – 3.15(1)
 - Cover Pages Not Legal Instrument – 3.15(2)
 - New Subsection – Preparer and Return Information – 5.4(1)t
 - Clayton County First Page Concept
 - Electronic Submission Processing Modifications – 5.5
 - Procedures for Consistent Document Processing
 - Minor Variation Clarification
 - Associated References – 3.9
 - Parcel Identification Numbers – 3.10
 - Temporary Document Restriction – 6.9
 - Easement Images

- **Software Development Update**
 - Lean Techniques Work Authorization **LT-2.1 and 2.2– CAS**
 - ADMIN2-Production (Payment-E-Submission)
 - Authentication Changes – Workflow and Transition
 - Users, Legacy Search Functions
 - Legacy Modifications – Search Constraints
 - E-Submission REST API Status
 - Portal REST API Development
 - Declined Documents Workflow Modification
 - Linn County Registration Renewal Project – ESS Payment Integration
- **Software Development – ILR Search Functions**
 - Final Survey Results
 - Preliminary Direction – Next Generation Search Application
 - Committee Discussion and Guidance
- **PRIA/MISMO/ITG Policy Discussion Update**
 - Policy Request Update
 - Operating Rules Status
- **Option for Future Backfile Scanning Process**
- **Subcommittee Member Topics**
- **Adjournment**
- **Next Regular Meeting: January 17 or 19, 2023**

**Standards Subcommittee Meeting
Meeting Summary
July 19, 2022**

Participants

Ashten Wittrock, Carroll County Recorder	Jolynn Goodchild, Plymouth County Recorder
Jayne Schultz, Winneshiek County Recorder	Joan McCalmant, Linn County Recorder
Janelle Schneider, Adair County Recorder	Mindy Fitzgibbon, Henry County Recorder

Other Participants

Nancy Booten, Lee County Recorder	Sheri Jones, Jones County Recorder
Phil Dunshee, Iowa Land Records	Lisa Long, Iowa Land Records
Kati Ross, Iowa Land Records	Census Lo-liyong Iowa Land Records

Welcome

A meeting of the ESS Standards Subcommittee was held via web conference. Policy Coordinator Census Lo-Liyong was welcomed as a new member of the ILR team.

April Meeting Summary

The Subcommittee reviewed the April 21, 2022, meeting summary. Janelle Schneider made a motion to approve the meeting summary. Joan McCalmant seconded, and the motion was approved.

ESS 28E Transition Update

The Subcommittee received an update regarding the completion of the Hamilton County adoption of the 28E agreement. The agreement has been filed and recorded in Hamilton County, and the agreement has also been filed with the Iowa Secretary of State's office. This completes the process of amending the 28E agreement for the Electronic Services System, and no further action is required.

The Subcommittee also received an update on the establishment of a new bank account for the Electronic Services System. In summary, a procurement process was initiated, and Bankers Trust was selected as the approved bank. The documentation to set up the Treasury Management account with Bankers Trust has now been completed. The next steps will include internet banking training, and the transfer of assets and financial operations to the Bankers Trust account. The expected date of completion is the end of this calendar year. This action will likely eliminate the need for the Iowa County Records Association to file a 990 return in 2024. ESS auditors have been informed of these changes.

Policy Update

Groundwater Hazard Implementation – Cover Pages

The Iowa Land Records team co-hosted a training webinar with the Iowa Department of Natural Resources on the new Groundwater Hazard Statement filing policy. Generally, it was reported that while there were requests for assistance during the first few business days in July, the implementation of the new policy appears to be working as expected.

It has been observed that there may be some variance in opinion among attorneys and counties regarding what is considered the first page of the document (the cover page or the first page of the conveyance document). Generally, counties are recording documents which include the groundwater exemption statement even when the location of the statement in the documents may vary. The inclusion of the exemption statement does fulfill the intent to include it when no reportable conditions

are present. This may be a topic of further discussion with the real estate section of the Iowa State Bar Association.

Software Development Update

E-Submission Image Management (Implementation Update)

Enhancements to the E-submission image management process were completed and it is working well. There is still a challenge with a small percentage of images that have a high proportion of dark images (such as a scanned image of a black and white photo accompanying an easement or groundwater hazard statements). In some instances, the process is resulting in a false positive for submission errors (prior to review by a recorder). The development team was in the process of fine tuning the image filter to produce fewer errors. Further training for submitters may also be considered to improve the quality of images submitted as attachments to documents.

Payment API Developments

The Project Manager reported that the new payment API has been implemented. Additional steps to connect the new API to other ILR services are in development.

Exemption Workflow

It was reported that the new submitter workflow for selecting exemptions had been completed and moved into production.

Decline Reason Workflow - Demo

The Subcommittee viewed a demonstration of some possible changes to the interface for recorders with respect to decisions to decline a document. A different and expanded set of decline reasons is being considered for implementation.

Pending Payment/E-submission Admin Developments

The ILR development team continues to develop the updated interface for administering the E-Submission and Payment applications. This is necessary before the legacy E-Submission and Payment services can be fully retired.

Support Backlog

Portal (search) application development is currently in the planning stages. Prior to the start of coding for the new portal application, the Iowa Land Records development team will be taking some time to focus on the backlog of support related issues for counties.

The ILR development team will also be reserving time to assist local service providers with the implementation of the new E-Submission API.

Policies & Procedures

Chapter 8 Update

A technical amendment to Chapter 8 of the Policies and Procedures was presented for consideration. The Chapter included references to the previous 28E agreement structure. With the adoption of the 28E amendment, direct references to the ICRA Executive Board needed to be removed. Under the amended structure, the governing authority for the Electronic Services System is the ESS Coordinating Committee, and the role of the ICRA Executive Board is to appoint the members of the ESS Committee. Joan McCalmant made a motion to approve the proposed amendments to Chapter 8 of the Policies and Procedures. Ashten Wittrock seconded, and the motion was approved.

Search Engine Development Planning

The Subcommittee was informed that ILR will be holding meetings with stakeholders and industry focus groups in the coming weeks to discuss future updates to the portal search engine. The content of a presentation outline was shared with the Subcommittee. The Subcommittee advised the team to be cognizant of the potential effects on county revenues if policies concerning “batch transfers” were to be changed. It was noted that those issues would be accounted for in the planning process.

PRIA Policy Discussion Update

The Project Manager presented the Subcommittee with a packet of correspondence with PRIA concerning the public land registry. This included a memo from ESS to the PRIA Board of Directors that had been shared with other PRIA members who are recorders or registrars in other states. The ILR team was thanked for representing the interests of the public and county recorders to PRIA.

The meeting was adjourned at 12 PM.

Next Meetings: **October 18, 2022 (Regular Meeting)**

Standards Subcommittee Member Terms

Subcommittee Basics:

Term Lengths:	2 years
Nominated By:	ICRA District Members
Appointed By:	Chair of the ESS Coordinating Committee (Recent practice – approved by the full Coordinating Committee)
Term Lengths:	2 years
Number of Terms:	Multiple and consecutive terms are allowed
Eligibility:	County Recorders and Deputy Recorders are eligible to serve on the ESS Coordinating Committees and Subcommittees
Stakeholders:	While not common, stakeholders who may be represented on the ESS Coordinating Committee may also serve on Subcommittees
Officers:	The Subcommittee will designate a member to serve as Chair who will facilitate conduct meetings

ESS – 1.9 Development of Policies and Procedures.

(Iowa Code Section 331.604, Subsection 3(a))

1.9(1) ESS Standards Subcommittee. An ESS Standards Subcommittee is established to assist with the review and development of policies and procedures for county indexing, imaging and archiving systems and standards for the Electronic Service System and the county land record information system. The Subcommittee shall perform the following duties.

- a. Assist with the review and development of policies and procedures for the following:
 - i. Operating policies for the county land record information system
 - ii. Policies relating to the transfer of information from county systems to the county land record information system
 - iii. Policies relating to indexing systems
 - iv. Policies relating to document images
 - v. Policies relating to local indexing and imaging systems
- b. Assist with the review or development of other policies and procedures as requested by the ESS Coordinating Committee

STANDARDS SUBCOMMITTEE

Jayne Schultz	Winneshiek	1/01/22 -12/31/23	2
Joan McCalmant	Linn	1/01/22 -12/31/23	6
Janelle Schneider	Adair	1/01/21 -12/31/22	4
Jolynn Goodchild	Plymouth	1/01/21 -12/31/22	3
Ashten Wittrock	Carroll	1/01/22 -12/31/23	1
Mindy Fitzgibbon	Henry	1/01/21 -12/31/22	5



Last statement: July 29, 2022
 This statement: August 31, 2022
 Total days in statement period: 33

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ELECTRONIC SERVICES SYSTEM
 8711 WINDSOR PKWY SUITE 2
 JOHNSTON IA 50131-2296

Direct inquiries to:
 515-245-2863

Bankers Trust Company
 453 7TH Street
 Des Moines, IA 50309

Commercial Checking-Analysis

Account number		Beginning balance	\$100,000.00
		Total additions	350,000.00
		Total subtractions	1,019.43
		Ending balance	\$448,980.57

DEBITS

Date	Description	Subtractions
08-16	' Analysis Service Fee	169.43
	NET ACCOUNT ANALYSIS FOR 07/22	
08-18	' Electronic Bill Pay	850.00
	YBACZWTS OFFICE OF AUDITOR 1917162	

CREDITS

Date	Description	Additions
08-05	Deposit	50,000.00
08-11	Deposit	50,000.00
08-15	Deposit	50,000.00
08-18	Deposit	50,000.00
08-22	Deposit	50,000.00
08-25	Deposit	50,000.00
08-25	Deposit	50,000.00

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
07-29	100,000.00	08-15	250,000.00	08-22	348,980.57
08-05	150,000.00	08-16	249,830.57	08-25	448,980.57
08-11	200,000.00	08-18	298,980.57		

Thank you for banking with Bankers Trust Company



Last statement: August 31, 2022
 This statement: September 30, 2022
 Total days in statement period: 30

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ELECTRONIC SERVICES SYSTEM
 8711 WINDSOR PKWY SUITE 2
 JOHNSTON IA 50131-2296

Direct inquiries to:
 515-245-2863

Bankers Trust Company
 453 7TH Street
 Des Moines, IA 50309

Commercial Checking-Analysis

Account number	XXXXXX3596	Beginning balance	\$448,980.57
		Total additions	.00
		Total subtractions	105.30
		Ending balance	\$448,875.27

DEBITS

Date	Description	Subtractions
09-20	* Analysis Service Fee	105.30
	NET ACCOUNT ANALYSIS FOR 08/22	

DAILY BALANCES

Date	Amount	Date	Amount	Date	Amount
08-31	448,980.57	09-20	448,875.27		

Thank you for banking with Bankers Trust Company

CCD Entry Detail Record

FIELD	1	2	3	4	5	6	7	8	9	10	11
DATA ELEMENT NAME	RECORD TYPE CODE	TRANSACTION CODE	RECEIVING DFI IDENTIFICATION	CHECK DIGIT	DFI ACCOUNT NUMBER	AMOUNT	IDENTIFICATION NUMBER	RECEIVING COMPANY NAME	DISCRETIONARY DATA	ADDENDA RECORD INDICATOR	TRACE NUMBER
Field Inclusion Requirement	M	M	M	M	R	M	O	R	O	M	M
Contents	'6'	Numeric	TTTTAAAA	Numeric	Alphanumeric	\$\$\$\$\$\$\$¢	Alphanumeric	Alphanumeric	Alphanumeric	Numeric	Numeric
Length	1	2	8	1	17	10	15	22	2	1	15
Position	01-01	02-03	04-11	12-12	13-29	30-39	40-54	55-76	77-78	79-79	80-94

Field Name

Entry Information

- Record Type Code: This is the first position of all records formats. The code is unique for each record type. The code identifying an Entry Detail Record is 6.
- Transaction Code: Two digit code identifying the account type at the receiving financial institution.
- Receiving DFI Identification: First 8 digits of the Receiver's bank transit routing number at the financial institution where the Receiver's account is maintained.
- Check Digit: Last digit of the Receiver's Bank transit routing number.
- DFI Account Number: Receiver's account number at their financial institution. If the account number exceeds 17 positions, only use the left most 17 characters. Any spaces within the account number should be omitted when preparing the entry. This field must be left justified.
- Amount: Transaction amount in dollars with two decimal places. Left zero fill if necessary. Enter 10 zeros for prenotes.
- Identification Number: This is an identifying number by which the Receiver is known to the Originator. It is included for further identification and descriptive purposes.
- Receiving Company Name: This is the name identifying the Receiver of the transaction.
- Discretionary Data: For you company's internal use if desired. No specific format is required.
- Addenda Record Indicator: If there is no addenda accompanying this transaction enter "0". If addenda is accompanying the transaction enter "1".
- Trace Number: Bankers Trust will assign a trace number. This number will be unique to the transaction and will help identify the transaction in case of an inquiry.

MOU Update

1. Recorders Manual

The Recorders Manual is going through a review process. The aim of the review process is to produce a manual that is a comprehensive document that is also user-friendly, concise, and where appropriate, leverages knowledge from the different states. This process involved assigning chapters to Recorders (and Deputy Recorders) and setting up virtual meetings to review each chapter. Before each meeting, the Policy Coordinator researched each subject matter including manuals from other states, PRIA standards and legislation.

Each chapter had two recorders assigned and thus far, 8 chapters have gone through a first phase of review. Across all the chapters, the review found that most of the chapters copied the actual legislation, but more work is needed to summarize and explain the law. We also came across sections using outdated codes and some errors in the interpretation of the code. Most of the legislative text will be removed and replaced with the name and hyperlink of the code. In some chapters, certain sections will be moved to a different chapter for consistency reasons. The references to social security numbers will be modified to conform to current law. Recorders reported that certain fees were determined by the board of supervisors within the county, hence a lack of consistency when accessing records.

The list of chapters and assigned persons are attached including summary of future steps.

Name	Volunteer	Meeting Notes
1 -The Office of the County Recorder	Julie Hagerty & Ashley Marasco	
2 - Management of Public Records	Mary Ward & Miranda Bills	
3 - Real Restate Conveyance	Sue Meyer and Amy Assink	Most notable edits include adding hyperlink of the legislation, summarize the legislation and remove the section on Notarial Act as that is not the correct section. Under plat requirements, a section will be added on 11x17 e-submission requirements. Some of the edits require including the list of documents needed for "Vacation of plat", a GWHS amendment and clarity on transfer taxes.
4 - ESS	ESS	The proposed amendments to Ch 1,3,4,5 will be discussed in the Standards meeting.
5 - Uniform Commercial Code	Kathy Jurries & Amie Griesse	More work is needed to provide historic context to the UCC. Counties set their different fees based on the Board of Supervisors. The volunteer Recorders will follow up with the other counties.

6 - Tax Liens	Natalie Steffener & Ashten Wittrock	The tax lien chapter requires edits mainly on delineating the responsibilities of the Recorders and the SOS. Clarity is also needed on the Revenue payment process. The Act requires that counties should bill the Revenue service but currently the Revenue service deposits the funds once the documents are recorded.
7 - Business Documents	Lisa Kent, Nancy Booten & Melisa Bahnsen	Changes include removing verbiage, adding hyperlinks, and including the trade name section in this chapter. The chapter will consist of business documents that are filed with the Recorders. The sections on state Banks, housing, horizontal property, and timeshare will be kept.
8 - Vital Records	Carolyn Siebrecht & Karen Benschoter	The chapter requires some cleanup and the new fee structure from DHHS. Adoption records will be moved from chapter 9 to this chapter. Counties do not charge a uniform fee for services (record search and non-certified copies. DHHS has requested that all the Recorders remove the vital record application forms from their website.
9 - Outdoor Pursuit	Teresa Sackett & Lisa Grinna	10/14
10 - Miscellany	Lisa Kent, Nancy Booten & Melisa Bahnsen	10/17
11 - ICRA bylaws	Travis Case and Megan Clyman	
12 - ICRA Certification	Tracy Marshall and Ann Ditsworth	
13 - Indexing Grantor/Grantee Names	Lindsay S. Laufersweiler and Courtney Bender	Possible use of the recent PRIA indexing practices paper has been discussed. This issue will go back to ICRA Executive Board. The punctuation requirement might not be compatible with other software (e.g Legacy) and might need to be reserved as is.
14 - Attorney General Opinions	Steve Brick, Brick Gentry	Phil will be discussing this with Steve to explore ways this information can be maintained.
15 - Legislative Summaries	Stacie Herridge & James Cheek	The new edits to the legislative summary include organizing the legislation based on issues / chapters. It will simplify the process of finding updates. Hyperlinks will also be included to simplify access to the law. The 2018 legislation is missing from the list.
16 - Best practices and Case Studies	NA	
17 - Forms	Kim Anderson	

2. Preparations for 2023 Legislative Session

ICRA proposed possible adjustments to the trade name legislation. The proposed adjustment is currently being researched with updates to follow. It is tentatively included in the ISAC legislative agenda.

3. District Meetings

Census and Lisa will be attending a District 1 meeting on November the 15. The two are also planning to attend other District meetings including local PRIA meetings, (Heart of Iowa chapter is planned on the 25th of October 2022 at 1pm).

4. ISAC Future Discussion of Fee Policies

Based on legislative priorities from ISAC, many fees have not been adjusted in many years, and the increased local government expense is funded by the property taxpayer. The aim is to explore a modernized fee structure that will cover the cost of providing service and to reduce the burden on property taxpayers. ILR will be following the progress of this discussion.

5. Potential legislation on Vital Records

A proposal to amend the vital records law is being considered. The purpose is to simplify access to public vital records.

SOLUTION: Amend Iowa Code to require property taxes and assessments be paid up prior to any splitting or combining of parcels.

Property Tax Sale Postponement or Cancellation

PROBLEM: Under current law, the annual property tax sale for delinquent taxes is set for the third Monday in June and allowed to be moved to a different date in June if for good cause it cannot be held. Previous natural disasters and the COVID-19 pandemic proved that a later date in June is not always possible.

SOLUTION: Amend Iowa Code §446 to allow the county treasurer to postpone the tax sale on a monthly basis or cancel the sale and offer the parcels at the next annual tax sale if taxes remain delinquent.

Resource Enhancement and Protection (REAP) Funding

PROBLEM: The Resource Enhancement and Protection (REAP) Program is consistently underfunded by the state legislature. This program invests in the enhancement and protection of the state's natural and cultural resources. The program impacts: Conservation Education, Roadside Vegetation, Historical Resources, Public Land Management, City Parks & Open Spaces, Soil & Water Enhancements, County Conservation Boards and State Open Spaces. The diverse impact of REAP is what makes it such a far-reaching and popular program. All groups in the REAP Alliance firmly reject any changes to the REAP distribution formula. REAP is the only state program which provides annual funding to enhance efforts of County Conservation Boards. The program is scheduled to sunset in 2026.

SOLUTION: ISAC supports full funding of REAP through the Natural Resource & Outdoor Trust Fund. An increase in Iowa's sales tax automatically fully funds REAP, now and into the future. The fallback solution is to fully fund the program through gaming receipts as originally intended and extend the sunset for at least another 10 years (2036).

Trade Name Filing

PROBLEM: Under current law, only a sole-proprietorship or partnership is required to register for a trade name with the county recorder when necessary. Recorders are seeing an influx of domestic and foreign entities registering for trade names for various reasons, including to meet the requirements to register to bid at an annual tax sale. The process would be more efficient and provide more transparency if these entities registered with the Office of the Secretary of State.

SOLUTION: Amend Iowa Code §547.1 to require entities organized, incorporated, or authorized to do business in this state as a limited partnership, limited liability company, corporation, professional corporation, cooperative or cooperative association, or a nonprofit corporation to register with the Office of the Secretary of State.

Unfunded County Mandates for Communicable Disease Mitigation

PROBLEM: Iowa Code dictates that counties are responsible for expenses incurred when an individual is in isolation. The expenses could be used for housing, food, medical, and any other expenses that are needed while in isolation. Isolation times vary depending on the disease as Tuberculosis could be six weeks along with Monkey Pox which is three weeks along with other diseases. This has placed an unfair financial burden on Iowa counties as this has not historically been an expense in public health budgets and the state of Iowa incurs no expense.

SOLUTION: Amend Iowa Code to direct that if the Iowa Department of Health and Human Services issues an isolation order, that the state cover the expenses associated with the conduct of that order.

Veteran Service Officer Education/Training Fund

PROBLEM: Counties are required to employ a nationally accredited county veteran service officer (VSO), which requires not only initial training and testing, but continuing education requirements to maintain the accreditation. The annual appropriation to each county commission of veteran affairs for services for veterans may not be sufficient to cover national training needed to maintain accreditation or the commission may choose other priorities for those funds.

SOLUTION: Increase the annual appropriation to the county commissions of veteran services by \$3,000 per county to be used specifically for national training and related expenses for VSOs and appropriate staff.

Zoning Commission/Board of Adjustment Membership

Factors outside the control of compensation boards, department governance boards, and boards of supervisors often affect the duties and responsibilities of county officials and departments, with little consideration given when compensation packages are decided. Response to a global pandemic and continually changing election laws are two examples of these factors. ISAC supports more thoughtful consideration of the changing duties and responsibilities of each elected and appointed official and county department when recommending and approving compensation packages. This review should be fair and equitable to all parties, provide a realistic wage reflecting current duties, and meet the ever increasing need to attract and retain county employees.

County Technical Clean-Up Legislation

County officials, including auditors, recorders, and treasurers, occasionally have technical concerns with Iowa Code. Those who work in these areas annually identify technical improvements that can be made to allow their offices to operate more efficiently for both the customers and those who are working in and managing those offices. ISAC supports the efforts of each of these affiliates in bringing forward technical bills to address noncontroversial improvements.

Electronic Meetings

The state open meetings law allows a government body to conduct a meeting by electronic means only in circumstances where such a meeting in person is impossible or impractical. The term impractical is open to interpretation and has produced differing legal opinions given various circumstances. Furthermore, counties now use electronic meeting technology not contemplated by current law that often allows more access and transparency than fully in-person meetings. ISAC supports striking “only in circumstances where such a meeting in person is impossible or impractical” from Iowa Code §21.8(1). This authorizes a governmental body to conduct business by electronic means regularly or on occasion, at its discretion, so long as all other open meetings requirements are met.

Election Hours

As a result of recent issues affecting the conduct of elections, the need to provide more timely election results, and the continuing challenge to attract and retain poll election officials, ISAC supports the following:

- Allow polls to open at 12:00 pm (noon) for special elections.
- Allow polls to open at 12:00 pm (noon) for city/school elections for cities with populations under 3,500.

Geographic Information Systems (GIS)

Geographic Information Systems (GIS) data is playing an increasingly important role at all levels of government. The implementation and maintenance of an up-to-date system is vital to many county functions and is necessary to meet the increasing demands from the public and government agencies for spatial information. ISAC supports the collaborative efforts among multiple government agencies that are engaged in the Iowa Geospatial Infrastructure program. ISAC encourages continuing efforts toward building partnerships and the identification of funding for sustainable and integrated GIS at all levels of government.

An accurate census count is important to both states and local jurisdictions for many reasons, including electoral representation and federal assistance programs. The address information provided by the Census Bureau is not comprehensive so accurate address maintenance falls to local jurisdictions. GIS is critical in ensuring local address lists are up-to-date, and as a result, the information provided to the Census Bureau is as accurate and complete as possible. In the case of federal assistance programs, it is estimated that just a 1% undercount in the 2010 Census would lead to over \$38 million less in Federal Medical Assistance Percentage (FMAP)-based program funds to the state of Iowa. ISAC supports the establishment of a state-funded grant program or annual state allocation to local jurisdictions for GIS programs undertaking address maintenance efforts.

Guardian Ad Litem Fees

Iowa Code §915.37 provides that a prosecuting witness who is under age 18 in sexual abuse cases is entitled to have a guardian ad litem appointed to represent the child’s interest in the case. This is an important role as child witnesses as otherwise the child does not have an advocate within the court proceedings. In 2002 the Iowa Supreme Court found that the indigent defense fund for the state should pay for these guardian ad litem fees. See *State Pub. Defender v. Iowa District Court for Wapello County*, 644 N.W.2d 354 (Iowa 2002). Then, in 2003 the legislature amended Iowa Code §815.11 to specifically exclude payments pursuant to Iowa Code Chapter 915. This has left counties in the position of having to pay for legal fees that should be paid by the state. Striking the exclusion of Section 915 from Iowa Code §815.11 would require the state once again pays for guardian ad litem fees for child witnesses in sexual assault cases.

Iowa Public Employees’ Retirement System (IPERS)

ISAC supports a sustainable, cost-efficient retirement plan for county employees that serves to attract and retain high quality employees and provides them with a stable and secure income in retirement. The Iowa Public Employees’ Retirement System

(IPERS) provides such a plan to county employees and retirees. Any legislative change to IPERS should come only following thoughtful deliberation and engagement with ISAC as well as county employers and employees. ISAC opposes any dramatic changes to the contribution or benefit structure that would affect past, present, or future county employees.

Maintaining County Elected Officials

Having a full slate of local elected officials – and keeping them accountable every step of the way – is the best guarantee of a government that is fiscally responsible yet visionary, and always ready and able to promote the best that counties have to offer. Autonomous elected officials have the incentive to strategize with peers to improve services to the public, to organize offices in the most efficient manner in providing good value to constituents, and to budget wisely in a very public setting. Local elected officials know their customers and business partners – both public and private – and understand how legislation affects all aspects of their offices. County elected officials are accessible and can be contacted by the public at any time for discussions and questions. They work collaboratively with each other to provide a comprehensive planning process to guarantee the effective use of our tax dollars. Standing for election every four years gives the public the opportunity to scrutinize choices and accomplishments. ISAC supports elected officials representing county government.

Composition of the Conference Board

The conference board consists of elected officials from the three largest property taxing jurisdictions (schools, cities, and counties) and is responsible for appointing the assessor, approving the assessor's budget, and acting as a governance board for the assessor. Members of the conference board represent the property taxpayers of their respective jurisdictions and the voters that elected them in fulfilling these duties. Adding individual property owners as voting members of the conference board, especially if they make up their own voting unit equal to that of the combined vote of all representatives from the taxing entities, is contrary to the roles and responsibilities of the conference board as an independent governance board without personal interest and contributes to the politicization of the office of the assessor. ISAC supports limiting conference board membership to representatives from the county, cities, and school districts.

Recent economic forces causing more school consolidations have caused the schools, as one of three major local levying authorities, to lose their conference board voting authority when the county has only one high school district. The Attorney General has opined that a single high school district would not constitute a voting unit for purposes of the conference board. ISAC supports changes to Iowa Code §441.2 that would allow the appointment of a second school board representative from the same district if there is only one high school district in the county.

Public Bidding of In-House Projects

Some counties and cities have the capacity to complete public improvement projects in-house that cost over the threshold amount for competitive bids or quotations. Iowa Code requires that for vertical infrastructure projects over \$145,000 a county must obtain competitive quotes, and county projects must be put out for public bid if a horizontal project is over \$120,000 or a vertical project is over \$196,000. If a county intends to complete a public improvement project in-house, the public bidding and quotation processes waste the time and resources of both the county and any private companies that submit a bid or quotation on the project. ISAC supports adding an exemption from the public bidding and quotation requirements of Iowa Code §§26.3 and 26.14 for local governments that have projects over the applicable threshold amounts that will be completed by in-house staff, in order to eliminate this inefficient use of local tax resources.

Public Sector Collective Bargaining

ISAC supports a Public Employment Relations Act that provides for a balance of management decision making and fairness to both the employees and taxpayers. ISAC would support a careful review and study of the current law and an open process to make any necessary revisions.

Registration/Title/Lien Release Across County Lines

Under current law a lien on off-road vehicles, vessels, and snowmobiles can only be released in the county in which they are registered. In the case of a sale, the registration by the new owner is often delayed while the paperwork is sent back to the seller's county recorder. ISAC supports allowing any county recorder to release the lien on any off-road vehicle, vessel, or snowmobile in the Recreational Vehicle and Vessel Registration System (RVVRS) regardless of the county of origin.

Retaining the Compensation Board

After years of unfair and discriminatory methods of setting the compensation for elected county officials, the Legislature enacted a law that is fair to the elected officers and to the public. The present law, which allows seven county residents to review and set the

compensation for elected officials with a built-in veto remedy by county supervisors, provides the proper checks and balances for the protection of the public and for the fair and equitable treatment of elected officials.

Support for County E-Government Services and Issues

Leadership at all levels of government should support and encourage open communication standards that will allow access to data and information. ISAC encourages transparent integration of e-government services at every level of government, while still respecting the boundaries and philosophies of policy makers and leveraging the capabilities of and investment in existing systems and infrastructure including electronic and credit card payment methods. Open communication standards will promote new and creative ways to use the services currently available and make delivery and integration of new services easier and more cost effective. Open communication standards offer pioneering agencies the freedom to choose appropriate support hardware, software, and service providers while maintaining connectivity with others. ISAC urges the Legislature to continue supporting counties in their endeavors to provide services electronically and encourages public/private partnerships.

Townships and Township Trustees

There have been ongoing discussions of the role that townships and township trustees play in Iowa's governmental system. It is important for local government to be as efficient and streamlined as possible. County officials realize that townships deliver needed services to Iowa's rural citizens, a fact often overlooked by critics. Therefore, any discussion of eliminating township government should include representatives of counties, including auditors, and other units of local government. One solution is to fund an interim committee of legislators, county officials, and township officials to study the duties and responsibilities of township officials and to determine if there is a more efficient and uniform method to accomplish the same tasks.

User Fees

There are a number of services that counties provide to the public that are subsidized by property taxes because the fees charged to the customers are not adequate to pay for the service. Many fees have not been adjusted in many years, and the increased expenses are funded by the property taxpayer. ISAC supports modernizing fees to cover the cost of providing the service in order to reduce the burden on property taxpayers. In the case of state services provided by the county, ISAC supports modernizing fees or adjusting the amount retained by the county or a combination of both.

Vehicle Registration Fee Refunds

If a vehicle owner trades vehicles and is owed a credit for the unused portion of the annual registration fee, the credit is not extended to the new vehicle if it is less than \$10. The unused portion of the registration fee rightfully belongs to the vehicle owner and should be credited to the registration fee due for the new vehicle regardless of the dollar amount. ISAC supports the removal of language disallowing unused registration fees under \$10 to be credited.

Writing Fees

Iowa Code directs the county recorder to collect a \$1.25 writing fee each for the registration, title, and application of a lien on a vessel. Iowa Code directs the county recorder to collect the same writing fee for the registration of snowmobiles and all-terrain vehicles, but the code is silent on writing fees for titles and application of a lien on these two types of vehicles. This omission and inconsistency in Iowa Code has caused confusion among dealers when they send in the fees, which can result in overpayment or underpayment leading to delays in the registration and/or titling of the vehicle. It also causes the county recorder to do the same work for different fees depending on the vehicle. ISAC supports aligning the fee structure for each privilege by allowing the county recorder to collect \$1.25 for each registration, title, and application of a lien for these vehicles.

Policy Statements – Environment and Public Health

Bottle Bill

In 2022, the Iowa Legislature and Governor made changes to Iowa's Bottle Bill. Among the changes, the portion of deposit fees collected going to redemption centers was doubled to two cents, and some of the requirements for grocers to take back containers were reduced. The deposit on containers continues to be five cents. This has not changed since the law was enacted in 1979, even though a nickel in 1979 translates to closer to a penny in 2022, providing much less of an incentive for people to return containers for recycling. Also unchanged are the types of containers that require a deposit – many of today's beverages have no deposit. ISAC continues to support a working group of interested parties to be convened periodically to examine the long-term viability of the Bottle Bill.

Casino Smoking Ban

The Iowa Smoke Free Air Act states that "environmental tobacco causes and exacerbates disease in nonsmoking adults and children sufficient to warrant measures that regulate smoking in public places, places of employment, and outdoor areas in order to protect

September 27 – Email to Stakeholders

Good afternoon!

Thanks to everyone who has provided comments and feedback concerning the policy concepts that were discussed in recent stakeholder meetings and through various electronic communications. Last week we met with representatives of Iowa Title Guaranty and the Iowa Land Title Association to discuss these concepts. Based on that discussion, and on all other communications we have had with other stakeholders; we believe that there may be sufficient consensus to move forward with two legislative proposals.

1. A proposal to solidify the authority of ESS and Iowa Land Records to establish a Terms of Service for the Iowa Land Records system.

Section 331.605B, Code 2022, is amended by adding the following new subsection: NEW SUBSECTION.

3. The governing board of the county land record information system shall establish policies and procedures for the operation of the system, and may establish reasonable limitations on usage, requirements for the authentication of users, the prohibition of illegal or unauthorized uses, and the prohibition of foreign access from a location outside of the United States.

2. A proposal to authorize ESS and Iowa Land Records to provide access to information through an API and on a batch basis in limited conditions (only between public agencies or aggregated anonymous data) to be defined in the Iowa Code.

Section 331.603, subsection 5(a) is amended to read as follows:

5. a. The governing board of the county land record information system shall not enter into an agreement to provide access to electronic documents or records on a batch basis except as authorized herein.

The governing board of the county land record information system may enter into an agreement to provide access to electronic documents or records on a batch basis or through an application programming interface to a public agency or governmental entity as defined by Iowa law or administrative rule. The governing board of the county land record information system may collect a fee for providing access to records or information through an agreement authorized as provided in this paragraph.

The governing board of the county land record information system may enter into an agreement to provide access to individual electronic documents or records through an application programming interface. The governing board of the county land record information system may collect a fee for providing access to records or information through an agreement authorized as provided in this paragraph.

The governing board of the county land record information system may enter into an agreement to provide access to aggregated anonymous data through an application programming interface or any other method. The governing board of the county land record information system may collect a fee for providing access to records or information through an agreement authorized as provided in this paragraph.

~~The~~ A county recorder may collect reasonable fees for access to county electronic documents and records pursuant to an agreement. The fees shall not exceed the actual cost of providing access to the electronic documents and records. "Actual cost" means only those expenses directly attributable to providing access to electronic documents and records. "Actual cost" shall not include costs such as employment benefits, depreciation, maintenance, electricity, or insurance associated with the administration of the office of the county recorder or the county land record information system.

Attached are updated background documents for your reference.

Please take a few moments to review these updated materials. As mentioned above, based on the comments and feedback received, there appears to be no objection about either of these proposals and a general consensus that we can move forward. We wish to be sure. If you have any further comments or questions, or if you have any concerns, please let me know. We wish to address any issues before submitting a formal request for legislation. Again, many thanks for your guidance and input.

Best regards,

Phil

Email Thread with a Stakeholder – Week of October 3

Personally, I don't have any problem with the terms of service amendment. Every online application pretty much needs to have them. The terms you eventually institute might be one of the few I actually read. Are you able to share who the bad actors are you're dealing with now, whether specific organizations or general industries?

Let me begin by inviting everyone to review our Current Terms of Use and Privacy Policies (see attached). The legislation being sought is intended to affirm and solidify our ability to adopt and implement these published policies. These have been adopted to prevent actors from simply scraping data from the system without permission for the purpose of building their own databases for marketing or other commercial purposes. The system wasn't built to do that. It was intended to be a resource for people working in the real estate industry and for citizens who wanted to look at their own records without having to go to the courthouse. We have received correspondence from some who have claimed that we can't do that because we are providing access to public records. We believe that the system should be able to set reasonable rules for its use.

If you have comments or suggestions for the current Terms, please let us know and we will run them through our policy process for review. We have a position for a real estate attorney on our governing board (currently David Erickson) so that you all have a voice.

I want to make sure I'm understanding the APIs and batch transfers correctly. It appears only governmental entities and public agencies would be allowed batch transfers of full data from documents in the system. Your interpretation is correct. The proposed language is intended only for the bulk data transfers to be with other public agencies such as DNR or Revenue. We considered whether to allow for certain legitimate commercial organizations to do the same – but decided not to go that far due to concerns from other stakeholders including ILTA. We have previously stated that some guardrails might be needed to take those next steps and that we needed to have a strong consensus on that to proceed. In our judgement that consensus doesn't exist – so we're NOT going there. The examples of possible organizations who might be interested in such a use included LexisNexis or CoreLogic – but we have received no requests from them.

The other API applications would apply only to aggregated and anonymous data, and access to searches for individual records only – not bulk transfers.

Aside from the fact that someone would need to be willing to spend the money to set up an API, there don't appear to be restrictions on who could use one to get individual documents or aggregated anonymous data. Some questions about this:

1. How will the requests for APIs be vetted? Do you expect internal policy restrictions on who CLRIS is willing to work with to create an API? Mainly I'm thinking of title insurance agencies and general data miners, but I'm sure there are others who might approach you for access who some would find undesirable. See the response above. If something was ever considered, we know that some guardrails would be needed, and there is much more work to do on that. To repeat – we are not pursuing methods for the bulk transfer of data for commercial purposes – public agencies only. If anyone wants bulk data – you have to continue to go to the individual counties as current Iowa law allows for that.

2. Do you plan on charging fees for setting up the API, for each batch transfer, for both? **As noted in the draft legislation, there could be a fee structure for access to an API for individual records, aggregated anonymous data, or with public agencies. But that would be subject to mutual agreement – we don't have a standard proposed fee structure. We would expect it to develop on a case-by-case basis. Mainly because building an API does have a cost. BE ASSURED – searching for individual records through the website will continue to be "fee free" as required by current law.**
3. For those without APIs, would the 120 document per day limit remain? **We completed a customer survey in August and received nearly 600 responses, and that was a question we asked. Over 90% of the respondents said that 120 per day was enough or more than enough. As we proceed with the redesign of the search engine – this will be reviewed. But the survey results give us confidence we are in the right ballpark. Note that the current Terms of Use does allow exceptions upon request.**

I hope I was able to adequately address your questions. Thanks very much for your comments. Happy to respond further as desired.

Phil

Will those with an API for individual records be limited to 120 per day? Or will that be case-by-case under your terms of service? Or will they be generally exempt from the limit?

Nothing has been developed yet, so we are speculating at this point. But with regard to APIs for searching for individual records, we anticipate that an intermediate party would not be searching but rather individuals using their services will be. Our thinking is that it would not be typical for any individual using a third-party service to exceed the “limit.” We will likely put some governor in place to prevent that from happening, and we would not want someone to be repeatedly searching to acquire a large volume of documents.

Here is a likely scenario. User goes to the third-party website and finds information about an individual property. They decide they would like to see the deed for the property (the most recent one). They click on a link that initiates a search to retrieve that one deed. The ILR API allows the third-party system to retrieve that document. If the user wants another document – they search through the third-party site for another property and then would repeat the same cycle. That’s the concept we are thinking of.

If the question is, would we support the use of an API to search for individual documents and allow it to be used to circumvent our policies? The answer is “no”.

Hope this helps!

Interesting. I know there are those outfits who advertise that everyone should have a copy of their deed and then charge people to send them a copy of something the people could easily get for free. Presumably that's not what we're talking about here? And you don't seem to anticipate this being something abstractors or other real estate professionals want to do, at least for individual records?

Sorry for all these questions. I appreciate you being responsive.

We just ran into a situation like you are referencing with our veterans. Check out this blog post on ILR. <https://iowalandrecords.org/third-parties-charging-for-military-records/>

We are not looking to help anyone take advantage of citizens. Rather, there are some who may legitimately wish to use a multi-state service to access information. For some consumers it may just be easier to go to a multi-state service rather than sign up for 50 – even with a fee involved. This happens all the time in E-Submission. We offer a browser-based submission service (with basically the lowest recording fees in the country), but we only serve Iowa. There are many, many people who use national third-party eRecording companies because they want to reach all states through one system – even when paying a premium for that privilege. This would be no different.

If abstractors and other real estate professionals have some ideas on things we can do to provide better service, through an API or other means, then we sincerely want to hear it. For now, we will be focused on improving our search service – which is intended to help professionals find the records they need. Any ideas are welcomed for how we could leverage an API that makes sense for our Iowa professional groups.

This “reply all” thread I’m sure has been helpful for everyone!

Iowa Land Records

DRAFT – User Terms and Conditions - DRAFT

Background. Iowa Land Records was created to provide business and citizen access to public records, enable electronic recording, and generally be a source of information and services for real estate professionals in the conduct of their professional responsibilities. Iowa Land Records has a large database of public records including land records and other legal documents. There are currently more than 22 million records posted for public access at <https://iowalandrecords.org/>.

In recent years there has been an increase in attempts to disregard normal usage by outside parties using fake identities or by attempting to circumvent security rules. Changes are being planned to address these concerns, and to strengthen procedures for managing access to the website and applications. As these steps are taken, it is important to back up these changes with state policy. The Electronic Services System, more commonly known as Iowa Land Records or the county land record information system, has established terms and conditions (see the attached current Terms of Use and Privacy policies) governing the use of the website <https://iowalandrecords.org/terms-of-use-portal/> and <https://iowalandrecords.org/terms-of-use-esubmission/>.

Website terms and conditions, also known as Terms of Service, Terms of Use or Disclaimer policies are widely used and accepted as a means for setting rules for the use of applications and information made available through the Internet.

Here are few examples of website terms and conditions used by State of Iowa officials and agencies.

- <https://www.iowaeda.com/terms-of-use/>
- <https://idph.iowa.gov/Terms>
- <https://www.legis.iowa.gov/law/disclaimer>
- <https://www.iowa.gov/policies>
- <https://sos.iowa.gov/disclaimer.html>
- <https://www.auditor.iowa.gov/privacy/>

After review with the various ESS and Iowa Land Records stakeholders, the following legislation is proposed.

Section 331.605B, Code 2022, is amended by adding the following new subsection: NEW SUBSECTION.

3. The governing board of the county land record information system shall establish policies and procedures for the operation of the system, and may establish reasonable limitations on usage, requirements for the authentication of users, the prohibition of illegal or unauthorized uses, and the prohibition of foreign access from a location outside of the United States.

It should be noted this change is primarily for the purpose of affirming the current Terms of Use, and that it is not intended to authorize any changes in fee policy. The provisions of Section 331.605B (2) will remain in force "... The governing board of the county land record information system shall not collect a fee for viewing, accessing, or printing documents in the county land record information system unless specifically authorized by statute."

Iowa Land Records

DRAFT - API Transfers: Public Agencies, Individual Records & - DRAFT Aggregated Anonymous Data

Background. There are currently more than 22 million records posted for public access at <https://iowalandrecords.org/>. Thousands of people search the database every month. A web browser interface with a search application is perfect for individuals and companies who search for individual documents about specific real estate transactions. The current Iowa Land Records policy is that individual users should not search for and view more than 120 documents a day. A recent survey showed that this was acceptable to more than 90% of Iowa Land Records users.

But if you are an organization with a business purpose that requires more than a few records, or if updated records are required daily, tasking a person to search for records through a browser is not very efficient. A little more than 8% of survey respondents indicated that 120 records a day was not enough.

There appear to be cases where legitimate organizations may need access to a higher volume of records. Some of them could benefit from access to an API (application programming interface). See the attached Exhibit A for more information about APIs.

Iowa Land Records suggests that consideration be given to a policy change to allow for the “batch basis” transfer through an Iowa Land Records API (Application Programming Interface) in specific circumstances. Iowa Code section 331.601A defines “batch basis” as “the delivery of an accumulation of electronic documents or records recorded or maintained by the county recorder.” The authorization would be limited to certain types of users or uses which have a legitimate regulatory need. Since any “batch basis” transfer is currently prohibited under Iowa law, an amendment to the Code is required to enable this process. Specifically, authorizations may be required in Section 331.603, subsection 5(a) of the Code.

The following are a few cases where an API makes sense.

Transferring data to other public agencies. A possible example might be groundwater hazard statements. These documents are recorded daily, and they provide information about wells, storage tanks and other features on property that are of interest. An API could be created to allow for regular transfer of these records to the Department of Natural Resources in service to an important policy goal. The current prohibition of transfers on a “batch basis” would prevent this from being implemented.

Transferring anonymous aggregated data. Government and private organizations might be interested in aggregated market data about real estate transactions. The information could be aggregated and summarized for a county or region. Information about individual transactions or the parties to those transaction would be anonymous. Looking at public records information in this way could help answer questions like “How many real estate mortgages were closed in SE Iowa for the second quarter of 2022?” An API could be created to allow for regular access to the aggregated anonymous data.

Depending on the format of the aggregated data, the current prohibition of transfers on a “batch basis” might prevent this from being implemented.

Iowa Land Records

DRAFT - API Transfers: Public Agencies, Individual Records & - DRAFT Aggregated Anonymous Data

Transferring and receiving data about individual properties. Some organizations might be interested in accessing public Iowa Land Records data about individual properties, but they would prefer to use their own computer interface. They would build their own application, integrate with an ILR API, securely “call” the ILR data, and then display it on their own devices or website. Such an organization might even charge customers a fee for their services, and they might be willing to pay an access fee to Iowa Land Records for the privilege. Other organizations may in turn be able to provide access to other property data that may be used by Iowa Land Records.

The “batch basis” prohibition would likely not prevent this, but it would require the development of an API. It seems prudent to secure clear authorization for this activity.

In order to proceed with the concepts of building APIs to facilitate the transfer of data to public agencies to transfer aggregated anonymous data, or to enable the transfer of information about individual properties through an API, some authorizing legislation may be needed. An amendment to accomplish this follows.

Iowa Land Records

DRAFT - API Transfers: Public Agencies, Individual Records & - DRAFT Aggregated Anonymous Data

The following language is presented to stakeholders for discussion. This language had not yet been drafted as of August, 2022, when the stakeholder meetings were held.

DRAFT LEGISLATION

Section 331.603, subsection 5(a) is amended to read as follows:

5. a. The governing board of the county land record information system shall not enter into an agreement to provide access to electronic documents or records on a batch basis except as authorized herein.

The governing board of the county land record information system may enter into an agreement to provide access to electronic documents or records on a batch basis or through an application programming interface to a public agency or governmental entity as defined by Iowa law or administrative rule. The governing board of the county land record information system may collect a fee for providing access to records or information through an agreement authorized as provided in this paragraph.

The governing board of the county land record information system may enter into an agreement to provide access to individual electronic documents or records through an application programming interface. The governing board of the county land record information system may collect a fee for providing access to records or information through an agreement authorized as provided in this paragraph.

The governing board of the county land record information system may enter into an agreement to provide access to aggregated anonymous data through an application programming interface or any other method. The governing board of the county land record information system may collect a fee for providing access to records or information through an agreement authorized as provided in this paragraph.

~~The~~ A county recorder may collect reasonable fees for access to county electronic documents and records pursuant to an agreement. The fees shall not exceed the actual cost of providing access to the electronic documents and records. "Actual cost" means only those expenses directly attributable to providing access to electronic documents and records. "Actual cost" shall not include costs such as employment benefits, depreciation, maintenance, electricity, or insurance associated with the administration of the office of the county recorder or the county land record information system.

EXPLANATION

This amendment would authorize the Electronic Services System and Iowa Land Records to provide access to certain data on a batch basis through an Application Programming Interface (API). A batch basis transfer method would only be authorized between public agencies, or when the data was aggregated and anonymous. It would also for access to information about individual records (not batch basis) through an API. Any fees, if applicable would be subject to the mutual agreement between ESS

Iowa Land Records

DRAFT - API Transfers: Public Agencies, Individual Records & - DRAFT Aggregated Anonymous Data

and the parties accessing information through an API. This legislation does NOT authorize the transfer of information on a batch basis to private entities except when it is aggregated and anonymous.

Access to the Iowa Land Records website and search engine would continue to be provided at no cost to the user. This is required under Section 331.605B, subsection 2 of the Iowa Code which reads: “A recorder or the governing board of the county land record information system shall not collect a fee for viewing, accessing, or printing documents in the county land record information system unless specifically authorized by statute.”

Individual counties would continue to be authorized to provide access to county electronic documents pursuant to an agreement.

Iowa Land Records

DRAFT - Addendum – What is an API? - DRAFT

What is an API? It is sharing information through an Application Programming Interface (API). Here's how Amazon defines an API. "APIs are mechanisms that enable two software components to communicate with each other using a set of definitions and protocols. For example, the weather bureau's software system contains daily weather data. The weather app on your phone "talks" to this system via APIs and shows you daily weather updates on your phone."

You can learn more about APIs from numerous sources including Amazon (<https://aws.amazon.com/what-is/api/>), Wikipedia (<https://en.wikipedia.org/wiki/API>), or Google (<https://www.google.com/> - just type "API")

Iowa Land Records has a large database of public records including land records and other legal documents. There are currently more than 22 million records posted for public access at <https://iowalandrecords.org/>. Thousands of people search the database every month, and annually there are more than 4 million searches. This is perfect for individuals and companies who search for individual documents about specific real estate transactions.

But if you are an organization with a business purpose that requires more than a few records, or if updated records are required daily, tasking a person to search for records through a browser is not very efficient. There is a better way – an API.

Does Iowa Land Records use APIs? Yes, for specific purposes. For example, there is an API that manages communications between the Iowa Land Records system and the recording systems in Iowa counties. When a new document is recorded in a county, the indexing information, and an image of the stamped, recorded document is transferred to Iowa Land Records through an API. ILR then posts the records for public access on the website. Electronic recording is also facilitated through an API for many customers. Did you know that the Iowa Department of Revenue submits many tax liens and lien releases for recording in Iowa counties through an Iowa Land Records API?

Can anyone access data through an Iowa Land Records API? No. Iowa law currently prohibits the county land record information system (Iowa Land Records) from entering into an agreement to provide access to electronic documents or records on a batch basis. See Section 331.603, subsection 5a of the Code of Iowa. The term "Batch basis" was defined in the legislation to be "the delivery of an accumulation of electronic documents or records recorded or maintained by the county recorder." See Section 331.601A of the Iowa Code. At the time of the legislative action in 2009, there were concerns about personally identifiable information (PII) contained in public records. The primary thrust of the legislation was to initiate a comprehensive redaction of PII from copies of the records prior to posting them for public access on the ILR website.

For many years now, every record posted online has been inspected for PII, and if present, the PII has been redacted. There are also systems in place to quickly remove public access to a record if PII is discovered.

Should anyone access data through an Iowa Land Records API? For most people, no. The ILR web site and search engine provide an easy and quick way to access specific records associated with a real estate transaction. Also, connecting to an API to retrieve data is not a trivial exercise. For most people and organizations, the costs of using an API would be challenging if not prohibitive. Development of APIs by Iowa Land Records also requires the investment of financial resources. Development of an API must make business sense for both the user and for Iowa Land Records.

From: phil@clris.com

Sent: Thursday, September 29, 2022 1:41 PM

Subject: Iowa Land Records Stakeholders - Different Topic - Distributed Ledger Technology

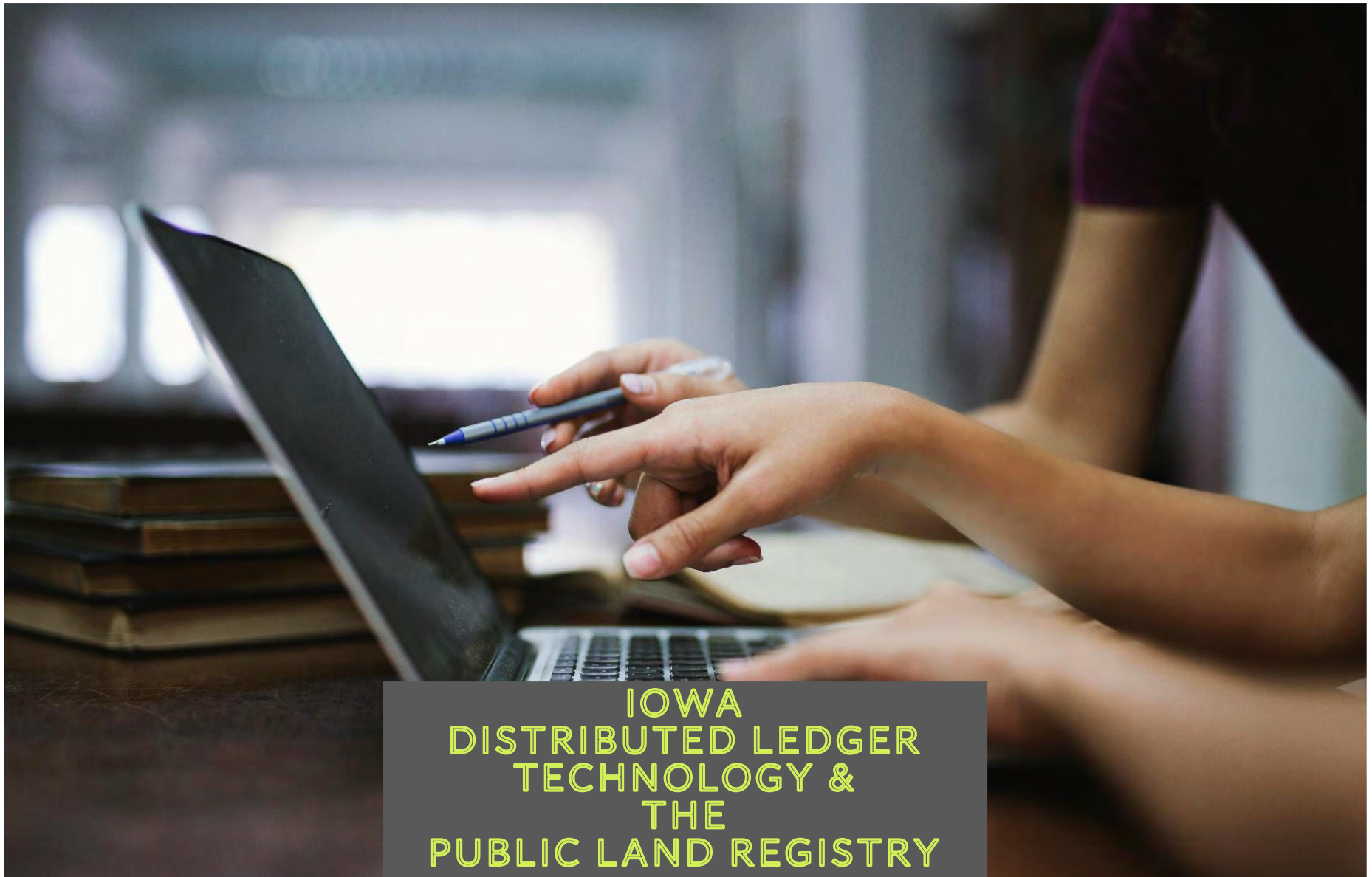
All,

You may recall that one of the topics discussed in our meetings last month was the idea of setting up a work group to consider topics relating to blockchain and distributed ledger technology. We've given this a little thought and would like to share with you some ideas that might provide a framework for such an activity. Please consider this to be DRAFT. The attached document includes a rough draft of a general policy or "mission" statement. It also includes a series of questions and processes for exploring the topic. The idea is to not just review the abstract concept of blockchain and distributed ledger technology – but to more closely examine the prototypes and production products that use the technology – particular those products that relate to business functions in the real estate industry.

Is this an approach you would be interested in taking and would you be willing to participate in such an effort? Please "REPLY ALL" and share your thoughts and ideas.

Thanks very much. We look forward to hearing from you!

Phil



IOWA
DISTRIBUTED LEDGER
TECHNOLOGY &
THE
PUBLIC LAND REGISTRY

POLICY STATEMENTS



IS THIS A PERSPECTIVE YOU
SHARE? SUGGESTED EDITS?

DRAFT

State and county officials, and the public, need to know who has an interest in what real property. Business interests are working hard to apply new technologies to increase productivity, mitigate risk and become more efficient. Government interests are also working hard to use technology to improve services and to employ best practices to serve their citizens and constituents.

The Iowa Real Estate Industry supports these efforts and remains committed to maintaining and strengthening the public land registry in recording jurisdictions throughout the United States. We support the development of Smart Contracts and the use of other new technologies to increase efficiency. However, they must be operated with a commitment to continue documenting and memorializing all real estate transactions in the public land registry. All information about real estate ownership, exchanges and financing must be available to the public. We reaffirm our commitment to the public land registry and caution against privatization or any efforts to restrict access to this information.

QUESTIONS TO EXPLORE

IF A REAL ESTATE TRANSACTION IS EXECUTED USING A
“SMART CONTRACT” OR IS OTHERWISE FACILITATED BY
BLOCKCHAIN | DISTRIBUTED LEDGER TECHNOLOGY ...

- Will the block chain be “public” or “private”?
- If public, how will other people/organizations be able to access information on the block chain?
- Does the Smart Contract and related business process produce companion “traditional” documents that will be recorded?
- If yes, how will the traditionally recorded documents be cross referenced in the ledger, and vice versa? Unique codes or identifiers?
- If no, how will the public (and various industry partners) be informed of the transaction?
- Alternatively, will the Smart Contract and related business process produce a new kind of document to be recorded? What form will it take?



PROCESSES TO EXPLORE

PRIVATE SECTOR ORGANIZATIONS ARE DEVELOPING BLOCKCHAIN/SMART CONTRACT PRODUCTS, AND SOME ARE BEING IMPLEMENTED NOW. WHAT ARE THEY AND HOW DO THEY WORK?

- Process for reviewing newly deployed and emerging products
- Process for documenting the workflow and artifacts resulting from the new products
- Process for understanding and documenting how the new products intersect with the public land registry
- Process for exploring/defining best practices for the industry – especially with respect to public access to information and memorialization in the public land registry
- Process for exploring/defining best practices for the land records management systems and eRecording with respect to transactions facilitated with Smart Contracts
- Process for exploring/developing guidelines for how Smart Contracts and related processes interact with various segments of the title industry



POSSIBLE IOWA WORK PROCESSES AND PRODUCTS

Options To Consider

- Working Group?
- Interviews and Meetings with Smart Contract and Block Chain Product Developers
- White Paper or Best Practices Documents
- Advocacy Position
 - Supporting the Public Land Registry and Private Industry efforts to become more efficient
 - Affirming the vital need to document real estate transactions in the public land registry
 - Act as a clearinghouse of information regarding the development of services and products in the real estate industry which leverage distributed ledger technologies



QUESTIONS?

Advocate for Your Office

*Anne D. DarConte, CAE,
HillStaffer, LLC
June 29, 2022*

Today's Agenda

- ▶ Advocacy and relevance to PRIA
- ▶ Advocacy Basics
- ▶ Questions

What is advocacy?

- ▶ (n) *“the act of pleading or arguing in favor of something, such as a cause, idea, or a policy; active support.* (Source: American Heritage Dictionary)

Two Rules of Advocacy

- ▶ All politics is local.
 - Constituents
 - What's important to them and why
- ▶ All advocacy is relationship-based.
 - Easiest to get the ear of those who know and respect you
 - Trust

Why Advocacy?

- ▶ Representative government
 - Citizen Responsibility
 - Let your voice be heard
- ▶ Decisions are being made that affect you, your family, your community, your school, your job
- ▶ Get involved to **impact** these decisions

Why should PRIA members advocate?

- ▶ **Impact** public policy decisions
 - Educate public, decision-makers, and others understand your role, responsibilities and impact
 - Maintain high standards of practice
 - Move the industry and practice forward
 - Protect your license to operate

Advocacy Basics

- ▶ Proactive or reactive opportunities
- ▶ What is the goal?
- ▶ Understand the policy process
- ▶ Communications
- ▶ Types of Advocacy

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Proactive or Reactive Opportunities

Proactive

- ▶ Offensive
- ▶ Environmental Scan
- ▶ Take initiative
- ▶ Know the players
- ▶ Plan and be ready

Reactive

- ▶ Defensive
- ▶ Others are driving the issue/agenda/message
- ▶ Scramble to respond
- ▶ Cross your fingers and hope nothing happens

Advocacy Basics

- ▶ Proactive or reactive opportunities
- ▶ What is the goal?
- ▶ Understand the policy process
- ▶ Communications
- ▶ Types of Advocacy

What is the goal?

- ▶ What do you want to achieve?
- ▶ Organization – trends, standards, universal challenges?
- ▶ Locally – Budget, special project(s), modernization, growth?
- ▶ What is best approach?
 - Is it realistic and timely?
 - Who are the other stakeholders – for and against?
- ▶ Strategy first, then tactics.

Advocacy Basics

- ▶ Proactive or reactive opportunities
- ▶ What is the goal?
- ▶ Understand the policy process
- ▶ Communications
- ▶ Types of Advocacy

Understand the Policy Process

- ▶ Public Policy 101 – what we learned in school
 - 3 branches of government - legislative, executive, judicial
 - Levels of government: international, national, state, local

Legislative v. Executive Simplified

Legislative

- ▶ Laws
- ▶ Elected Officials
- ▶ Congress, state legislatures (bi-cameral)
- ▶ County commissions, city councils
- ▶ Represent districts generally; may be “at-large”

Executive

- ▶ Regulations or rules
- ▶ Elected v. Appointed
- ▶ Elected: U.S. President, Governor
- ▶ Elected or Appointed: Agency heads, Mayor, County Administrator, City Council or County Commission President
- ▶ Appointed: department heads, agency staff, esp. leadership; political v. apolitical appointees

Legislative Process Simplified

- ▶ Bills or legislation
- ▶ Committees – where much of the work is done
 - One or multiple committees – substantive and financial
- ▶ Full Body hearing(s)
 - “floor” debate, further amendments, vote by entire body
- ▶ If bicameral, bill is “messed” to the other chamber
 - To advance, both chambers must pass identical language
- ▶ Once both chambers pass the identical language, it is sent to chief executive officer for signature, veto, or to become law without signature

Regulatory Process Simplified

- ▶ Statutes provide programmatic framework and assign rule-making authority
- ▶ Rule-making procedures are spelled out in the area's administrative procedures act
 - Timelines, publication notices, public hearings, and public input
- ▶ Agency personnel lead the process
 - Draft language, public notice, hearing, receive public comments, amended draft, final publication, implementation date

Advocacy Basics

- ▶ Proactive or reactive opportunities
- ▶ What is the goal?
- ▶ Understand the policy process
- ▶ Communications
- ▶ Types of Advocacy

Communication Basics: Who, Whom, Where and What?

- ▶ Who? (messengers)
 - Lobbyists or Citizen Activists (i.e., employees, local elected officials, community leaders, allied organizations, grassroots activists, etc.)
 - Identify existing relationships, if any
- ▶ Whom? (message recipient)
 - Decision maker(s) and/or their advisors
 - PRIA members, other related organizations
- ▶ Where? (venue)
 - Office tours, community meetings and events, district meetings, elected official town halls, etc.
- ▶ What? (policy message)
 - issue, impact, bill/rule number, desired action, why it is pertinent

Communication Basics:

The Ask is the What

- ▶ Most advocacy communications require an ASK.
 - What action am I asking you to take?
- ▶ Be clear and succinct leaving no question about what you want
 - Exactly what is it I want you to do?

Advocacy Basics

- ▶ Proactive or reactive opportunities
- ▶ What is the goal?
- ▶ Understand the policy process
- ▶ Communications
- ▶ Types of Advocacy

Types of Advocacy

Direct Advocacy

- ▶ Citizen activists v. lobbyists
- ▶ District/Capitol Hill
- ▶ Direct contact with decision-makers and/or their staff

Other Involvement Opportunities

- Coalitions
- Grassroots and grass tops
- GOTV: Get Out The Vote
- Political Action Committee (PAC)
- Other Political spending
- Earned/paid media
- Social media

Direct Advocacy How-To's

- ▶ Elected Official v. Personal Staff v. Committee Staff
 - Who are you meeting with?
 - How well do you know that person?
 - How much time do you have?
 - How much does that person know about the issues and/or the organization you represent?
- ▶ Keep your presentation brief and succinct!

More Direct Advocacy How To's

- ▶ Use the KISS rule:
 - What is your issue?
 - Why is it important to you? To others/whom?
 - Why is it important to your audience?
 - What will it cost and how will it be paid for?
 - What is your specific ask?
- ▶ Be prepared to answer questions, if asked
 - If you do not know the answer, do NOT try to flub it! Follow-up with the answer promptly
 - What is the opposition's perspective and their counter arguments?

Direct Advocacy Tips for Success

- ▶ Focus/Be Present
 - ─ Listen carefully
- ▶ Be Respectful and Professional
- ▶ Agree to Disagree
 - ─ Do not argue your point of view
- ▶ Follow-up promptly with a thank you as well as answering any outstanding questions
- ▶ Get the business card(s) of the staffer(s) you met with
- ▶ Professional Dress Code
- ▶ Turn OFF your phone

What We Covered

- ▶ Advocacy and relevance to PRIA
- ▶ Advocacy Basics
- ▶ Questions

Closing Thought

“Strategy without tactics is the slow road to victory.
Tactics without strategy is the noise before defeat.”

Sun Tzu
The Art of War

Any Questions?



Thank You

Anne D. DarConte, CAE

HillStaffer, LLC

ADarConte@HillStaffer.com

919-275-0295



Chapter 1 and 3
Policy and Procedures Technical and Editorial Updates

Chapters 1 and 3 of the Electronic Services System (ESS) Policies and Procedures is amended to conform to the updated ESS 28E Agreement.

1. Section 1.6(5) of the ESS Policies and Procedures is amended to read as follows.

1.6(5) Time and Location ~~Place~~ of Meetings. The ESS Coordinating Committee shall meet quarterly at a time specified by the chair. The Committee may meet in person or by electronic means. Additionally, the ESS Coordinating Committee shall meet as necessary in joint session with Iowa County Recorders' Association Executive Board at a time and location ~~place~~ determined by mutual agreement ~~the Executive Board~~. Other meetings may be called by the Chair or Vice Chair of the Committee, ~~or by the President of the Iowa County Recorders Association~~.

Meetings shall be conducted in accordance with the requirements of Chapter 21 of the Iowa Code. Items shall be placed on the agenda according to the order of business. The order of business for each regular meeting shall be as follows:

Welcome and Introductions
Approval of Meeting Summary
Financial Reports
Action and Discussion Items
Informal Discussion and Public Comment

By general consent of the Committee, items may be considered out of order.

2. Section 1.10(1) of the ESS Policies and Procedures is amended to read as follows.

ESS – 1.10 ESS Executive Committee.

(Iowa Code Section 331.604, Subsection 3(a))

1.10(1) ESS Executive Committee. An ESS Executive Committee is established to assist with ~~contractual, personnel, management and~~ strategic issues of mutual interest including but not limited to the following.

- ~~a. Assist with the review of contracts, amendments, contract extensions and work authorizations as necessary.~~
- ~~b. Assist with the review of personnel policies and procedures relating to the staff for the Electronic Services System and the county land record information system.~~
 - a. ~~Assist with the oversight and management~~ The coordination of activities between of the Electronic Services System and the Iowa County Recorders Association.
 - b. ~~Assist with~~ The development of strategy for sustaining and strengthening the Electronic Services System.

3. Section 3.2(2) of the ESS Policies and Procedures is amended to read as follows.

3.2(2) The ~~ICRA Executive Board and the~~ Electronic Services System Coordinating Committee ~~are~~ is authorized to establish policies and procedures affecting the mission, purpose and operation of the Electronic Services System and the county land record information system. The authority to establish policies and procedures extends to County data and information standards, business processes and other issues when those issues affect the mission, purpose and operation of the Electronic Services System and the county land record information system. Each County shall comply with the policies and procedures established by the ~~ICRA Executive Board and the~~ ESS Coordinating Committee.

4. Section 3.6(3) of the ESS Policies and Procedures is amended to read as follows.

3.6(3) A mapping table established by each County shall be provided to the ESS Coordinating Committee for review. If required by the ~~ICRA Executive Board or the~~ ESS Coordinating Committee, a County shall modify the County mapping table to ensure that transferred records are consistent within the county land record information system.

Section 3.6 amended – 11.10.16 (Monument Preservation Certificate)

Chapter 1 Policy and Procedures Compensation of Members

Chapter 1 of the Electronic Services System (ESS) Policies and Procedures is amended to update policies relating to expense reimbursements.

1. Section 1.6(10) of the ESS Policies and Procedures is amended to read as follows.

1.6(10) Compensation of Members. The members of the ESS Coordinating Committee shall not receive compensation. However, ESS Coordinating Committee members, County Recorders or Deputy Recorders, or ~~ICRA~~/ESS staff may be reimbursed for travel expenses subject to the following parameters.

- a. ESS Coordinating Committee members or ESS staff for participation in face-to-face meetings of the Committee.
- b. A representative of the ESS Finance Subcommittee upon approval from the ESS Coordinating Committee Chair ~~designated by the ICRA Executive Board~~ for participation in face-to-face meetings of the ESS Coordinating Committee.
- c. ESS Subcommittee Members or ESS staff for participation in face-to-face meetings of the Subcommittee, ~~subject to the prior approval of the ESS Coordinating Committee Chair.~~
- d. County Recorders, Deputy Recorders, or ESS staff who participate in scheduled meetings with legislators, legislative staff, and state administrative agencies, subject to the prior approval of the ESS Coordinating Committee Chair.
- e. ESS Coordinating Committee members, County Recorders, Deputy Recorders, or ESS staff who participate in and assist with trade shows on behalf of ESS, subject to the prior approval of the ESS Coordinating Committee Chair.
- f. ESS Coordinating Committee members, County Recorders, Deputy Recorders, or ~~ICRA~~/ESS staff for participation in other special meetings or events subject to the approval of the ESS Coordinating Committee Chair.

Mileage reimbursement rates for ESS Coordinating Committee members, County Recorders, Deputy Recorders or ESS staff shall be based on the current IRS optional standard mileage rates for deductible business expenses.

Meal reimbursement rates for ESS Coordinating Committee members, County Recorders, Deputy Recorders or ~~ICRA~~/ESS staff shall be based on the current State of Iowa Summary of Travel Reimbursement Guidelines. See:
<https://das.iowa.gov/state-accounting/travel-relocation>

Other expense reimbursement rates for ESS Coordinating Committee members, County Recorders, Deputy Recorders or ~~ICRA~~/ESS staff shall be based on ordinary and necessary standards acceptable for public organizations.

Persons requesting reimbursement must disclose to ESS other purposes of the

travel and whether reimbursement for the travel may be available from other sources. Reimbursement may be limited in the discretion the Chair, when reimbursement is available from other sources regardless of the actual amount of reimbursement. The Chair shall consider the primary purpose of the travel and cooperate with other sources to provide appropriate allocation of reimbursement.

In all cases reimbursement for lodging expenses is subject to the prior approval of the Chair.

ESS/Iowa Land Records

8711 Windsor Parkway, Suite 2
Johnston, Iowa 50131

October 18, 2022

To: ESS Standards Subcommittee

From: Phil Dunshee

Re: Security Policy Updates

On April 16, 2019, we reported to you that the ILR/ESS team had been working with the Iowa Department of Revenue and the Internal Revenue Service on issues relating to our system security. The Department was requiring us to follow IRS 1075 security standards. These standards applied to our primary applications (search, submission, payment) and infrastructure at our data center, and to our office local area network and devices. Several changes have been made since then including the development of the updated E-Submission application. This was an important area, because E-Submission is the application where state tax liens, considered to be confidential taxpayer information prior to recording, were processed. You may recall that one of the major areas of concern was that the E-Submission was operating on a platform built in 2006, and part of that open-source platform was no longer being supported and updated. The new application, coupled with increased encryption of internal system communications resolved most of those concerns.

However, much work remained in our other applications. In the past year we have updated a new payment API, and soon we will begin updating the search application. A major step forward in our system security will be the implementation of a modern central authentication service. In addition to providing increased security, this system will enable single sign on privileges for E-Submission customers – providing them with access to the search application without requiring a separate user ID and password.

This system will likely include the following features and requirements.

- Expiration/deactivation of accounts (ADMIN2, and submission and portal users) if no activity within 120 days
- Reactivation upon request by PM for ADMIN2, or customer service admins for other users
- Incompatible duties –ESS Admins can view but not act as submitters or searchers; ESS Admins can view but not act as recorders or deputies; see also the matrix of roles and functions
- Limited number of attempts (3) before lockout for policy and time delay for retry -15 minutes.
- The system will log the following activities:
 - All successful login and logoff attempts.
 - All unsuccessful login and authorization attempts.
 - All identification and authentication attempts.
 - All actions, connections and requests performed by privileged users. This auditing requirement also applies to data tables or databases embedded in or residing outside of the application.
 - All actions, connections and requests performed by privileged functions.
 - All changes to logical access control authorities (e.g., rights, permissions).
 - System changes with the potential to compromise the integrity of audit policy configurations, security policy configurations and audit record generation services.
 - Creation, modification and deletion of objects (e.g. files, directories and user accounts)
 - Creation, modification and deletion of user accounts and group accounts
 - Creation, modification and deletion of user account and group account privileges.
 - System startup and shutdown functions.
 - Enabling or disabling of audit report generation services.
 - Command line changes, batch file changes and queries made to the system (e.g., operating system, application, database).

- All user accounts must be unique and associated with a unique email address. There may be no duplicates
- All users must have passwords – there can be no blank passwords. ILR password policy is. (passphrase) at least 14 char, 1 upper, 1 lower, 1 number and 1 special char from this list: \$@!%*?&
- Maximum password age of 90 days for privileged users. Password history for the previous 24 passwords. Users are forced to change their initial password during their first logon
- ADMIN2 and E-Submission will require multi-factor authentication. Baseline will be email to send a code. SMS delivery desired. User could specify a preference. reCAPTCHA may continue for the search application.
- Blot password characters (use same method as in current E-Submission)
- Session termination after 30 minutes of inactivity
- An annual test to demonstrate that system initialization, shutdown, and aborts keep the system in a secure state.

In addition to providing necessary additional security for ILR/ESS systems, the implementation of a central authentication service will move us closer to ending the use of legacy applications which are based on platforms which are no longer supported.

Some of these security policies will likely be reflected in a new Section to Chapter 1 of the policies and procedures (1.14). These policies will be brought forward for consideration by the Standards Subcommittee and the ESS Coordinating Committee in 2023.

Action Requested. We are seeking discussion and comments from the Standards Subcommittee.

October 18, 2022

To: ESS Standards Subcommittee
From: Phil Dunshee, ILR Project Manager
Re: Bill of Sale Request

Recently the Iowa Land Records team received a query from Sac County concerning a document type called "Bill of Sale." They asked if this could be enabled as a document type in the ILR system, specifically for E-Submission. As is our custom, we agreed to review this request and present it to the Standards Subcommittee. Attached are several examples of recorded Bill of Sale documents provided by Sac County. As we understand it, the documents transfer ownership of a cabin, but not the property on which it sits.

The Iowa Land Records system includes an element called a BargainAndSaleDeed. This was included in the PRIA standard that was being followed at the time the E-Submission service was created. However, the governing body determined at that time that the document type was not frequently used in Iowa and while it remains in the technical specifications, it has never been used. Our initial thought that it might be possible to use this element to address the county's request. However, after further review we now understand that Bill of Sale is different. It appears that while a Bill of Sale is most frequently used for the sale of autos, boats and personal property, it can be used in some instances for the sale of real estate such as a mobile home, and in this case, a cabin located on lake front property. A Bill of Sale is not included in our technical specifications.

The examples include documents which were electronically submitted. They apparently were processed as deeds and may have been converted to a Bill of Sale document type in the county system. However, when mapped to the Iowa Land Records database as "Other".

We think the submitter and the county acted correctly when processing the document as a deed in E-Submission. Counties may continue to assign document to the desired local document type. Going forward, in the cases of either a Bill of Sale or a Bargain and Sale Deed, when accepting in E-Submission they should be processed as a "Deed" document type and then mapped to "Deed" for the ILR database.

Action Requested. Discussion and guidance from the Standards Subcommittee is desired. If you concur with the conclusions above, we would request a motion that Section 3.6 of the Policies and Procedures be amended to reflect suggested mapping procedures.

ons - All Docu

ILR Electronic Submission

+

<https://iowalandrecords.org/esubmission/controller/esubmission/general/display?navigator=Review&returnToPage=search&disp>

RECORDS

n

Group	Kelly Mahoney	Created Date	09/14/22 13:37	Submitted Date	09/15/22 16:27
Status	County Indexed - Paid	County	Sac	Group Owner	Heller, Angela
Submission	000013552003659836	Created Date	09/14/22 13:39	Doc Type	Deed
Status	County Indexed - Paid	E-Submitter	Jordan & Mahoney Law Firm, P.C.	E-Submitter User	Heller, Angela

Group

General

Parties

Properties

Assoc. Docs

Attached Doc

Review

History

Recording Date

09/15/22 16:26

Number

221775

Search on ILR

*Document Type

Deed

Additional Transactions

0

Number of Parcels

0

Real Estate Value

\$56,330.00

Real Estate Transfer Tax Exemption

Declaration of Value Exemption

Groundwater Hazard Statement

Other

Exemption

Cancel

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Paychex Oasis
Home - Dropbox
Appfire App - Iowa Land Records
monday - Home

iowalandrecords.org/portal/clris/SwitchToDetailsSummaryTab?anchor=detailsSecondLevelTabs

IOWA LAND RECORDS
Page Help

Search

Counties
Search
Results
Details
Saved
Search Tips

Selected Search Results

The Details concerning each selected document are provided here. Use the "Previous" and "Next" navigation buttons to review the details of each selected document. You may also select the Index icon in the document row that you would like to view and jump directly to the details about that document.

Filter List
Export Selected

Selected Search Results

Document 1 of 1

Select	Idx	Img	Number	Book & Page	Recording Date	County	Name	Document Type	PII
<input checked="" type="checkbox"/>			220621		2022/04/01	Sac	WIIG RICHARD	Other	

Document 1 of 1

Filter List
Export Selected

Document Information

View the information about the document here.

Search Parameters

Redact
Done

Summary
Associated Docs
Parties
Property

Recorded Date 04/01/2022

County Sac

Unique Document ID DOC411S719

Number 220621

Document Type Other

Number of Pages 2

Instr. Number: 221775
Recorded: 9/15/2022 at 4:26:01.0 PM
County Recording Fee: \$7.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$10.00
Revenue Tax: \$89.60
Laura McKeever RECORDER
Sac County, Iowa

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS: That Wade J. Bruggeman and Ruth Bruggeman, a married couple, in consideration of the sum of Fifty-six Thousand, Three-hundred-thirty Dollars (\$56,330.00), do hereby sell, assign, transfer and set over to the Thomas Family Trust, the following described personal property, to-wit:

Lakefront cabin located at 210 S. State St., Lake View, Sac County, Iowa 51450

Identified as Parcel No. 811034900075

This is a transfer of the building only.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as the appropriate gender, according to the context.

Signed this 29th day of August, 2022.

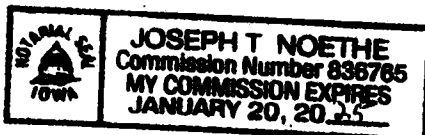
Wade J. Bruggeman
Wade J. Bruggeman

Ruth Bruggeman
Ruth Bruggeman

STATE OF IOWA, Sac COUNTY, ss:

This instrument was acknowledged before me on the 29th day of August, 2022, by Wade J. Bruggeman and Ruth Bruggeman.

Joseph Noethe
Notary Public



There is no known private burial site, well, solid waste disposal site, underground storage tank, hazardous waste, or private sewage disposal system on the property as described in Iowa Code Section 558.69, and therefore the transaction is exempt from the requirement to submit a groundwater hazard statement.



BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS: That Michael J. Stecker and Rebecca S. Stecker, a married couple, in consideration of the sum of Three Hundred Thousand Dollars (\$300,000.00), do hereby sell, assign, transfer and set over unto Jon Arkfeld and Jami Arkfeld, a married couple as joint tenants with full rights of survivorship and not as tenants in common, the following described personal property, to-wit:

Lakefront cabin located at 122 S. State St., Lake View, Sac County, Iowa 51450

Identified as Parcel No. 811034900040

This is a transfer of the building only.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as the appropriate gender, according to the context.

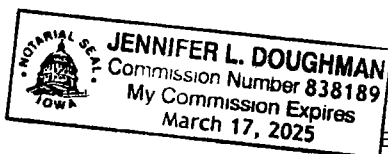
Signed this 2nd day of August, 2022.

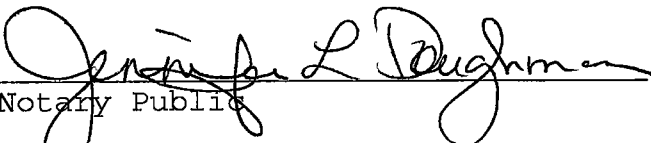

Michael J. Stecker


Rebecca S. Stecker

STATE OF IOWA, BOONE COUNTY, ss:

This instrument was acknowledged before me on the 2nd day of August, 2022, by Michael J. Stecker and Rebecca S. Stecker.




Notary Public

Instr. Number: 220621
Recorded: 4/1/2022 at 3:39:56.0 PM
County Recording Fee: \$12.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$15.00
Revenue Tax:
Laura McKeever RECORDER
Sac County, Iowa



BILL OF SALE

Return Document To: Kohorst & Fischer Law Firm, 602 Market St., Ste. 101, Harlan, IA 51537

Preparer Information: Kathleen Schomer Kohorst AT0004393, 602 Market St., Ste. 101, Harlan, IA 51537 (712-755-3156)

Address Tax Statement: Renae E. Wiig & Richard Wiig, 206 Checkerboard St., Irwin, IA 51446

For the consideration of the sum of One dollar (\$1.00) and other valuable consideration, Renae E. Wiig and Richard Wiig, wife and husband, ("Seller") do hereby sell, transfer and assign to Renae E. Wiig and Richard Wiig, wife and husband, as joint tenants with full rights of survivorship and not as tenants in common ("Buyer") the following described personal property, Sac County, State of Iowa

Lake View, Inc. Cabin #236 and Garage #235

Exemption No. 11 – This is given between a wife and husband without actual consideration.

Seller hereby covenants with Buyer that Seller is the owner of said personal property, that Seller has good and lawful authority to sell, transfer, and assign the same and that the same is free and clear of all liens, security interests and encumbrances except as may be above stated; and Seller covenants to warrant and defend said personal property against the lawful claims of all persons except as may be above stated.

SELLER HEREBY SELLS, TRANSFERS AND ASSIGNS SAID PERSONAL PROPERTY IN "AS IS" CONDITION. ALL IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR ANY PARTICULAR PURPOSE IN REGARD TO SAID PERSONAL PROPERTY ARE HEREBY EXCLUDED. THERE ARE NO WARRANTIES OF FITNESS WHICH EXTEND BEYOND THE DESCRIPTION ON THE FACE HEREOF.

CERTIFICATION. Buyer and Seller certify that they are not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order or the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule

or regulation that is enforced or administered by the Office of Foreign Assets Control; and are not engaged in this transaction, directly or indirectly on behalf of, any such person, group, entity or nation. Each party hereby agrees to defend, indemnify and hold harmless the other party from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to my breach of the foregoing certification.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as the appropriate gender, according to the context.

Dated on April 1, 2022

SELLER

Renae E. Wiig
Renae E. Wiig

BUYER

Renae E. Wiig
Renae E. Wiig

Richard Wiig
Richard Wiig

Richard Wiig
Richard Wiig

INDIVIDUAL ACKNOWLEDGMENT

STATE OF IOWA, COUNTY OF SHELBY

This record was acknowledged before me on April 1, 2022, by Renae E. Wiig and Richard Wiig, wife and husband.



Peggy A. Berg
Signature of Notary Public

Bill of Sale

Instrument #: 221685

09/01/2022 11:01:07 AM

Total Pages: 1

BILL OF SALE

Recording Fee: \$ 17.00

Transfer Tax:

\$183.20

Laura McKeever, Recorder, Sac County IA

Non-
Standard
Fee

Date: 8-13-22



I, Rod & Joan Ferry, the undersigned seller, for the sum of \$115,000.00
_____] ([_____]), sell to the undersigned buy Taylor & Amanda Bengford
_____] , the following item(s):

BRAND: _____

MODEL: 361 S. State Rd.

SERIAL NUMBER: _____

YEAR: 1994 home

COLOR: _____

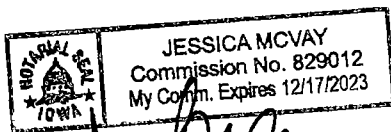
There is no known private burial site, well, solid waste disposal site, underground storage tank, hazardous waste or private sewage disposal system on the property as described by Iowa Code 558.69 and therefore the transaction is exempt from the requirement to submit a groundwater hazard statement.

The seller affirms that the above information about the item(s) being sold is true and accurate to the best of their knowledge.

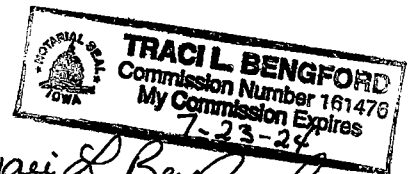
The buyer accepts receipt of this Bill of Sale and understands that the above item(s) are being sold in "as is" condition, and do not come with any guarantees or warranties whatsoever.

SELLER

BUYER



Jessica McVay



Traci L. Bengford

Rod & Joan Ferry
Joan M. Ferry



Return Document To: Max Petersen, 202 Atlantic Street, PO Box 753, Walnut, IA 51577

Address Tax Statement: Max Petersen, 202 Atlantic Street, PO Box 753, Walnut, IA 51577

**BILL OF SALE
(Building on Leased Land)**

For the consideration of the sum of Ninety-Nine Thousand Five Hundred and no/100 Dollar(s) (\$99,500.00) and other valuable consideration, Jason and Aubrey Kemerling ("Sellers") do hereby sell, transfer, and assign to Max Petersen ("Buyer") the following described property, Sac County, State of Iowa:

All interests in real and personal property and leasehold relating to that certain lake cottage located at Provost Point in Lake View, Sac County, Iowa.

Described more particularly as: 309 S. State Road, Provost Point, Black Hawk Lake, Lake View, Sac County, Iowa, Parcel 811504900010

Sellers hereby covenant that they are the owners of said personal property, that Sellers have good and lawful authority to sell, transfer, and assign the same and that the same is free and clear of all liens, security interests and encumbrances except as may be above stated; and Sellers covenant to warrant and defend said personal property against the lawful claims of all persons except as may be above stated.

SELLERS HEREBY SELL, TRANSFER AND ASSIGN SAID PERSONAL PROPERTY IN "AS IS" CONDITION. ALL IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR ANY PARTICULAR PURPOSE IN REGARD TO SAID PERSONAL PROPERTY ARE HEREBY EXCLUDED. THERE ARE NO WARRANTIES OF FITNESS WHICH EXTEND BEYOND THE DESCRIPTION ON THE FACE HEREOF.

The above Buyer does by acceptance of the Bill of Sale and payment of the consideration stated above, consent to becoming the owners of the above-described property. Buyers further understand that pursuant to the current Lot Lease (copy received) the annual rent and other terms may be changed by the Landlord and the assignment of this Lease must be approved by said Landlord.

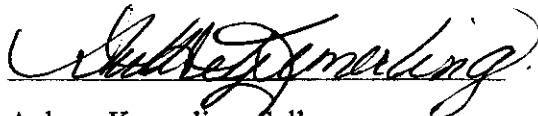
CERTIFICATION. Buyer and Sellers each certify that they are not acting, directly or indirectly, for or on behalf of any person, group, entity or nation named by any Executive Order of the United States Treasury Department as a terrorist, "Specially Designated National and Blocked Person" or any other banned or blocked person, entity, nation or transaction pursuant to any law, order, rule or regulation that is enforced or administered by the Office of Foreign Assets Control; and are not engaged in this transaction, directly or indirectly on behalf of, any such person, group, entity or nation. Each party hereby agrees to defend, indemnify, and hold harmless the other party from and against any and all claims, damages, losses, risks, liabilities and expenses (including attorney's fees and costs) arising from or related to my breach of the foregoing certification.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as the appropriate gender, according to the context.

Dated this 28th day of March, 2022.



Jason Kemerling, Seller



Aubrey Kemerling, Seller




Max Petersen, Buyer

STATE OF IOWA, COUNTY OF CARROLL: ss

This record was acknowledged before me on March 28, 2022, by Max Petersen.

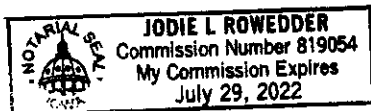


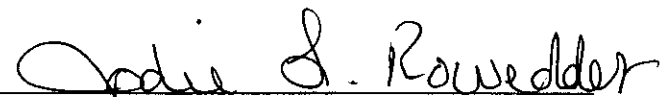


Signature of Notary Public

STATE OF IOWA, COUNTY OF CARROLL: ss

This record was acknowledged before me on March 28, 2022, by Jason Kemerling and Aubrey Kemerling, husband and wife.





Signature of Notary Public



Chapter 4 Policy and Procedures Tax Refunds

Chapter 4 of the Electronic Services System (ESS) Policies and Procedures is amended to clarify procedures relating to the refund of the overpayment of real estate transfer taxes as provided in Section 428A of the Iowa Code and Chapter 79 of the Iowa Administrative Rules.

1. Chapter 4 of the ESS Policies and Procedures is amended by adding the following new Section.

ESS – 4.7 Refund of Real Estate Transfer Taxes

(Iowa Code Section 331.604(1))

4.7(1) Following the recording of a conveyance document which requires the payment of real estate transfer taxes as provide in Section 428A of the Iowa Code, and when an overpayment or underpayment of the real estate transfer taxes is discovered, a county shall follow the procedures specified in Section 79.1(5) of the Iowa Administrative Code.

4.7(2) For conveyance documents recorded through the county land record information system E-Submission service, when a county has received full payment for the recording fees and any other taxes or fees due, it is the responsibility of the county to resolve any underpayment or overpayment which is discovered.

From: Chambers, Susan <susan.chambers@iowa.gov>
Sent: Wednesday, September 28, 2022 11:08 AM
To: Lisa Long <llong@clris.com>
Subject: Appeal of Transfer Tax

Lisa,

I believe you left me a message asking how a taxpayer can receive a refund of transfer tax. Following is my standard instruction:

Appeals of transfer tax paid can be made to the State Appeal Board for the State portion of the transfer tax. Instructions can be found at <https://dom.iowa.gov/faq/what-process-general-claims> a claim form and affidavit must be submitted. These instructions include a link to the current form. Appeals for the County portion of the transfer tax should be made to the County Board of Supervisors through the County Auditor.

Susan Chambers | Executive Officer | Local Government Services | Iowa Department of Revenue

What does your county do if....

- Error is discovered before funds are transferred to the county treasurer.
- Error is discovered after the funds are transferred to the county treasurer but before transferred to Iowa Department of Revenue.
- Error is discovered after the funds are transferred to Revenue.

CHAPTER 79
REAL ESTATE TRANSFER TAX AND DECLARATIONS OF VALUE
[Prior to 12/17/86, Revenue Department[730]]

701—79.1(428A) Real estate transfer tax: Responsibility of county recorders.

79.1(1) Forms. County recorders shall use only forms provided by the department of revenue for the collection of real estate transfer tax and the recording and reporting of such tax collections.

79.1(2) Monthly reports. County recorders shall submit a report to the department of revenue on or before the tenth day of each month enumerating real estate transfer tax collection information for the preceding month. This report shall be submitted on forms prescribed by the department of revenue and shall contain such information as is deemed necessary by the department.

79.1(3) Evidence of payment. The recorder or authorized employee of the recorder must enter the tax payment amount on the face of the instrument of conveyance presented for recording.

79.1(4) Recording refused. The county recorder shall refuse to record any deed, instrument, or writing regardless of any statement by the grantor, grantee, or their agents that the transaction is exempt pursuant to Iowa Code section 428A.2, if, in the recorder's judgment, additional facts are necessary to clarify the taxable status of the transfer or determine the full consideration paid for the property. The county recorder may request from the grantor, grantee, or their agents, any information necessary to determine the taxable status of the transfer or the full amount of consideration involved in the transaction. County recorders under no circumstance shall record any deed or instrument of conveyance for which the proper amount of real estate transfer tax has not been collected. This applies to the collection of tax in excess of the amount due for the actual amount of consideration as well as situations in which an insufficient amount of tax has been collected.

79.1(5) Refunds or underpayments.

a. Refunds. County recorders shall not refund any overpayment of a real estate transfer tax. The grantor of the real property for which the real estate transfer tax has been overpaid shall petition the state appeal board for a refund of the overpayment amount paid to the treasurer of state. A refund of the remaining portion of the overpayment shall be petitioned from the board of supervisors of the county in which the tax was paid.

b. Underpayments. The county recorder shall collect any amount of tax found to be due. If the county recorder is unable to collect the tax, the director of revenue shall collect the tax in the same manner as income taxes are collected and pay the county its proportionate share.

79.1(6) Multiple parcels. If the real estate conveyance contains multiple parcels and the parcels are located in more than one county, the tax is to be paid to each county in which the property parcels are located based on the consideration paid for each property parcel or proportionate parcel located in each county.

This rule is intended to implement Iowa Code chapter 428A as amended by 2009 Iowa Acts, Senate File 288, section 17.

[ARC 7726B, IAB 4/22/09, effective 5/27/09; ARC 8358B, IAB 12/2/09, effective 1/6/10]

701—79.2(428A) Taxable status of real estate transfers.

79.2(1) Federal rules and regulations. In factual situations not covered by these rules and involving those portions of Iowa law which are consistent with the former federal statutes (26 U.S.C.A. 4361) that imposed a real estate transfer tax, the department of revenue and county recorders shall follow the federal rules and regulations in administering the provisions of Iowa Code chapter 428A. (1968 O.A.G. 643)

79.2(2) Transfer of realty to a corporation or partnership. Capital stock, partnership shares and debt securities received in exchange for real property constitutes consideration which is subject to the real estate transfer tax. Where the value of the capital stock is definite or may be definitely determined in a dollar amount, the specific dollar amount is subject to the tax. Where the value of the capital stock is not definitely measurable in a dollar amount, the tax imposed is to be calculated on the fair market value of the realty transferred. For purposes of this rule, fair market value shall be as defined in Iowa Code section 441.21. (1976 O.A.G. 776)

Real estate transfer tax is not due when real property is conveyed to a family corporation, partnership, limited partnership, limited liability partnership, or limited liability company as defined in Iowa Code section 428A.2 in an incorporation or organization action where the only consideration is the issuance of capital stock, partnership shares, or debt securities of the corporation, partnership, limited partnership, limited liability partnership, or limited liability company. Actual consideration other than these shares or debt securities is subject to real estate transfer tax.

79.2(3) *Trades of real estate.* Real estate transfers involving the exchange of one piece of real property for another are transfers subject to the real estate transfer tax. Each grantor of the real estate is liable for the tax based on the fair market value of the property received in the trade as well as other consideration including but not limited to cash and assumption of debt. (1972 O.A.G. 654)

For purposes of this rule, fair market value shall be as defined in Iowa Code section 441.21.

79.2(4) *Conveyance to the United States government or the state of Iowa.* Any conveyance of real estate to the United States or any agency or instrumentality thereof or to the state of Iowa or any agency, instrumentality, or political subdivision thereof not exempt from the real estate transfer tax pursuant to Iowa Code section 428A.2, is subject to the real estate transfer tax. (1968 O.A.G. 579) An exception to this rule is any conveyance to the United States Department of Agriculture, Farmers Home Administration, which is specifically exempted by federal law (7 U.S.C.S. §1984).

79.2(5) *Conveyance of property on leased land.* The transfer of buildings or other structures located on leased land is subject to the real estate transfer tax. The fact that the person who owns a building or other structure does not own the land upon which the property is located does not exempt this type of conveyance from the real estate transfer tax. (1972 O.A.G. 318)

79.2(6) *Mortgage default.* In the factual situation where a defaulting mortgagor issues a deed or other conveyance instrument to the mortgagee as satisfaction of the mortgage debt, the transaction is subject to the real estate transfer tax. The consideration upon which the tax is calculated is the outstanding unsatisfied mortgage debt.

However, as an exception to this rule, a conveyance of real property to lienholders in lieu of forfeiture or foreclosure action is exempt from real estate transfer tax.

79.2(7) *Completion of contract.* A deed or other conveyance instrument given at the time of completion of a single real estate contract is subject to the real estate transfer tax. The tax is to be computed on the full amount of the purchase price as stated in the contract and not solely on the last installment payment made prior to the issuance of the deed or other conveyance instrument. If the original contract is assigned to a third party or parties prior to fulfillment of such contract, the tax is to be computed only on the original contract price upon completion of the contract.

When a single deed or other conveyance instrument is given at the time of completion of multiple successive real estate contracts, separate taxes are to be computed and paid based upon the full purchase price stated in each contract. For example, if A sells real estate to B on an installment contract, and then B sells the same property to C on another installment contract, and subsequently both A and B transfer their respective interests in the property to C via one deed, A is liable for a tax computed on the full purchase price stated in the original contract to which A was a party and B is liable for a tax computed on the full purchase price stated in the subsequent contract to which B was a party.

79.2(8) *Assignments of contract.* Assignments of real estate contracts by contract sellers and contract buyers are not subject to the real estate transfer tax. (1970 O.A.G. 605)

79.2(9) *Corporate and partnership dissolution.* A conveyance of realty by a corporation or partnership in liquidation or in dissolution to its shareholders or partners subject to the debts of the corporation or partnership is a conveyance subject to the real estate transfer tax. However, if there are no debts and the conveyance is made solely for the cancellation and retirement of the capital stock or dissolution, the tax does not apply.

Real estate transfer tax is not due when real property is conveyed from a family corporation, partnership, limited partnership, limited liability partnership, or limited liability company as defined in Iowa Code section 428A.2 to its shareholders, partners, or members in a dissolution action where the only consideration is capital stock, partnership shares, or debt securities of the corporation, partnership, limited partnership, limited liability partnership, or limited liability company, including the assumption

of debts by the shareholders, partners, or members. Actual consideration other than these shares or debt securities is subject to the real estate transfer tax.

79.2(10) Security instruments. Any deed or instrument given exclusively to secure a loan or debt is not subject to the real estate transfer tax.

79.2(11) Marriage dissolution exemption. Marriage dissolution exemption from the real estate transfer tax provided in Iowa Code section 428A.2(16) applies only to real property conveyances between former spouses specifically mandated by a dissolution decree.

79.2(12) Family debt cancellation exemption. The family debt cancellation exemption from the real estate transfer tax provided in Iowa Code section 428A.2(11) applies only to real estate conveyances between husband and wife, or parent and child and indebtedness between these parties.

The amount of indebtedness subject to exemption shall not exceed the fair market value of the property being transferred.

EXAMPLE 1. A son is indebted to his father for \$10,000. The son transfers real property with a fair market value of \$12,000 to his father as satisfaction of the indebtedness. No real estate transfer tax is due in this situation.

EXAMPLE 2. A son is indebted to his father for \$10,000. The son transfers real property with a fair market value of \$4,000 to his father as satisfaction of the indebtedness. Real estate transfer tax is due on \$6,000 in this situation.

79.2(13) Assumption of debt. Any outstanding debt on the property conveyed that is not assumed by the grantee is not to be included as consideration in computing the amount of real estate transfer tax due.

EXAMPLE. Property with a mortgage of \$40,000 is transferred from A to B. B pays A \$60,000 but does not assume the \$40,000 mortgage. The real estate transfer tax is to be computed on the \$60,000 cash payment only. If B had assumed the mortgage in addition to making the cash payment, the real estate transfer tax would be computed on \$100,000 (the sum of the payment and mortgage).

79.2(14) Mergers, consolidations, and reorganizations. Conveyances of real estate resulting from corporate or limited liability company mergers, consolidations, or reorganizations are exempt from the real estate transfer tax. The following definitions are intended to be general guidelines in determining eligibility for exemption under this subsection.

“*Merger*” means the uniting of two or more corporations or companies into one corporation or company in such manner that the corporation or company resulting from the merger retains its existence and absorbs the other constituent corporation(s) or company(ies) which thereby lose its or their existence.

“*Consolidation*” means the uniting of two or more corporations or companies into a single new corporation or company, all of the constituent corporations or companies thereby ceasing to exist as separate entities.

“*Reorganization*” means the transfer of substantially all of the assets of one corporation or company to another corporation or company where the persons having an interest in the old corporation or company maintain substantially the same interest in the new corporation or company.

This rule is intended to implement Iowa Code section 428A.1 as amended by 1996 Iowa Acts, chapter 1167, and section 428A.2 as amended by 1996 Iowa Acts, chapter 1170.

701—79.3(428A) Declarations of value: Responsibility of county recorders and city and county assessors.

79.3(1) Forms and procedures. County recorders and county and city assessors shall use only the declaration of value forms and procedures prescribed and provided by the director of revenue for reporting real estate transfers.

79.3(2) Report of sales. County recorders and city and county assessors shall complete the appropriate portions of the real estate transfer-declaration of value form for each real estate transfer for which a declaration of value has been completed by the buyer, seller, or agent. The completed real estate transfer-declaration of value forms shall be used in preparing the quarterly sales report to be submitted to the department as required by Iowa Code section 421.17(6).

79.3(3) Transmittal of forms. Real estate transfer-declaration of value forms filed with the county recorder shall be transmitted promptly to the department. Nothing in this subrule shall be construed to

relieve, limit, or prohibit city and county assessors from completing the requirements set forth in Iowa Code sections 421.17(6) “a” and 421.17(6) “b.”

79.3(4) Completion of forms. County recorders and city and county assessors shall complete declaration of value forms in accordance with instructions issued by the department. The assessed values entered on the forms are to be the final values as of January 1 of the year in which the transfer occurred.

This rule is intended to implement Iowa Code section 428A.1.

[ARC 7726B, IAB 4/22/09, effective 5/27/09; ARC 5289C, IAB 11/18/20, effective 12/23/20]

701—79.4(428A) Certain transfers of agricultural realty.

79.4(1) In determining whether agricultural realty is purchased by a corporation, limited partnership, trust, alien, or nonresident alien for purposes of providing information required for such transfers by Iowa Code section 428A.1, the definitions in this rule shall apply.

79.4(2) Corporation defined. “Corporation” means a domestic or foreign corporation and includes a nonprofit corporation and cooperatives.

79.4(3) Limited partnership defined. “Limited partnership” means a partnership as defined in Iowa Code section 488.102(13) and which owns or leases agricultural land or is engaged in farming.

79.4(4) Trust defined. “Trust” means a fiduciary relationship with respect to property, subjecting the person by whom the property is held to equitable duties to deal with the property for the benefit of another person, which arises as a result of a manifestation of an intention to create it. A trust includes a legal entity holding property as a trustee, agent, escrow agent, attorney-in-fact, and in any similar capacity.

Trust does not include a person acting in a fiduciary capacity as an executor, administrator, personal representative, guardian, conservator or receiver.

79.4(5) Alien defined. “Alien” means a person born out of the United States and unnaturalized under the Constitution and laws of the United States. (*Breuer v. Beery*, 189 N.W. 714, 194 Iowa 243, 244 (1922).)

79.4(6) Nonresident alien defined. “Nonresident alien” means an alien as defined in subrule 79.4(5) who is not a resident of the state of Iowa.

This rule is intended to implement Iowa Code section 428A.1.

[ARC 7726B, IAB 4/22/09, effective 5/27/09]

701—79.5(428A) Form completion and filing requirements.

79.5(1) Real estate transfer—declaration of value form. A real estate transfer—declaration of value form must be completed for any deed, contract, instrument or writing that grants, assigns, transfers or otherwise conveys real property, except those specifically exempted by law, if the document presented for recording clearly states on its face that it is a document exempt from the reporting requirements as enumerated in Iowa Code section 428A.2, subsections 2 through 5, 7 through 13, and 16 through 21, or subsection 6, except in the case of a federal agency or instrumentality, or if a transfer is the result of acquisition of property for public purposes through eminent domain, or is a deed given in fulfillment of a previously recorded real estate contract. A real estate transfer—declaration of value form is not required for any transaction that does not grant, assign, transfer or convey real property.

79.5(2) Real estate transfer—declaration of value: Real estate transfer tax. Requirements for completing real estate transfer-declaration of value forms or exceptions from filing the forms shall not be construed to alter the liability for the real estate transfer tax or the amount of such tax as provided in Iowa Code chapter 428A.

79.5(3) Agent defined. As used in Iowa Code section 428A.1, an agent is defined as any person designated or approved by the buyer or seller to act on behalf of the buyer or seller in the real estate transfer transaction.

79.5(4) Government agency filing requirements. The real estate transfer-declaration of value form does not have to be completed for any real estate transfer document in which the state of Iowa or any agency, instrumentality or political subdivision thereof is the grantor, assignor, transferor or conveyer or for any transfer in which the state of Iowa or any agency, instrumentality or political subdivision thereof is the grantee or assignee where there is no consideration. However, any transfer in which any

unit of government is the grantee or assignee where there is consideration is subject to the real estate transfer-declaration of value filing requirements (1980 O.A.G. 92) and any transfer to which the United States or any agency or instrumentality thereof is a party to the transfer is subject to the real estate transfer-declaration of value filing requirements. An exception to this subrule is conveyances for public purposes occurring through the exercise of the power of eminent domain.

79.5(5) Recording refused. The county recorder shall refuse to record any document for which a real estate transfer-declaration of value is required if the form is not completed accurately and completely by the buyer or seller or the agent of either. The declaration of value shall include the social security number or federal identification number of the buyer and seller and all other information required by the director of revenue (*Iowa Association of Realtors et al. v. Iowa Department of Revenue*, CE 18-10479, Polk County District Court, February 4, 1983). However, if having made good faith effort, the person or person's agent completing the declaration of value is unable to obtain the social security or federal identification number of the other party to the transaction due to factors beyond the control of the person or person's agent, a signed affidavit stating that the effort was made and the reasons why the number could not be obtained shall be submitted with the incomplete declaration of value. The declaration of value with attached affidavit shall be considered sufficient compliance with Iowa Code section 428A.1 and the affidavit shall be considered a part of the declaration of value subject to the provisions of Iowa Code section 428A.15.

79.5(6) *Multiple parcels.* Separate declarations of value are to be submitted to each county recorder if the real estate conveyed consists of parcels located in more than one county. The consideration paid for each property must be separately stated on the declaration of value or the recorder shall refuse to record the instrument of conveyance.

This rule is intended to implement Iowa Code sections 428A.1 and 428A.2, and section 428A.4 as amended by 2009 Iowa Acts, Senate File 288, section 16.

[ARC 8358B, IAB 12/2/09, effective 1/6/10]

701—79.6(428A) Public access to declarations of value. Declarations of value are public records and must be made available for public inspection in accordance with Iowa Code chapter 22. However, if the declaration of value contains the social security number or federal tax identification number of the buyer or seller, the social security number or the federal tax identification number must be redacted by the government official in possession of the declaration of value form prior to its being released to the public.

This rule is intended to implement Iowa Code section 428A.7 as amended by 2009 Iowa Acts, House File 477, section 1.

[ARC 7726B, IAB 4/22/09, effective 5/27/09; ARC 8358B, IAB 12/2/09, effective 1/6/10]

[Filed 8/17/79, Notice 7/11/79—published 9/5/79, effective 10/10/79¹]

[Filed 12/15/80, Notice 10/29/80—published 12/24/80, effective 1/28/81]

[Filed 7/2/82, Notice 5/26/82—published 7/21/82, effective 8/25/82]

[Filed 9/10/82, Notice 8/4/82—published 9/29/82, effective 11/3/82]

[Filed 8/25/83, Notice 7/20/83—published 9/14/83, effective 10/19/83]

[Filed 5/31/85, Notice 4/24/85—published 6/19/85, effective 7/24/85]

[Filed emergency 11/14/86—published 12/17/86, effective 11/14/86]

[Filed 9/18/87, Notice 8/12/87—published 10/7/87, effective 11/11/87]

[Filed 10/27/89, Notice 9/20/89—published 11/15/89, effective 12/20/89]

[Filed 3/13/92, Notice 2/5/92—published 4/1/92, effective 5/6/92]

[Filed 9/23/92, Notice 8/19/92—published 10/14/92, effective 11/18/92]

[Filed 10/6/95, Notice 8/30/95—published 10/25/95, effective 11/29/95]

[Filed 11/15/96, Notice 10/9/96—published 12/4/96, effective 1/8/97]

[Filed 1/7/00, Notice 12/1/99—published 1/26/00, effective 3/1/00]

[Filed 10/12/01, Notice 9/5/01—published 10/31/01, effective 12/5/01]

[Filed 12/30/05, Notice 11/9/05—published 1/18/06, effective 2/22/06]

[Filed ARC 7726B (Notice ARC 7592B, IAB 2/25/09), IAB 4/22/09, effective 5/27/09]

[Filed ARC 8358B (Notice ARC 8224B, IAB 10/7/09), IAB 12/2/09, effective 1/6/10]
[Filed ARC 5289C (Notice ARC 5184C, IAB 9/23/20), IAB 11/18/20, effective 12/23/20]

¹ Effective date of subrule 79.1(4) was delayed by the Administrative Rules Review Committee 70 days and delay was lifted on November 14, 1979.

Chapter 5 Policy and Procedures Technical Corrections

Chapter 5 of the Electronic Services System (ESS) Policies and Procedures is amended to address technical changes to reflect current practices related to Document Formatting and Processing for E-Submission.

1. Section 5.4 of the ESS Policies and Procedures is amended by modifying lettered paragraphs f, h, k, and n to read as follows.

f. A document shall be submitted with a portrait orientation. Landscape orientation will not be accepted except when the document type is SurveysAndPlats. All documents shall be submitted with an orientation to be read from left to right. Document images which are rotated to enable viewing in portrait orientation shall not be accepted through the ILR E-Submission service.

h. ~~The A~~ document ~~shall~~ should not have active text areas or layers.

k. The file size per page for a standard letter-sized document should generally be less than 100kb. Larger files sizes will be accepted as necessary.

n. ~~Images shall be black and white only. Greyscale or color images are prohibited.~~ The standard and recommended best practice for image creation is black and white. Greyscale images may be submitted as needed. Images with a significant amount of color will be programmatically returned to the submitter. However, images with a minor amount of color, such as images with color signatures, may be accepted and processed.

2. Section 5.4(2) unnumbered paragraph 1 of the ESS Policies and Procedures is amended as follows.

5.4(2) – Smart Contracts. Smart Contracts are governed by Section ~~554D.103~~ 554E.3, subsection 14A of the Code of Iowa. While Smart Contracts may not take the form of a Traditional Paper Document or an Electronic Document (often in the form of a TIF or PDF image which resembles a paper document), it may be necessary to memorialize a Smart Contract transaction in the public record registry.

3. Sections 5.5(2), 5.5(3), and 5.5(4) of the ESS Policies and Procedures are amended as follows.

5.5(2) A County Recorder shall determine whether an electronic document is suitable for recording in the same manner as the determination would be made for a traditional paper document. If the electronic document conforms to recording requirements, then it shall be approved. If the electronic document does not conform to recording requirements, then it may be ~~rejected~~ declined and returned to the Submitter for correction accompanied by a message explaining why the electronic document was ~~rejected~~ declined.

5.5(3) If the submission of information associated with an electronic document is in error, a County Recorder shall make a reasonable attempt to correct the error through the ILR E-Submission service rather than ~~rejecting~~ declining the document. Examples of errors which may be corrected by a County Recorder include a correction in the spelling of a party name, a document type, or information required to calculate a recording fee such as the number of parcels or any additional transactions.

5.5(4) A County Recorder shall review and process an electronic document submitted through the ILR E-Submission service within one business day. All documents, including electronic documents, should be processed in a timely manner throughout the business day. A County may specify the operation times for the E-Submission service to be consistent with the normal business hours established by the County Recorder. The result of the review and process will either be the official recording of the electronic document in the County, or the ~~rejection~~ declination and return of the document to the Submitter.

Chapter 3 Policy and Procedures Stamp Area

Chapter 3 of the Electronic Services System (ESS) Policies and Procedures is amended to allow an alternative method of providing sufficient space for a recording stamp on the first page of a document.

1. Chapter 3 of the ESS Policies and Procedures is amended by adding the following new Subsection.

ESS – 3.3 Document Formatting

(Iowa Code Section 331.604(1))

3.3(13) Recording Stamp Area. Notwithstanding the requirements specified in Section 3.3(7) relating to the top margin of the first page of each document or instrument, a document which provides sufficient space for an official recording stamp or label to be affixed by the systems used by a County Recorder for reviewing, recording and indexing documents shall be accepted for recording. The space to be provided for an official recording stamp shall be blank or white with dimensions of not less than 3.75 inches of width and 2.5 inches of height. The space to be provided for an official recording stamp shall be located in the top margin of the first page.

DRAFT
FOR DISCUSSION

Chapters 3 and 5 Policy and Procedures Standard Index Legend

Chapters 3 and 5 of the Electronic Services System (ESS) Policies and Procedures is amended to allow an alternative method of providing the information required on the first page of a document (Section 3.3(9)).

1. Section 3.1 of the ESS Policies and Procedures is amended by adding the following new Definition.

Standard Index Legend – A rectangular area displayed on the first page of an electronic document which includes information which would otherwise be required on the first page of a document or on a Cover Page.

2. Section 3.3(11) of the ESS Policies and Procedures is amended to read as follows:

3.3(11) If insufficient space exists on the first page for all of the information described herein, the document may include a Cover Page or a Standard Index Legend which includes the required information. ~~An approved template~~ Approved templates and best practices for a Cover Page or a Standard Index Legend is are published at iowalandrecords.org.

3. Section 5.1 of the ESS Policies and Procedures is amended by adding the following new Definition.

Standard Index Legend – A rectangular area displayed on the first page of an electronic document which includes information which would otherwise be required on the first page of a document or on a Cover Page.

4. Section 5.4(1), lettered paragraph c, of the ESS Policies and Procedures is amended read asl follows:

c. Documents which are exempt from the format requirements as specified in Section 331.606B, subsection 4 of the Iowa Code and Section 3.3(12) of the ESS policies and procedures, shall not be accepted through the ILR E-Submission service except when accompanied by an approved Cover Page or when a Standard Index Legend is displayed on the first page.

Index Legend Concept – Based on Current Content Requirements
10 pt. type (Arial)

Index Legend - A

Document Title: Statement of Escrow Agent
Grantors: Dennis Kellenberg, Kay Kellenberg
Grantees: Melissa Merritt, Rocky Merritt
Legal Description Reference: Page 2
Associated References: 2018-0471
Preparer: David L. Jungmann, PO Box 329
Greenfield, Iowa 50849; (641) 743-6195
Taxpayer: Melissa and Rocky Merritt, 410 NW Hayes St.,
Greenfield, IA 50849 (Conveyance Only)
Return To: David L. Jungmann, PO Box 329,
Greenfield, Iowa 50849

Index Legend - B

Document Title: Statement of Escrow Agent
Grantors: Dennis Kellenberg, Kay Kellenberg
Grantees: Melissa Merritt, Rocky Merritt
Legal Description Reference: Page 2
Associated References: BK2018 Page 0471
Preparer: David L. Jungmann, PO Box 329
Greenfield, Iowa 50849; (641) 743-6195
Taxpayer: Melissa and Rocky Merritt, 410 NW Hayes St.,
Greenfield, IA 50849 (Conveyance Only)
Return To: David L. Jungmann, PO Box 329,
Greenfield, Iowa 50849

Index Legend - C

Document Title: Statement of Escrow Agent
Grantors: Dennis Kellenberg, Kay Kellenberg
Grantees: Melissa Merritt, Rocky Merritt
Legal Description Reference: Page 2
Preparer: David L. Jungmann, PO Box 329
Greenfield, Iowa 50849; (641) 743-6195
Taxpayer: Melissa and Rocky Merritt, 410 NW Hayes St.,
Greenfield, IA 50849 (Conveyance Only)
Return To: David L. Jungmann, PO Box 329,
Greenfield, Iowa 50849

*Index Legend Concept – Possible E-Submission Requirements
10 pt. type (Arial) [Prepared By/Return To Not Required]*

Index Legend - A

Document Title: Statement of Escrow Agent
Grantors: Dennis Kellenberg, Kay Kellenberg
Grantees: Melissa Merritt, Rocky Merritt
Legal Description Reference: Page 2
Associated References: 2018-0471
Taxpayer: Melissa and Rocky Merritt, 410 NW Hayes St.,
Greenfield, IA 50849 (Conveyance Only)

Index Legend - B

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Legal Description Reference: Page 2
Associated References: BK2018 Page 0471
Taxpayer: Melissa and Rocky Merritt, 410 NW Hayes St.,
Greenfield, IA 50849 (Conveyance Only)

Index Legend - C

Document Title: Statement of Escrow Agent
Grantors: Dennis Kellenberg, Kay Kellenberg
Grantees: Melissa Merritt, Rocky Merritt
Legal Description Reference: Page 2
Taxpayer: Melissa and Rocky Merritt, 410 NW Hayes St.,
Greenfield, IA 50849 (Conveyance Only)

*Index Legend Concept – Possible E-Submission Requirements
10 pt. type (Arial) [Prepared By/Return To Not Required – and Not A Conveyance]*

Index Legend - A

Document Title: Statement of Escrow Agent
Grantors: Dennis Kellenberg, Kay Kellenberg
Grantees: Melissa Merritt, Rocky Merritt
Legal Description Reference: Page 2
Associated References: 2018-0471

SAMPLE TITLE
Recorder's Cover Sheet

Preparer Information:

Taxpayer Information:

Return Document To:

Grantors:

Grantees:

Legal Description:

Document or instrument number if applicable:

DRAFT
FOR DISCUSSION

[Document Title]

Recorder's Cover Sheet

Preparer Information: (Individual's name, address and phone number)

Taxpayer Information: (Taxpayer's name and full mailing address)

Return Document To: (Name and full mailing address)

Grantors:

Grantees:

Parcel Identification Number: (If required or applicable)

Legal Description:

Document or instrument number of associated documents previously recorded:

331.606B Document or document formatting standards.

1. Except as otherwise provided in [subsection 7](#), the county recorder shall refuse any document or instrument presented for recording that does not meet the following requirements:

a. Each document or instrument shall consist of one or more individual pages not permanently bound or in a continuous form. The document or instrument shall not have any attachment stapled or otherwise affixed to any page except as necessary to comply with statutory requirements. However, the individual pages of a document or instrument may be stapled together for presentation for recording. A label that is firmly attached with a bar code or return address may be accepted for recording.

b. All preprinted text shall be at least eight point in size and no more than twenty characters and spaces per inch. All other text typed or computer generated, including but not limited to all names of parties to an agreement, shall be at least ten point in size and no more than sixteen characters and spaces per inch. If a document or instrument, other than a plat or survey or a drawing related to a plat or survey, presented for recording contains type smaller than eight point type for the preprinted text and ten point type for all other text, the document or instrument shall be accompanied by an exact typewritten or printed copy that meets the requirements of [this section](#).

c. Each document shall be of sufficient legibility to produce a clear reproduction. If a document or instrument, other than a plat or survey or a drawing related to a plat or survey, is not sufficiently legible to produce a clear reproduction, the document or instrument shall be accompanied by an exact typewritten or printed copy that meets the type size requirements of paragraph “b” and shall be recorded contemporaneously as additional pages of the document or instrument.

d. Each document or instrument, other than a plat or survey or a drawing related to a plat or survey, shall be on white paper of not less than twenty-pound weight without watermarks or other visible inclusions. All text within the document or instrument shall be of sufficient color and clarity to ensure that the text is readable when reproduced from the record.

e. All signatures on a document or instrument shall be in black or dark blue ink and of sufficient color and clarity to ensure that the signatures are readable when the document or instrument is reproduced from the record. The corresponding name shall be typed, printed, or stamped beneath the original signature. The typing or printing of a name or the application of an embossed or inked stamp shall not cover or otherwise materially interfere with any part of the document or instrument except where provided by law. Failure to print or type signatures as provided in this paragraph does not invalidate the document or instrument.

f. The first page of each document or instrument, other than a plat or survey or a drawing related to a plat or survey, shall have a top margin of at least three inches of vertical space from left to right which shall be reserved for the recorder’s use. All other margins on the document or instrument shall be a minimum of three-fourths of one inch. Nonessential information including but not limited to form numbers, page numbers, or customer notations may be placed in a margin except the top margin. The recorder shall not incur any liability for not showing a seal or information that extends beyond the margin of the permanent archival record.

g. Each document or instrument presented for recording shall meet the requirements of [section 331.606A, subsection 2](#).

2. Each document or instrument, other than a plat or survey or a drawing related to a plat or survey, that is presented for recording shall contain the following information on the first page below the three-inch margin:

a. The name, address, and telephone number of the individual who prepared the document.

b. For any instrument of conveyance, the name of the taxpayer and a complete mailing address.

c. A return address.

d. The title of the document or instrument.

e. All grantors’ names.

f. All grantees’ names.

- g. Any address required by statute.
 - h. The legal description of the property and parcel identification number, if required.
 - i. A document or instrument number for statutory requirements, if applicable.
3. If insufficient space exists on the first page for all of the information described in subsection 2, the page reference of the document or instrument where the information is located shall be noted on the first page.

4. a. Each document or certificate prepared by a licensed professional land surveyor and presented for recording, including a plat of survey or a drawing related to a plat of survey, shall contain an index legend. However, this requirement shall not apply to a United States public land survey corner certificate described in [section 355.11](#).

b. Each document or certificate prepared by a licensed professional land surveyor and presented for recording, including a plat of survey or a drawing related to a plat of survey, shall include a blank rectangular space three and three-fourth inches in width and two and one-half inches in height reserved and delineated for the county recorder's use, unless the document is attached to a cover sheet approved by the governing board of the county land record information system.

5. The recorder may record the following documents or instruments which are exempt from the format requirements of [this section](#):

- a. A document or instrument that was signed before July 1, 2005.
- b. A military separation document or instrument.
- c. A document or instrument executed outside the United States.
- d. A certified copy of a document or instrument issued by a governmental agency, including a vital record.
- e. A document or instrument where one of the original parties is deceased or otherwise incapacitated.
- f. A document or instrument formatted to meet court requirements.
- g. A federal tax lien.
- h. A filing under the uniform commercial code, [chapter 554](#).
- i. A groundwater hazard statement pursuant to [section 558.69](#).

6. A document or instrument rejected for recording by a recorder shall be returned to the preparer or presenter accompanied by an explanation of the reason for rejection.

7. a. On and after July 1, 2005, a document or instrument that does not conform to the format standards specified in [subsections 1 through 3](#) shall not be accepted for recording except upon payment of **an additional recording fee of ten dollars per document** or instrument. The requirement applies only to documents or instruments dated on or after July 1, 2005, and does not apply to those documents or instruments specifically exempted in [subsection 5](#).

b. On and after July 1, 2009, a document or instrument that does not conform to the format standards specified in [subsection 1](#), paragraphs "c" and "e", or [subsection 2](#), paragraph "b", shall not be accepted for recording. This paragraph applies only to documents or instruments dated on or after July 1, 2009, and does not apply to those documents or instruments specifically exempted in [subsection 5](#).

2004 Acts, ch 1069, §3, 4; 2004 Acts, ch 1175, §372; 2006 Acts, ch 1031, §3; 2009 Acts, ch 27, §8, 9; 2009 Acts, ch 159, §12; 2016 Acts, ch 1064, §1; 2018 Acts, ch 1093, §1

Referred to in §354.1, 355.6A

Chapter 3

County Data and Information Standards

ESS – 3.1 Definitions.

(Iowa Code Section 331.604, 3(a))

As used in this Chapter:

Additional Transaction – Any supplemental transaction represented in an instrument for which an additional fee may be charged under Section 331.604 of the Iowa Code.

Associated Document Reference – The Unique Code Values assigned to related documents, such as a mortgage and a satisfaction of mortgage. The Unique Code Values are used to quickly retrieve information about related or associated documents.

Business Day – A business day generally represents a period of time which includes eight or more consecutive business hours. For example, a business with office hours from 8:00 A.M. to 5:00 P.M. is considered one business day. Alternatively, a business day could be considered as the consecutive business hours within one twenty-four hour period. For example, one business day could be represented as the office hours between 2:00 P.M. on day 1, and 2:00 P.M. on day 2. In either representation, a business day is intended to help define a minimum time frame in which a service should be reasonably performed.

Capacity or Role – The description given to a person who performs a function when a party to a transaction such as Executor or Trustee.

Complete – The status of a document after it has been recorded, represented by the inclusion of all pertinent information about the document in a database or index including but not limited to the parsed names of the parties, the date of the instrument, document type, associated references, and the parsed legal description if applicable. A status of complete also implies that a permanent unaltered image of the instrument has been archived.

Cover Page – A page submitted with a document for recording which includes required information and which conforms to requirements for recording such as the appropriate top margin on the first page. A cover page facilitates the recording of a non-standard or non-conforming document.

Document Reference Number – A unique reference number assigned to a document in a County indexing system which ensures that the document will not be mistaken for another document.

3.3(10) If insufficient space exists on the first page for all of the information described herein, the page reference of the document or instrument where the information is located shall be noted on the first page.

3.3(11) If insufficient space exists on the first page for all of the information described herein, the document may include a Cover Page which includes required information. An approved template for a Cover Page is published at iowalandrecords.org.

3.3(12) The following documents are exempt from the format requirements of this section:

- a. A document or instrument that was signed before July 1, 2005.
- b. A military separation document or instrument.
- c. A document or instrument executed outside the United States.
- d. A certified copy of a document or instrument issued by a governmental agency, including a vital record.
- e. A document or instrument where one of the original parties is deceased or otherwise incapacitated.
- f. A document or instrument formatted to meet court requirements.
- g. A federal tax lien.
- h. A filing under the uniform commercial code, chapter 554.

ESS – 3.4 Indexing of Grantor/Grantee Names.

(Iowa Code Section 331.604, 3(a))

3.4(1) Time of Recording. A County Recorder shall review and process any document submitted within two business days. The result of the review and process will either be the official recording of the document in the County, or the rejection and return of the document to the Submitter.

3.4(2) Indexing Goals and Objectives. The purpose of establishing standards, policies and procedures for recording and indexing is to ensure that the recording process is timely, accurate, complete, and consistent, and to ensure that records are accessible, easy to use and readable. The following summarize the goals and objectives of the recording process.

3.4(2a) Accuracy. An index to provide public notice of recordings is useful only to the extent that it accurately replicates the grantor and grantee names that appear in documents. Errors and inconsistencies in keying party names can create breaks in the chain of title and hidden liens.

3.4(2b) Completeness. An index to provide public notice of recordings is useful only to the extent that it is complete. “Complete” means both that all documents recorded are indexed and that all grantors and grantees in documents are indexed.

3.13(4) Associated Document References For Surveys and Plats and Corner Certificates. If an Associated Document Reference to another recorded document is visible on a document type of either Corner Certificate or Survey and Plats, then it shall be archived as an Associated Document Reference in the index.

3.13(5) Document Dimensions. Each County Image Archiving System shall provide for scanning Surveys and Plats in the following dimensions: 8.5" by 11" (letter), 8.5" by 14" (legal), and 11" by 17". A County is not required to provide for the printing or reproduction of a document with dimensions of 11" by 17" or larger.

Each County Image Archiving System shall provide for archiving Surveys and Plats in the following dimensions: 8.5 by 11 inches (letter), 8.5 by 14 inches (legal), 11 by 17 inches, or with respect to documents submitted through the Iowa Land Records E-Submission service dimensions of up to 24.0" by 36.0".

3.13(6) Index Legend. In addition to the Document Formatting requirements specified in Section 3.3, and notwithstanding any exclusion from those requirements with respect to a plat or survey or a drawing related to a plat or survey, a document submitted to a County Recorder which is a plat or survey or a drawing related to a plat or survey including a subdivision plat, retracement plat of survey, monument preservation certificate, acquisition plat, or auditor's plat shall include an Index Legend on the first page as specified in Section 331.606B (3A). The Index Legend shall include the legal description to be indexed by the County Recorder, and the names of any applicable parties to the document including a Requestor, Proprietor, or Owner when applicable. The legal description shall be parsed by section, township, range, and quarter sections (unplatted land), or by lot, block, subdivision and town/city (platted land) to the extent possible. The name of the Surveyor, the Surveyor Company including mailing address and other contact information, and any information necessary for the County Recorder to return the document, shall also be included in the Index Legend. For a Monument Preservation Certificate, the Index Legend shall also include the information specified in Iowa Code Section 355.6A, subsection 4(c).

For a plat or survey, or a drawing related to a plat or survey, the information required by this section may be provided in a Cover Page in lieu of an index legend.

3.13(7) Recording Stamp Area. Notwithstanding the exclusion from the requirements specified in Section 3.3(7) relating to the top margin of the first page of each document or instrument, a plat or survey or a drawing related to a plat or survey including a subdivision plat, retracement plat of survey, monument preservation certificate, acquisition plat, or auditor's plat shall include sufficient space for an official recording stamp or label to be affixed by the systems used by a County Recorder for reviewing, recording and indexing documents. The space

Chapter 5

County and CLGIS Operational Requirements – Electronic Recording

ESS – 5.1 Definitions.

(Iowa Code Section 331.604, 3(a))

As used in this Chapter:

Business Day - A business day generally represents a period of time which includes eight or more consecutive business hours. For example, a business with office hours from 8:00 A.M. to 5:00 P.M. is considered one business day. Alternatively, a business day could be considered as the consecutive business hours within one twenty-four hour period. For example, one business day could be represented as the office hours between 2:00 P.M. on day 1, and 2:00 P.M. on day 2. In either representation, a business day is intended to help define a minimum time frame in which a service should be reasonably performed.

Condensed – The process of scaling or shrinking an image to fit a smaller area, such as scaling a legal-sized document for printing on letter-sized paper.

Cover Page - A page submitted with a document for recording which includes required information and which conforms to requirements for recording such as the appropriate top margin on the first page. A cover page facilitates the recording of a non-standard or non-conforming document.

Electronic Document - A document or instrument that is received, processed, disseminated, or maintained in an electronic format. The submission of an electronic document through the county land record information system electronic submission service shall be equivalent to delivery of a document through the United States postal service or by personal delivery at designated offices in each county.

Electronic Recording Stamp – A stamp or other indicia applied to an electronic document submitted through the ILR E-Submission service which indicates or confirms that the document has been officially recorded in a County.

Electronic Signature – an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record. “Electronic signature” includes a signature that is secured through distributed ledger technology. See Section 554D.103, subsection 8 of the Iowa Code.

External Submitter – A Submitter authorized to submit documents through the county land record information system web service. Typically, an External Submitter has more advanced information technology capabilities, and handles a larger volume of documents.

managing transactions and messaging among those systems. In order to provide the required services and functions consistently and with high quality it is necessary to establish mandatory standard operating policies and procedures. When applicable, standards relating to County business processes affecting services to citizens and customers through the county land record information system shall be established.

ESS – 5.3 Authorized Submitters.

(Iowa Code Section 331.604, 3(a) and 331.601A)

5.3(1) A person or organization who is engaged in the preparation of documents for recording may apply for authorization to submit electronic documents through the county land record information system for recording in any County which is a member of the Electronic Services System. An application shall specify information about the person or organization including name, address, and phone number, and information about the person seeking to be the designated administrator for and electronic document submission account. The person or organization shall also provide appropriate information concerning their financial institution and accounts when applicable, and reference information concerning any prior experience in submitting documents for recording in an Iowa County.

5.3(2) Personnel designated by the Electronic Services System and the county land record information system shall review information submitted by an applicant person or organization and shall verify the accuracy of any information included in the application. If the information provided by an applicant is correct and provides the basis for establishing the person as having a legitimate and legal role in the preparation and submittal of documents for recording, then the applicant may be set up as an authorized submitter.

5.3(3) An applicant person or organization shall review and agree to the published Terms of Use and Privacy Policies for the Electronic Services System and the county land record information system prior to the activation of an account. If an applicant seeks to be an External Submitter, then the application shall also be required to enter into a detailed Integration Agreement which specifies the technical and business requirements for the applicant.

ESS – 5.4 Electronic Document Formatting.

(Iowa Code Section 331.604, 3(a))

5.4(1) In addition to the document formatting standards specified in Chapter 3 and Section 331.606B of the Iowa Code, the following requirements are established for Electronic Documents submitted through the Electronic Services System and the county land record information system.

- a. Irregular or nonconforming documents will not be accepted through the ILR E-Submission service.

- b. Documents shall be submitted with one of the following dimensions: 8.5" by 11.0" (letter), 8.5" by 14.0" (legal), 11.0" by 17.0". A survey or plat may be submitted with dimensions of up to 24.0" by 36.0".
- c. Documents which are exempt from the format requirements as specified in Section 331.606B, subsection 4 of the Iowa Code and Section 3.3(12) of the ESS policies and procedures, shall not be accepted through the ILR E-Submission service except when accompanied by an approved Cover Page.
- d. Plats, maps, exhibits and other drawings certified by a land surveyor presented for recording shall contain an Index Legend as required in Sections 355.6A, subsection 4(c) and 331.606B of the Iowa Code. U.S. Public Land Survey Corner Certificates are exempt from this requirement.
- e. A document shall be scanned into a TIF or PDF format and be stored as an image only. Submitters are strongly encouraged to examine the documentation provided for scanners, copiers and related software to ensure that the documents are saved in image format only.
- f. A document shall be submitted with a portrait orientation. Landscape orientation will not be accepted except when the document type is SurveysAndPlats. Document images which are rotated to enable viewing in portrait orientation shall not be accepted through the ILR E-Submission service.
- g. A document may be rendered in PDF format by computer software. However, a PDF document rendered by computer software shall conform to the requirements of this section.
- h. The document shall not have active text areas or layers.
- i. The document shall not have special attachments or features that are enabled through Adobe Acrobat or other software.
- j. The document shall not include annotations.
- k. The file size per page should generally be less than 100kb.
- l. An image resolution range of 200 to 400 dots per inch (DPI) is required. An image resolution of 300 DPI is recommended.
- m. Image compression shall conform to the following specifications: CCITT T.4 (Group 3) or T.6 (Group 4). The following image compression formats are prohibited: LZW, Old Style JPEG, JPEG, JBIG, Packbits or other formats which do not conform to the specified Group 3 or Group 4 options.
- n. Images shall be black and white only. Greyscale or color images are prohibited.
- o. The Resolution Unit of an image after scanning or rendering shall be PPI (pixels per inch). A resolution of PPC (pixels per centimeter) is prohibited.
- p. Images shall not be submitted as a negative, i.e., the background of a document shall be white, and text or graphics shall be black.

Chapter 3
Policy and Procedures
Cover Pages

Chapter 3 of the Electronic Services System (ESS) Policies and Procedures is amended to the requirements for the use of a Cover Page when filing a document for recording.

1. Section 3.1 of the ESS Policies and Procedures is amended by adding the following new definition.

ESS – 3.1 Definitions.

(Iowa Code Section 331.604, 3(a))

As used in this Chapter:

Attestation Statement – A statement made by a party to a transaction such as an exemption to requirements that a Declaration of Value or Groundwater Hazard Statement be submitted for recording.

2. Chapter 3 of the ESS Policies and Procedures is amended by adding the following new Section.

3.

ESS – 3.15 Cover Pages

(Iowa Code Section 331.604(1))

“3.15(1) A Cover Page or sheet may be used to accompany a document being submitted to a county recorder for recording. The purpose of a cover page or cover sheet is to provide a means to comply with the requirement that certain information be included on the “first page below the three-inch margin” and it is This information is enumerated in Section 331.606B, subsection 2, Code of Iowa, and it includes the following:

- a. The name, address, and telephone number of the individual who prepared the document.

Generally, the “prepared by” or “preparer information” should be the person representing the submitter who can best answer questions and resolve issues relating to the document – particularly as it pertains to information regarding the recording process. It answers the question, “Who should the recorder contact if there is an issue or question?”

- b. For any instrument of conveyance, the name of the taxpayer and a complete mailing address.

If the document submitted for recording has conveyed the title of a property from one party to another, then the taxpayer, i.e., the seller who

must pay the real estate transfer tax, should be named with a current and correct mailing address.

c. A return address.

When documents are submitted are submitted in paper form to the recorder, the final recorded and stamped document is traditionally returned to the submitter. This information may be preceded by a phrase such as “Return Document To” or “Return To”. When electronic documents are submitted for recording, the recorded document with the recording stamp is presented to the submitter electronically. In this case a physical document is not returned and therefore the return address has not practical utility.

d. The title of the document or instrument.

It is common for legal documents to include a title such as “Warranty Deed” or “Affidavit of Surviving Spouse For Change of Title to Real Estate”. A part of the recorder’s index is the “document type”. The document title is represented on the first page of the instrument, and it is also required on the Cover Page if one is used.

e. All grantors’ names.

An essential element of the recorder’s index are the parties to a transaction or legal action. Generally, a grantor is the party in a transaction who conveys ownership of an asset. During a real estate transaction, the grantor sells the property rights to the grantee. A listing of grantors on a Cover Sheet or in a Standard Index Legend aids the county recorder with their indexing function.

f. All grantees’ names.

An essential element of the recorder’s index are the parties to a transaction or legal action. Generally, a grantee is the party in a transaction who receives something – aka the buyer. In terms of a real estate transaction, the grantee receives ownership of the property after the closing process ends. A listing of grantees on a Cover Sheet or in a Standard Index Legend aids the county recorder with their indexing function.

g. Any address required by statute.

This element is not typically used, and if present, would not be represented in the recorder’s index. However, it is included here in the event that an address is “required by statute.

- h. The legal description of the property and parcel identification number, if required.

A legal description included in some documents can sometimes be lengthy, and therefore it is often given a page reference, as permitted by Iowa Code Section 331.606B, subsection 3. Inclusion of the legal description or reference on page 1, on the Cover Page, or in a Standard Index Legend can assist the county recorder with their indexing function.

- i. A document or instrument number for statutory requirements, if applicable.

Generally, the document or instrument number referenced here may be preceded by one of the following phrases: “Document or instrument number of associated documents previously recorded” or “Document or instrument number if applicable.” This element represents an “associated reference.” For example, if the document being recorded is a Satisfaction of Mortgage, it may refer to the previously recorded mortgage. Other examples include reference numbers to State Tax Liens, or previous deeds for the same property. Including the associated reference number on page 1, on the Cover Page, or in a Standard Index Legend can assist the county recorder with their indexing function.

“3.15(2) A Cover Page may not be a part of the legal instrument, because it is explicitly related to the recording process and does not have a function directly related to a transaction, and because a Cover Page may not be present when the parties execute a transaction or document.

For these reasons, as a best practice the parties to a transaction and document preparers are encouraged to ensure that any attestation of fact is included in the legal instrument itself and not be included as an element of a Cover Page. Attestation statements, such as real estate transfer tax exemptions or groundwater hazard statement exemptions are not referenced in Iowa Code Section 331.606B, subsection 2, and therefore for should not be included on a Cover Page.

In the event that an instrument is submitted with a Cover Page that includes an Attestation statement, the best practices for county recorders is to accept it for recording if the document fulfills all other recording requirements.”

New Section 3.15 adopted – [date]

Chapter 5 Policy and Procedures Preparer and Return Information

Chapters 5 of the Electronic Services System (ESS) Policies and Procedures modifies certain formatting requirements for electronic documents submitted for recording. Specifically, requirements for preparer information and return address information would be modified..

1. Section 5.4(1), is amended by adding the follow lettered paragraph “t.”

t. Notwithstanding Section 3.3(9) of the Policies and Procedures, the requirements relating to the submission of information about the name, address, and telephone number of the individual who prepared the document shall be included in the data or metadata accompanying the submission of an electronic document. If permitted under Iowa law, a Submitter is not required to directly incorporate preparer information or a return address in an electronic document submitted for recording.

DRAFT
FOR DISCUSSION

October 18, 2022

To: ESS Standards Subcommittee
From: Phil Dunshee
Re: Clayton County Cover Page Discussion

In addition to the discussions about the recording “Cover Page” and/or a “Standard Index Legend” there is another type of “first page” to be reviewed. Specifically, Clayton County has advanced to concept of providing a standard “first page” for every document in the county image archive.

As we understand it, the purpose of this first page would not be associated with the process of recording or indexing. Rather, the purpose would be to provide the reader with an “abstract” or “summary” of the document. This “first” page would be generated after the document is recorded and indexed. It would be added to the document image for archiving, and it would be a part of the public record.

Attached is an illustration of a “first page” from a county in the State of Michigan. The information in the document includes the following:

A stamp (not the official recording stamp) which notes the county name (appearing 4 times), the state (appearing 4 times), the date of recording (appearing 2 times), the reference number (appearing 3 times), a title that the document has been received and recorded, information about the real estate transfer tax, the name of the recorder (Register of Deeds – appearing 2 times), the document type, the number of pages, the “received date and time”, the time of recording, a certification statement, the recorder’s signature, an image of the county seal, and a statement indicating that it is “Page 1” of the document. There is also a TTX # (appearing 2 times), which we’re not sure of its meaning.

This “first page” is generated by the land records management system service provider (Fidlar).

Some questions being advanced include:

- Reaction if Clayton County (or other counties served by Fidlar) were to begin using this “first page” practice
- Would this practice be of interest to any (or all) other counties, and if so, how would it be implemented
- Is this something you would like to do for all records and is this something you would want ILR to assist with?

I can confidently state that if any county who added a “first page” like this and transferred it to ILR in the ordinary course of business, we could handle it. A possible issue is that it would add one more page to each document for a review of PII.

Action Requested. We are seeking discussion and comments from the Standards Subcommittee.



8133303
Tx: 4095052

2022R-02731
MONTCALM COUNTY MI
LORI WILSON
REGISTER OF DEEDS

RECEIVED AND RECORDED

Instrument Number: 2022R-02731

Document Type: WARRANTY DEED

Number of Pages: 6

Arrival Date and Time: 3/9/2022 7:00:30AM

Recording Date and Time: 3/9/2022 8:11:21AM

I hereby certify that this instrument was RECEIVED and
RECORDED on the date and times stamped above in the
OFFICIAL PUBLIC RECORDS of the REGISTER OF
DEEDS, Montcalm County, Michigan.



Lori A. Wilson

Lori A. Wilson, Register
Register of Deeds
Montcalm County Michigan

This cover page is PAGE 1 of your document and is part of the Official Public Record.

**RECORDING
COVER PAGE**

**THIS PAGE HAS BEEN ADDED
FOR ADMIN PURPOSES PURSUANT TO
55 ILCS 5/3-5018**

202200000546

**FILED FOR RECORD IN
MARSHALL COUNTY, IL**

JILL KENYON

4/12/2022 2:39:13PM

MTG

77.00

BOOK: 1048 PAGES: 243-260

RHSP FEE 9.00

RECORDING FEE 67.00

RECORDING FEE 1.00

GRANTOR: KOEHLER KARL W CO TR

GRANTEE: BETTER BANKS



**JILL KENYON, MARSHALL COUNTY CLERK AND RECORDER
122 N. PRAIRIE ST. PO BOX 328, LACON, IL 61540**

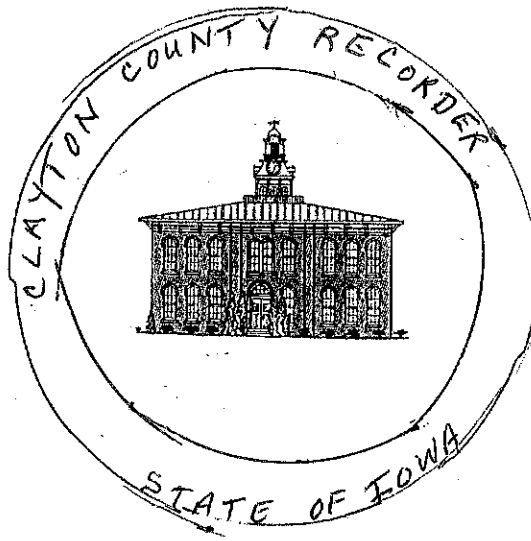
2022R03740
SUE MEYER
CLAYTON COUNTY RECORDER
ELKADER, IA
RECORDED ON
10/11/2022 10:56:00 AM
REC FEE: 22.00
TRANSFER TAX: 24.80
PAGES: 3
STAMP#: 507

Recordering Cover Page

Document Type:

Grantor:

Grantee:



SUE MEYER, CLAYTON COUNTY RECORDER
111 HIGH ST. NE #103, ELKADER IA 52043

This cover page is page 1 of your document and is part of the Official
Public Recorder.

Chapter 3 Policy and Procedures Associated References

Chapter 3 of the Electronic Services System (ESS) Policies and Procedures is amended to clarify requirements for Associated Document References.

1. Section 3.9 of the ESS Policies and Procedures is amended to read as follows.

ESS – 3.9 Associated Document References.

(Iowa Code Section 331.604, 3(a))

3.9(1) The purpose of establishing standards, policies and procedures for Associated Document References is to ensure that the information is accurate, complete, consistent and accessible through the county land record information system, and to ensure that information about associated documents including index information and document images can be retrieved. In some cases, the retrieval of associated document information will be implemented through a search link using the document reference information for the associated document or documents. Therefore, the format of associated document reference information must be maintained in a format which is identical to the original document reference number for the associated document.

3.9(2) Each County indexing system shall provide for bilateral archiving of associated document reference information. Each County shall archive associated document reference information for all associated and electronically indexed documents. Associated document references include but are not limited to the following.

- a. Index references between conveyance documents, e.g., deeds, contracts or bills of sale, ~~and Declaration of Value documents~~ A newly recorded conveyance document shall include an Associated Document Reference with a previous conveyance document for a property, and the previous conveyance document shall include an associated reference to the newly recorded conveyance document.
- b. Index references between mortgage and satisfaction of mortgage documents. A newly recorded satisfaction or partial satisfaction document shall include an Associated Document Reference with the mortgage, and the mortgage document shall include an associated reference to any newly recorded satisfaction or partial satisfaction document(s).
- c. Index references between state and federal tax liens and releases of federal and state tax liens. A newly recorded lien release or partial lien release document shall include an Associated Document Reference with the lien, and the lien document shall include an associated reference to any newly recorded lien release or partial lien release(s).
- d. Index references between other associated documents such as ~~Groundwater Hazard statements~~ original documents, re-recorded documents, or corrected documents ~~etc.~~ A newly recorded corrected

document or re-recording shall include an Associated Document Reference with the document originally recorded, and the document originally recorded shall include an associated reference to any newly recorded corrected document(s) or re-recording(s).

- e. Index references between conveyance documents, e.g., deeds, contracts or bills of sale and any recorded and required companion document such as a Groundwater Hazard Statement. A newly recorded conveyance document shall include an Associated Document Reference with any recorded and required companion document such as a Groundwater Hazard Statement, and the recorded and required companion document such as a Groundwater Hazard Statement shall include an associated reference to the associated and recorded conveyance document.

3.9(3) The associated reference information shall be as follows:

- a. The Unique Code Value for each document

3.9(4) Each associated document reference shall be transferred to the county land record information system when the reference is created in the County indexing system as specified in Chapter 4.

Chapter 3

County Data and Information Standards

ESS – 3.1 Definitions.

(Iowa Code Section 331.604, 3(a))

As used in this Chapter:

Additional Transaction – Any supplemental transaction represented in an instrument for which an additional fee may be charged under Section 331.604 of the Iowa Code.

Associated Document Reference – The Unique Code Values assigned to related documents, such as a mortgage and a satisfaction of mortgage. The Unique Code Values are used to quickly retrieve information about related or associated documents.

Business Day – A business day generally represents a period of time which includes eight or more consecutive business hours. For example, a business with office hours from 8:00 A.M. to 5:00 P.M. is considered one business day. Alternatively, a business day could be considered as the consecutive business hours within one twenty-four hour period. For example, one business day could be represented as the office hours between 2:00 P.M. on day 1, and 2:00 P.M. on day 2. In either representation, a business day is intended to help define a minimum time frame in which a service should be reasonably performed.

Capacity or Role – The description given to a person who performs a function when a party to a transaction such as Executor or Trustee.

Complete – The status of a document after it has been recorded, represented by the inclusion of all pertinent information about the document in a database or index including but not limited to the parsed names of the parties, the date of the instrument, document type, associated references, and the parsed legal description if applicable. A status of complete also implies that a permanent unaltered image of the instrument has been archived.

Cover Page – A page submitted with a document for recording which includes required information and which conforms to requirements for recording such as the appropriate top margin on the first page. A cover page facilitates the recording of a non-standard or non-conforming document.

Document Reference Number – A unique reference number assigned to a document in a County indexing system which ensures that the document will not be mistaken for another document.

Document Type Mapping – A one-to-one relationship between a document type in a County indexing system and the appropriate ILR PRIA document type used by the county land record information system.

Electronic Document - A document or instrument that is received, processed, disseminated, or maintained in an electronic format. The submission of an electronic document through the county land record information system electronic submission service shall be equivalent to delivery of a document through the United States postal service or by personal delivery at designated offices in each county.

Grantor and Grantee – The names of the transferor and transferee in the transaction used to create the recording index. Grantor is any party that grants an interest in real property and includes affiants. Grantee is any party that is receiving an interest in property or put on notice by a grantor. The Grantee title is typically assigned to the purchaser of property. The Grantor title is typically assigned to the seller of property.

Human Name – A parsed name of an individual, including last name, middle name, first name, suffix, and Capacity or Role.

Image Archiving System – Any system which provides for an archive or permanent storage of electronic documents recorded by a County Recorder.

Index Legend – A rectangular area displayed on the first page of a plat or survey or a drawing related to a plat or survey which includes information required by a County Recorder to record and index a document.

Indexed and Filed – The process whether by manual, mechanical, electronic, optical, magnetic, microfilm, or other methods of storage, after filing or submission, to incorporate a document or instrument into an archival system for a business purpose or for transfer to another party.

Instrument Date – The date on which a real estate or other document is signed and executed by the parties specified in the document.

Legal Description - A detailed written description of real property that discloses the location of the real property with reference to the United States government land survey or land subdivision made in accordance with chapters 354 and 355 of the Code of Iowa. This may include an unparsed text description of metes and bounds or subdivision references; a parsed legal description of platted land such as lot, block and section; or a parsed legal description of unplatted land such as section, township, range.

Lineage/Suffix – An indicator of an individual's lineage such as Sr, Jr, Second or Third.

Monument Preservation Certificate – For the purposes of this section, a monument preservation certificate is a document created through the process of identifying and perpetuating the position of an existing monument as described in Section 355.6A of the Iowa Code.

Non-Human Name - A name of a company, organization or association.

Owner – The owner of a property which is referenced in a plat or survey or a drawing related to a plat or survey (Surveys and Plats).

Parcel Identification Number – A unique alphanumeric identifier assigned to a parcel of property by a County Official at the time the property is conveyed.

Parsed or Parsing – The separation of names or identifiers into distinct elements for an index or database such as the separation of names into first, middle and last, or the separation of legal description identifiers such as lot, block, unit. Parsing names or identifiers enables more granular retrieval and analysis of information.

Personally Identifiable Information - One or more of the following specific unique identifiers when combined with an individual's name:

- (1) Social security number.
- (2) Checking, savings, or share account number, credit, debit, or charge card number.

“Proprietor” means a person who has a recorded interest in land, including a person selling or buying land pursuant to a contract, but excluding persons holding a mortgage, easement, or lien interest. (See Iowa Code Section 354.2)

Public – The term used to reference the citizens of a County in the land record index by a County Recorder with respect to the document type Corner Certificates.

Record – The process whether by manual, mechanical, electronic, optical, magnetic, microfilm, or other methods of storage, after filing or submission, to incorporate a document or instrument into the public record.

Requestor – The person who requests that a Surveyor or Surveyor Company prepare a plat or survey or a drawing related to a plat or survey (Surveys and Plats).

Retracement Plat of Survey – For the purposes of this section, a retracement plat of survey is a document which includes a graphical representation of the subdivision of land as defined in Section 355.1, Subsection 9B of the Iowa Code.

Surveyor – A person who is licensed under Section 193C of the Iowa Administrative Code to conduct a land survey and who prepares a Corner

Certificate, plat or survey or a drawing related to a plat or survey (Surveys and Plats).

Surveyor Company – An organization or company engaged in the activity of conducting land surveys as a professional service.

Township – A defined geographic area within a County (based on the U.S. public land survey system).

Traditional Paper Document – A real estate or other document presented for recording in a letter or legal sized paper format which may include ink signatures, embossed seals, stamps or other features associated with the processing of paper instruments.

Transaction – A specific legal action represented in a document or instrument including an electronic document. A distinct legal action or operation which is described in a document or instrument. A transaction must be associated with a legal action as demonstrated by the recording of a legal document including but not limited to mortgages, easements, deeds, quit claim deeds, or warranty deeds.

Unaltered – A representation of an original document when presented for recording; archived as either a paper document, electronic document, or other media, which does not include any mark, stamp, redaction or other modification which would obscure or alter the content or meaning of the original document.

Unique Code Value – A reference value assigned to a document by a County, County Recorder or information technology service provider which uniquely identifies each document within a County and which associates indexed document information with an archived image of the document or instrument.

Section 3.1 amended – 8.9.16

Section 3.1 amended – 2.13.18

ESS – 3.10 Parcel Identification Numbers.

(Iowa Code Section 331.604, 3(a))

3.10(1) The purpose of establishing standards, policies and procedures for Parcel Identification Numbers is to ensure that the information is accurate, complete, consistent and accessible through the county land record information system, and to ensure that information about Parcel Identification Numbers can be used as a search criteria when searching for information in the county land record information system. In some cases, the retrieval of document or property information will be implemented through a search link using the parcel identification number. Therefore, the format of Parcel Identification Number information must be maintained in a format which is identical to the format used

in other County systems which maintain Parcel Identification Number information.

3.10(2) When practicable, each County indexing system shall provide for archiving parcel identification numbers as specified herein. All parcel identification numbers associated with a property which is described in a recorded conveyance document shall be archived. The parcel identification number shall be the number assigned by the County or City Assessor to the property at the time of recording.

3.10(3) Parcel identification numbers shall be archived in exactly the same format as the parcel identification numbers archived in the applicable County or City Assessor database.

3.10(4) In the event that parcel identification numbers associated with a property are subsequently changed by a County or City Assessor, the County shall not modify the parcel identification number associated with the recording of a document. The indexed parcel identification number is intended to be a historical reference concerning the property at the time of recording.

3.10(5) This section shall be effective January 1, 2016.

Section 3.10(5) amended 12.11.13.

Section 3.10(2) amended 8.12.15.

From:
Sent: Wednesday, October 5, 2022 9:44 AM
To: phil@clris.com
Cc: Lisa Long
Subject: FW: Revocable Trust recorded in the public records

Phil:

FYI.

Sent: Wednesday, October 5, 2022 9:32 AM

Subject: Revocable Trust recorded in the public records

Folks:

I had a new client come to me with a problem: their prior attorney, upon the execution of their *revocable* trust, immediately recorded their revocable trust into the public records. Basically, the attorney filed their trust like it was a deed in the County Recorder's office. (The prior attorney has already been disbarred....for other reasons). Although it was a unique situation, I was hoping this would be a straightforward problem that could be solved quickly.

However, after review of the Iowa Trust Code, Iowa case law, and the Iowa statutes pertaining to County Recorders, I found the law to be surprisingly thin as it relates to the authority for a judge to order the removal of a revocable trust from the public records. Nevertheless, I began by calling the County Recorder who informed me they would redact the documents upon receipt of an order from the judge. Thus, I petitioned the district court for an Order to remove the trust from the public records. My authority in support was as follows:

- *In Re Trust No. T-1 of Trimble*, 826 N.W. 2d 474 (Iowa 2013): "One of the purposes of a revocable trust is protecting privacy.....Without too much trouble, the amount of trust information made public in recorder's offices can be limited to certain administrative clauses and the identity of the trustee by use of certifications rather than full trust instruments for recording....thus, although not perfect, trusts can provide those who care about such matters with some level of privacy protection as to strangers."
- *Iowa Code 331.607*. Basically saying that a person's private trust is not part of the books and records to be kept by a county recorder. Also Iowa Code 331.603 – personally identifiable information subject to a redaction process (I understand trusts are not part of definition of "personally identifiable information").
- *Iowa Trust Code 633A.6202*: Court can compel redress of a breach of trust by "any available remedy" and can also determine "any other issue" that will aid in the administration of the trust.
- Jurisdiction: 602.6101 and 633A.6101

The district court judge declined to grant my Order. I am currently in communication with the judge to try to get their reasoning. However, I am also considering filing a Motion to Reconsider. My questions are this:

1. Anyone encounter this before? Anyone have any additional support for removal of the trust from the public records I can use in a Motion to Reconsider?

2. As the Trust Section of the Bar, do we think this is something that can and should be addressed with the legislature? IMHO, I think there should be an explicit statute authorizing removal of a trust from the public records, as privacy is one of the hallmarks of trusts. Privacy in my situation was obliterated. Now my client's estate planning is out there for the world to see, and there is no direct/clear path for redress. I understand the client could revoke the trust and start anew, but the "cat is out of the bag" and their estate plan has been laid bare for all to see. (It is a client with a large amount of farm assets with very specific provisions....not your standard estate plan.)

Thank you to everyone and anyone with input to provide. I consider this to be a very important issue.

Chapter 6
Policy and Procedures
Image Restrictions Pending Court Order

Chapters 6 of the Electronic Services System (ESS) Policies and Procedures are modified to provide for the temporary restriction of image access to a document while a request for a court order is pending.

1. Chapter 6 of the ESS Policies and Procedures is amended by adding the following new Section.

ESS – 6.9 Temporary Restriction of Image Access Pending Court Action
(Iowa Code Section 331.604(1))

6.9(1) Request For Image Restriction. An individual may request that public access to certain document images be temporarily restricted. ESS personnel may consider the request when all of the following conditions are true:

- a. The person requesting the restriction is a named party in the document documents or is an attorney acting as the representative of a named party, and
- b. The request is made in writing and documents the conditions a formal request before an Iowa judicial officer to remove the document from the public record

6.9(2) Form of Image Restriction Request. An individual or attorney representative requesting the temporary restriction of document images shall provide all of the following information for each document.

- a. The name of the party reference in the document including contact information (name, mailing address, phone number, and e-mail address).
- b. The name of the County in which the document has been recorded.
- c. The document reference number assigned to the document by the County. There are various formats used by different counties. In some cases the reference number is a book and page number.
- d. The date on which the document was recorded.
- e. The reason for requesting the restriction of public access to the document.
- f. The identity of the court officer or office which is actively considering a request to remove a document(s) from the public record.

Requests to temporarily restrict documents without the required specific document information will not be considered. All requests must be submitted in writing. Written requests may be delivered to the primary office of the Electronic Services System at 8711 Windsor Parkway, Suite 2, Johnston, IA, 50131. Written requests may also be submitted via e-mail to support@clris.com with the subject “Temporary Document Restriction Request”.

6.9(3) Disposition Of Image Restriction Requests. An individual who has made a

request that public access to certain document images be temporarily restricted will be notified of the disposition of the request. If a request is denied, the individual will be informed of the reason for the denial.

6.9(4) No Restriction Of Index Information. Information about documents which is used to index and reference information filed with the Office of the County Recorder shall not be restricted.

6.9(5) Removal Image Restriction. ESS will remove restrictions on access to document images when any of the following conditions exist.

- a. The individual or attorney representative requesting the restriction of document images rescinds the request in writing.
- b. The court officer or office formally denies the request to remove the document from the public record

6.9(6) If a court officer or office formally approves the request to remove the document from the public record, ESS will continue to restrict access to the document(s), and will take action to permanently remove the documents from ESS systems subject to the provisions of section 6.6.

DRAFT
FOR DISCUSSION

October 18, 2022

To: ESS Standards Subcommittee
From: Phil Dunshee, ILR Project Manager
Re: Easement Images

In the spring of 2022 the Iowa Land Records system implemented new procedures for processing images. The purpose of the change was to improve the clarity of recorded and stamped images through the E-Submission service. The new procedures have generally improved image quality by reducing pixelation, darkening text and increasing the clarity of signatures. The procedures have also enabled the processing of documents with some amount of color (such as blue signatures) while programmatically rejecting documents with a high color content. One indicator of improvement is that number of requests to “reset” documents due to image quality concerns has been substantially reduced.

Notwithstanding these improvements, there are some documents which by their nature may include attachments which are reproductions of black and white photographs. Easements, for example, often include photographs intended to illustrate the location of the easement. In the recording and image archiving process – whether through the ILR E-Submission service or through the document scanning process in the recorder’s office – the result can be an image which details are difficult to see or read.

Attached are a few illustrations of this effect. [Note: these are excerpts of documents and all pages are not included for each document.]

We do not currently have a solution to this condition, as our primary focus for improving image quality was improving the legibility of text and signatures. There are also many other competing development priorities. Going forward we expect our initial approach to be the development of some recommendations and best practices for preparers and submitters which may result in more consistent and higher quality results when submitting image attachments to documents.

Action Requested. Because this is a condition which affects all documents with images, whether submitted traditionally or electronically, we are seeking discussion and comments from the Standards Subcommittee.



Book 1532 Page 117-120

Document 2020 2255 Pages 4

Date 7/15/2020 Time 10:53:03AM

Rec Amt \$22.00

pd

MELISSA BAHNSEN, RECORDER
CEDAR COUNTY IOWA

[Document Title]

Utility Easement

Recorder's Cover Sheet

Preparer Information: (Individual's name, address and phone number)

Andy Willey
PO Box 124
521 N. Main St.
Walcott, IA. 52773

563-447-0177

Taxpayer Information: (Taxpayer's name and full mailing address)

Return Document To: (Name and full mailing address)

Andy Willey
PO Box 124
Walcott, IA.
52773

Grantors:

See page 2

Grantees:

See Page 2

Parcel Identification Number: (If required or applicable)

Legal Description:

See page 2

Document or instrument number of associated documents previously recorded:

BOOK 1532 PAGE 117

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, CITY OF DURANT, IOWA, County of Cedar, State of Iowa, hereinafter referred to as the "Grantor," in consideration of the sum of one dollar (\$1.00), and other valuable consideration, receipt of which is hereby acknowledged, does hereby sell, grant and convey unto Night Owl Wireless, LLC, an Iowa limited liability company, hereinafter referred to as the "Grantee," a utility easement (the "Easement") under, through, and across the following described real estate (the "Real Estate"):

Tract No. 1

(Parcel No. 0400-16-36-330-001-0)

The above described easement is granted unto the Grantee for the purpose of constructing, reconstructing, repairing, replacing, enlarging, inspecting and maintaining fiber optic cable and other network lines and equipment and is subject to the following terms and conditions:

1. Identification of the Easement and Easement Area. The Easement granted hereunder shall be located upon the Western 320 feet of the Real Estate extending North to South and along the south 320 feet extending West to East and shall extend five (5) feet on either side of the Easement of its final build location (the "Easement Area"). Attached here to as Exhibit A is a map showing the approximate location of the Easement granted hereunder.

2. Right of Access. The Grantee shall have the right of access to the Easement Area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area from property adjacent thereto as herein described, including but not limited to, the right to remove any unauthorized fences, structures, obstruction, planting or material placed or erected under, over, on, through, across or within the Easement Area.

3. Future Development of the Real Estate. In the event the Real Estate is developed in the future, and said development necessitates the relocation of the Easement, the Grantee and Grantor agree to cooperate to relocate the Easement to a mutually acceptable location on the Real Estate.

4. Property to be Restored. The Grantee shall restore the Easement Area after exercising its rights hereunder, provided, however, that the Grantee's duty of restoration shall be limited to grading and replacing grass, sod or any other ground cover (but not including any structures, trees, or shrubs). The Grantee shall not be responsible for any construction, reconstruction, replacement, repair or maintenance of any improvements located within the Easement Area.

5. Liability. Except as may be caused by the negligent acts or omissions of the Grantee, its employees, agents or its representatives, the Grantee shall not be liable for injury or property damage occurring in or to the Easement Area, the property abutting said Easement Area, nor the property damage or any improvements or obstructions thereon resulting from the Grantee's exercise of this Easement. Grantor agrees to indemnify and hold Grantee, its employees, agents and representatives harmless against any loss, damage, injury or any claim or lawsuit for loss, damage or injury arising out of or resulting from the negligent or intentional acts or omissions of Grantor or its employees, agents or representatives.

6. Easement Benefit. This easement shall be for the benefit of the Grantee, its successors and assigns, and its permittees and licensees.

7. Easement Runs with Land. This Easement shall be deemed perpetual and to run with the land and shall be binding on Grantor and on Grantor's heirs, successors and assigns.

The Grantor does hereby covenant with the said Grantee, and successor-in-interest, that said Grantor holds said real estate by title and fee simple; that it has good and lawful authority to sell and convey the same; that said Real Estate is free and clear of all liens and encumbrances whatsoever, except as may be herein stated; that said





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Document 2020 3489 Pages 2

Date 10/14/2020 Time 1:10:30PM

Rec Amt \$12.00

MELISSA BAHNSEN, RECORDER
CEDAR COUNTY IOWA

Prepared By & Return To: Danielle Schwenker Address: P.O. Box 3003, Wilton, IA 52778 Phone: (563) 732-2211

**EASTERN IOWA LIGHT AND POWER COOPERATIVE
RIGHT OF WAY EASEMENT**

MAP: E-34

82 2W 17
TWP RANGE SEC

KNOW ALL MEN BY THESE PRESENTS, that the undersigned R & D Dircks Land, LLLP

for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant unto the Eastern Iowa Light and Power Cooperative, a corporation hereinafter called the Cooperative, whose post office address is Wilton, Iowa, and to its successors or assigns, a perpetual easement with the right to enter upon the lands of the undersigned, situated in the County of Cedar, State of Iowa, and more particularly described as follows:

Auditors parcel "A" in the NE ¼ of the NW ¼ of Section 17, Township 82 North, Range 2 West of the 5th P.M., as shown in plat of survey filed for record in the Office of Cedar County, Iowa, Recorder in Book F at Page 217, subject to all easements and restrictions of record.

Right-of-way shall consist of a strip of land 30 feet in width, 15 feet on each side of an underground electric line as shown on the Exhibit attached hereto and made a part hereof.

for the following uses and purposes: to survey, place, construct, operate, repair, maintain, relocate, replace thereon, therein or over, or to place or replace under the surface, or subject to the prior rights of the public therein, upon or under all streets, roads, highways, or alleys, whether public or private, abutting said land; an electrical transmission or distribution line or system whether overhead or underground; and to cut, spray and trim trees and shrubbery to the extent necessary to keep them clear of said electric line or system and to cut down all dead, weak, leaning or dangerous trees that are tall enough to strike any wires in falling.

The Grantor, and any successor or assigns, reserves the full right to take and use the land embraced within this easement in every manner not inconsistent within this grant, except that any structure or object erected on said strip of land must meet National Electrical Safety Code, the Iowa State Utilities Board's requirements and all other state or federal safety rules and not to create a hazard to any person or property, and that no brush or other combustible materials shall be accumulated or burned within said strip. No permanent structure shall be erected on the easement for an underground line that would preclude the maintenance or repair of said line.

The Cooperative shall at all times have the right to keep the easement clear of all structures, trees, rocks or other obstructions as would interfere with the safe and proper operation and maintenance of said lines or system.

The Cooperative shall be liable to pay for all damages to crops, fences or livestock caused by its entering, using and occupying said lands for the above purposes, in accordance with Section 478.17, Code of Iowa, 1977, as amended.

It is further understood that, whenever necessary, for the Cooperative to relocate said line or system due to the widening of an adjacent road, then the Cooperative shall have the right to relocate said line within the property described above; said relocation to be in approximately the same relative position to the road right-of-way line as originally located. Grantors further grant unto the Cooperative the right of reasonable ingress and egress to any adjoining lands of the Grantors for the purposes described above.

The Grantors agree that all equipment and other facilities, including any main service entrance equipment, installed on the above described lands at the Cooperative's expense shall remain the property of the Cooperative, removable at the option of the Cooperative upon termination of service to or on said lands.

This Agreement shall be a covenant running with the land and shall be binding upon the heirs, executors, administrators and personal representatives of the undersigned, and upon the successors or assigns of the Cooperative.

The undersigned covenant that they are the owners of the above described property and that the said lands are free and clear of encumbrances and liens whatsoever character except those held by the following persons:

IN WITNESS WHEREOF, the undersigned has set his hand and seal this 15TH day of SEPTEMBER AD, 2020.

STATE OF IOWA

COUNTY OF CEDAR

SS:

Dircks
R & D Dircks LLLP by Robert Dircks
General Part.

On this 15TH day of SEPTEMBER, AD, 2020, before me, the undersigned a Notary Public in and for said State, personally appeared ROBERT DIRCKS


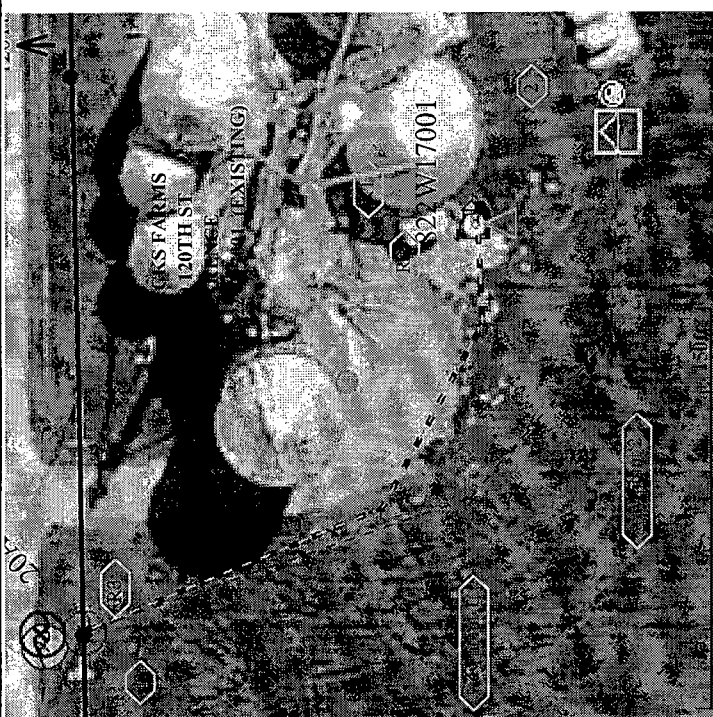
to me known to be the person(s) named in, and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Witness my hand and notarial seal, the date last above written.

NOTARY PUBLIC IN AND FOR STATE OF IOWA



BOOK 1548 PAGE 292

 <p>STATUS Ready Page 1 of 1</p>	<p>DATE: 2020-09-14 WORKORDER #: 202032202 STAKER: Mike Schmidt JOP TYPE: 50-Crop Drying Only OP CODE: 3A-Pole Replacement (Lightning, Rotted, Storm) ONE-CALL #: County/State #: Inspection #:</p>	<p>MEMBER NAME: DIRCKS FARMS INC ADDRESS: 1330 120TH ST SERVICE ADDRESS: 1330 120TH ST FEEDER: 4 PHONE: (563)452-3251 LOCATION: 822W17001 TOWNSHIP: 16 DAYTON</p> <p>SUBSTATION: 28 CLARENCE PHASE: ABC DISTRICT: 2 : Wilton COUNTY: 16 CEDAR CUSTOMER #: 91002502</p>						
	<p>1 NewOH 0 feet Source: none Angle: 19 deg. LT Lat: N 41.9175661879208 Lon: W -91.10779793070662 Comments: Existing (1) 40-3 Existing (1) C1.41P Existing (1) H1.1 New (1) UC1 Retire (1) UC1</p>	<p>2 NewUG 79 feet Source: way point 2 Angle: None Lat: N 41.9171700050119414 Lon: W -91.10712900249999 Comments: 500kva tr New (237) 4/0 JACK 220 New (1) UG_500KVA_277-480 New (1) UG17 New (1) UM8-7-C</p>	<p>R1 RetireUG 240 feet Source: R3 Angle: None Lat: N 41.917147727530725 Lon: W -91.10724074480008 Comments: Retire (720) 4/0 JACK 220</p>	<p>R2 NewOH 0 feet Source: none Angle: None Lat: N 41.91714809789273 Lon: W -91.10725237404478 Comments: Retire (1) UG_300KVA_277-480 Retire (1) UG17</p>	<p>R3 NewOH 0 feet Source: none Angle: 22 deg. LT Lat: N 41.91756249890219 Lon: W -91.10779607235641 Comments: Existing (3) FUSE 20A</p>	<p>way point 1 NewUG 153 feet Source: 1 Angle: 30 deg. LT Lat: N 41.91716413085367 Lon: W -91.1076313566667 Comments: New (609) 4/0 JACK 220</p>	<p>way point 2 NewUG 80 feet Source: way point 1 Angle: 39 deg. LT Lat: N 41.9170152097812 Lon: W -91.10741750714739 Comments: New (240) 4/0 JACK 220</p>	
<p>COMMENTS: RETIRE 300KVA TR, TRENCH NEW 3 PHASE FROM LOCATION 1 AROUND GRAIN BINS TO TR PAD, INSTALL NEW 500KVA TR, *OK TO ENERGIZE* FARM EXEMPT</p> <p>WORKORDER #: 202032202</p>			<p>UNIT SUMMARY</p> <p>POLES New: 0 Retire: 0</p> <p>TRANSFORMERS New: 1 Retire: 1</p>		<p>PRIMARY WIRE New: 1086 Retire: 720 Phase:</p> <p>SECONDARY WIRE New: 0 Retire: 0 Phase:</p>			



Book 1594 Page 40-44

Document 2021 2306 Pages 5

Date 6/15/2021 Time 12:04:32PM

Rec Amt \$27.00

pd

MELISSA BAHNSEN, RECORDER
CEDAR COUNTY IOWA

Prepared by and after recording return to:

Matthew J. Adam

1150 5th Street, Suite 170

(319) 354-1019

Simmons Perrine Moyer Bergman PLC Coralville, IA 52241

FAX (319) 354-1760

DECLARATION OF EASEMENTS

THIS DECLARATION OF EASEMENTS (the "Agreement") is made and entered into as of June 10, 2021, by and between **Advantage Development, Inc.**, an Iowa corporation ("Owner"), which expression shall include its successors in interest and assigns.

In consideration of **one dollar and other valuable consideration, the receipt of which is hereby acknowledged**, Owner agrees and states as follows:

1. Owner is the titleholder to the following real estate located in Cedar County, Iowa, and legally described as follows:

Commencing at a point on the South line of the Northwest quarter of Section 8, Township 79 North, Range 4, West of the 5th Principal Meridian, Cedar County, Iowa, where the section line intersects the C.R.I. & P. Railroad (formerly B.C.R. & N. Railway) Right of Way, which point is 157 feet West of the center of said Section 8, thence West 976.75 feet, thence North 1012 feet to the place of beginning, thence West 104.35 feet, thence North 208.75 feet, thence East 104.35 feet, thence South to the place of beginning, containing one-half acre, more or less.

AND

Commencing at a point on the South line of the Northwest Quarter of Section 8, Township 79 North, Range 4, West of the 5th Principal Meridian, West Branch, Cedar County, Iowa, where the Section line intersects the C.R.I. & P. Railroad (formerly B.C.R. & N. Railway) Right of Way, which point is 157 feet West of the center of said Section 8, thence West 768 feet, thence North 1012 feet to the place of beginning, thence West 208.75 feet, thence North 208.75 feet, thence East 208.75 feet, thence South to the place of beginning, containing 1 acre, more or less.

(the "Parcel 1").

2. Owner is the title holder to the following real estate located in Cedar County, Iowa and legally described as follows:

A PORTION OF LOT D OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 79 NORTH, RANGE 4 WEST, OF THE FIFTH PRINCIPAL MERIDIAN, WEST BRANCH, CEDAR COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BOOK 1594 PAGE 40



Book 1639 Page 167-174

Document 2022 875 Pages 8

Date 3/14/2022 Time 3:06:36PM

Rec Amt \$42.00

MELISSA BAHNSEN, RECORDER
CEDAR COUNTY IOWA

Filed By/Return to: Linda Beck 563-886-4597
City Hall, 407 Lynn St, Tipton, IA 52772

FAÇADE EASEMENT AGREEMENT

COMES NOW U.S. BANK NATIONAL ASSOCIATION, successor in interest to FIRST NATIONAL BANK, ("Grantor") and THE CITY OF TIPTON, IOWA, an Iowa Municipal Corporation ("Grantee"), and do hereby agree to the following terms and provisions of this FAÇADE EASEMENT AGREEMENT ("Agreement").

WHEREAS, Grantor owns the following described real property, located in the City of Tipton, County of Cedar, State of Iowa, and legally described as follows:

LOT 6 & W 12' LOT 5 BLK 11
APN: 0480-11-06-108-011-0

And

WHEREAS, Grantee desires to obtain from Grantor and Grantor desires to provide to Grantee a perpetual, permanent FAÇADE EASEMENT, on, over, across a portion of Grantor's building and property as described above, subject to the terms and provisions of the "Agreement" set forth below.

Agreement

NOW THEREFORE, in consideration of the above and foregoing, and the mutual promises, covenants, and conditions set forth in this Agreement, the sufficiency of which are hereby acknowledged, the parties mutually agree as follows:

1. **EFFECTIVE DATE.** This agreement shall become effective upon the date of the last signature below.

2. **EASEMENT AREA.** The Easement Area shall be as follows:

The West exterior wall of Grantor's building located on the above-described property and such portions of Grantor's property that are necessary to access the Easement Area for purposes of installing the Mural, maintaining the Mural (as hereinafter defined), and/or replacing the Mural. Grantee shall not be granted access to the interior of Grantor's building.

BOOK 1639 PAGE 167

3. **EASEMENT RIGHTS, DURATION, AND EFFECT.** Grantor hereby quitclaims to Grantee, its agents, employees, successors, and assigns, a permanent, perpetual easement with the right, privilege and authority to enter onto, to have access to, to construct, reconstruct, place, install, maintain, operate, remove, repair, maintain, and replace a Mural on the West exterior wall of Grantor's building.

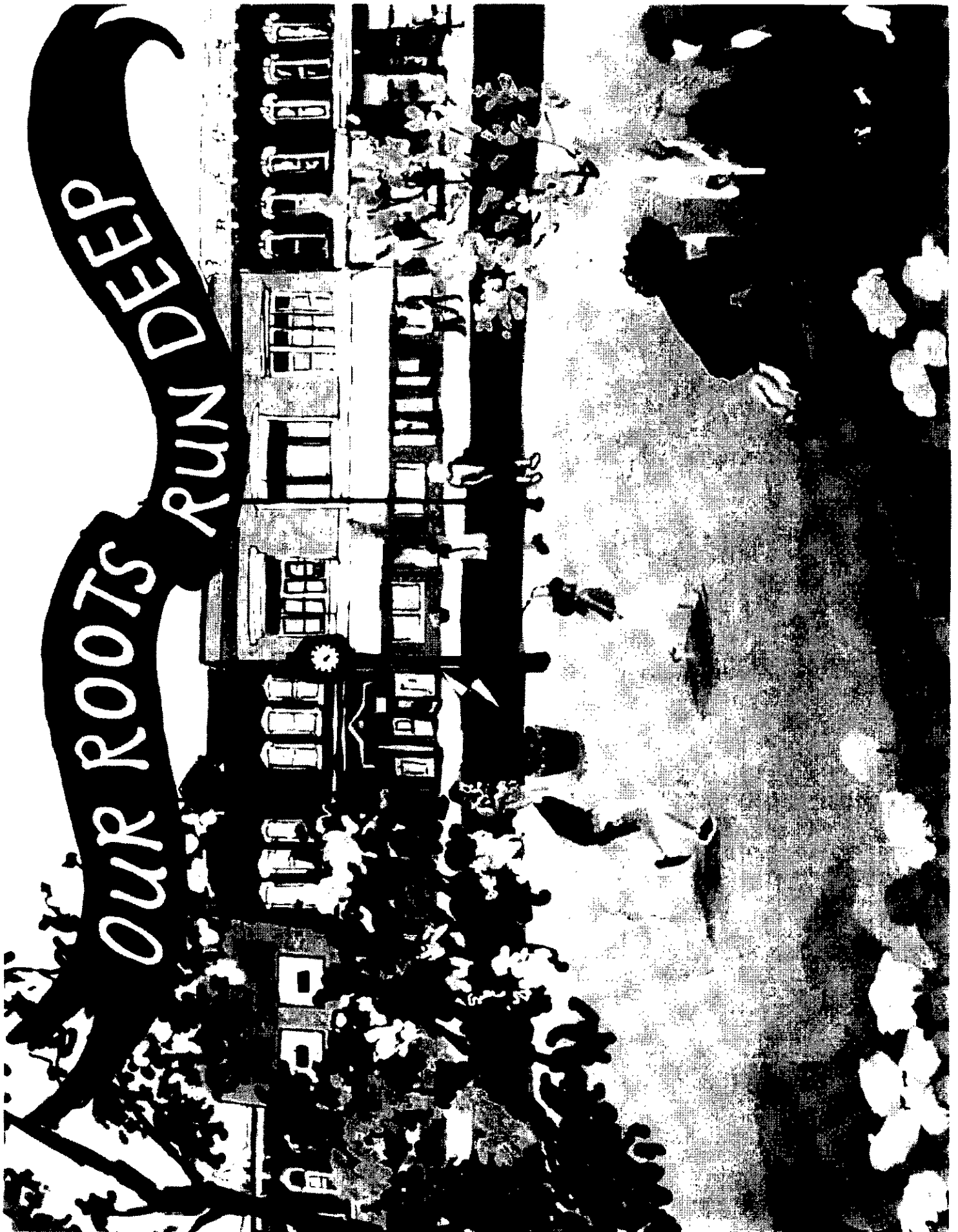
- a. The Grantee, its successors and assigns, shall have the right of ingress and egress over all of the above-described Easement Area for the purpose of constructing, reconstructing, placing, installing, maintaining, removing, and/or repairing, a Mural on the West exterior wall of Grantor's building, so long as such entry does not interfere with Grantor's access to the property, restrict or block parking spots, or otherwise interfere with Grantor's operations at the location.
- b. The Grantor, and successors-in-interest, shall not construct or place any buildings, structures, plants, or other obstructions on, in, or encroaching upon the Easement Area which would interfere in any manner with the viewing of the public of the planned Mural.
- c. The duration of this Agreement shall be permanent and perpetual, and its terms shall run with the land and be binding upon each party's representatives, successors, heirs, and assigns.
- d. Upon execution of this Agreement each of the Parties shall have the right to enforce the terms of this Agreement at law or in equity.

4. **MURAL DESIGN and MAINTENANCE.** The parties agree to the following terms and provisions with regard to "Mural" design and maintenance.

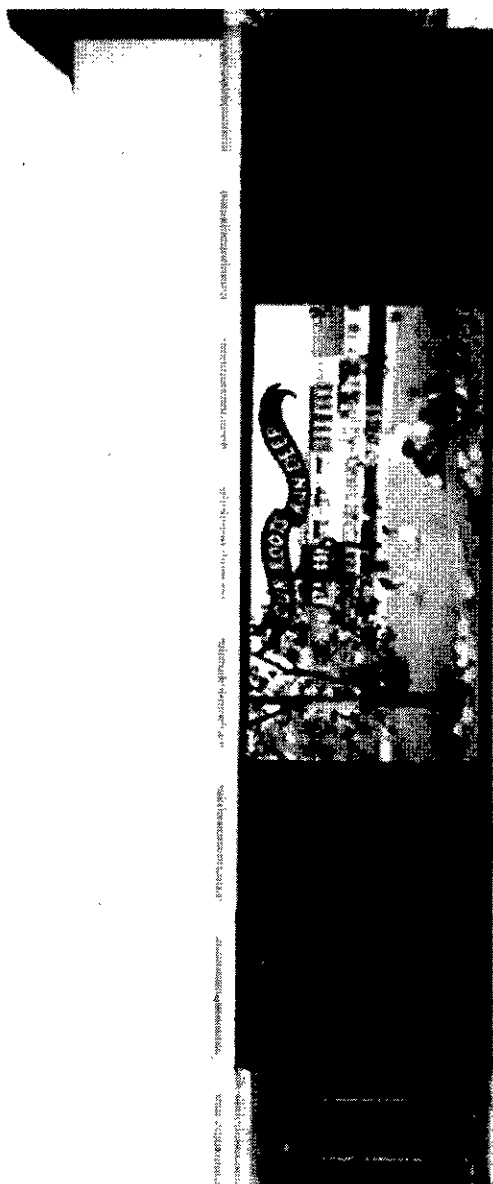
- a. Grantor shall be provided proposed Mural design, colors, and size and shall have thirty (30) days thereafter to assert any objections to the Mural as proposed, and/or to request additional information related to the proposed Mural. Any Mural, before installation, must receive the approval of the Grantor, to be granted in Grantor's sole discretion.
- b. Grantee shall be solely responsible for the care and maintenance of the Mural once installed and Grantor shall have no responsibility therefor.
- c. Grantor shall give thirty (30) days' written notice to Grantee if Grantor at any time determines that the Mural is not being appropriately maintained. Grantee shall see to the repair and/or maintenance of the Mural within said thirty (30) day notice period, said period to be extended for an additional period of thirty (30) days if said thirty (30) day period expires during the months of November through May, said additional thirty (30) day period to commence on June 1st, providing said additional time to ensure warm enough weather to make said repairs and/or to prepare necessary maintenance.
 - i. In the event of notice from Grantor to Grantee as contemplated above, with the subsequent failure of Grantee to repair or maintain the Mural, Grantor may see to the removal of the Mural and in that event this Easement will immediately terminate.
- d. Grantee may choose to end its' obligation to maintain or repair the Mural at any point after the effective date of this Easement. In the event Grantee determines it appropriate to do so, Grantee shall give Grantor sixty (60) days' notice of said intent. Grantor may choose to take on the maintenance and care of the Mural or may request that Grantee see to the removal of the Mural in a commercially appropriate manner, leaving the property of the Grantor in a condition that as closely resembles the conditions that existed prior to the installation of the Mural.

5. **GRANTOR TERMINATION.** This Agreement may be terminated by Grantor upon Grantor's showing of any of the following:

- a. that the Property is to be sold and the buyer requires removal of the Mural as a condition of the purchase and sale; or



8' x 16'



BOOK 1639 PAGE 174

BK: 1648 PG: 160
Page Range: 160-163
Instr. Number: 2022 1633
Recorded: 5/12/2022 at 8:05:20.0 AM
County Recording Fee: \$22.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$25.00
Revenue Tax:
Melissa Bahnsen Recorder
Cedar County, Iowa

Prepared by/return to: Keele Law Offices, P.C. PO Box 156, West Liberty, IA 52776; (319)627-2216

ACCESS EASEMENT

This Easement is made this 11th day of May, 2022, by and between, Edgewood Land Co., an Iowa Corporation here and after referred to as "Grantors" and Waters Family Ltd., an Iowa Corporation and Vincent L. Waters, here and after referred to as "Grantees".

WHEREAS, the undersigned grantor, Edgewood Land Co., an Iowa Corporation, is the owner of the following described real estate in Cedar County, Iowa, to-wit:

Edgewood Drive and Outlot A, located in Edgewood Subdivision located in the South Half of the Northwest Quarter of Section 8, Township 80 North, Range 4 West of the 5th P.M., Cedar County, Iowa, as shown in Book 909, Page 9 in the Cedar County, Iowa Recorder's Office

WHEREAS, the undersigned grantee, Vincent L. Waters and Lyle O. Waters, are the owners of the following described real estate in Cedar County, Iowa, to-wit:

Lot Four (4), Edgewood Subdivision located in the South Half of the Northwest Quarter of Section 8, Township 80 North, Range 4 West of the 5th P.M., Cedar County, Iowa.

WHEREAS, the undersigned grantee, Waters Family Ltd. owns land immediately East and adjoining Edgewood subdivision.

WHEREAS, it will be necessary for the parties hereto and their subsequent heirs, assigns, successors and grantees to enter into and be bound by an agreement concerning the respective rights as they relate to an easement for access purposes referred to in the real estate owned by the Grantee as described above.

THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. Edgewood Land Co., an Iowa Corporation, hereby grants Waters Family Ltd., an Iowa Corporation, their heirs and assigns, a non-exclusive easement for ingress and egress for

roadway easement described as follows: Attached to this easement is an aerial view of Edgewood Subdivision taken from the Cedar County Auditor's plat book. Waters Family Ltd. is granted a nonexclusive easement for access purposes as shown on the green line of the attached aerial view. The roadway easement is 22 feet in width and follows Edgewood Drive as shown on the attached plat which is extended by the green line and extends along the south boundary of Edgewood Subdivision to the adjoining land owned by Waters Family Limited.

2. Edgewood Land Co., an Iowa Corporation, hereby grants Vincent L. Waters, their heirs and assigns, a non-exclusive easement for ingress and egress for roadway easement described as follows: Attached to this easement is an aerial view of Edgewood Subdivision taken from the Cedar County Auditor's plat book. Vincent L. Waters is granted a nonexclusive easement for access purposes as shown on the orange line of the attached aerial view. The roadway easement is 15 feet in width and follows Edgewood Drive as shown on the attached plat and continues across Outlot A and provides access to the Southeast corner of Lot 4 owned by Lyle O. Waters and Vincent L. Waters.

3. The parties shall not interfere in the free use of the access easement described herein. The parties shall not obstruct the easement or cause the easement to be obstructed by others.

4. The Owner of Edgewood Subdivision and the grantees of this easement shall share in the cost of maintenance and repair of the easement area based on their respective use of the easement.

5. This driveway easement and the various rights and obligations contained herein shall be binding upon all present and future owners of the lots covered by this agreement and shall be constrained the same as covenants running with the land and with such force and effect as if contained in each subsequent conveyance of the land.


In witness whereof the undersigned parties hereto set their hands the day and year first above written.

GRANTORS

Edgewood Land Company




By: Glen Waters, President



By: Lyle O. Waters, Vice President

GRANTEE

Waters Family Ltd.

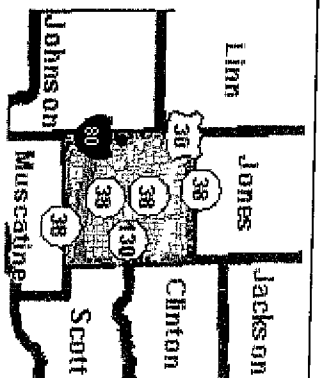
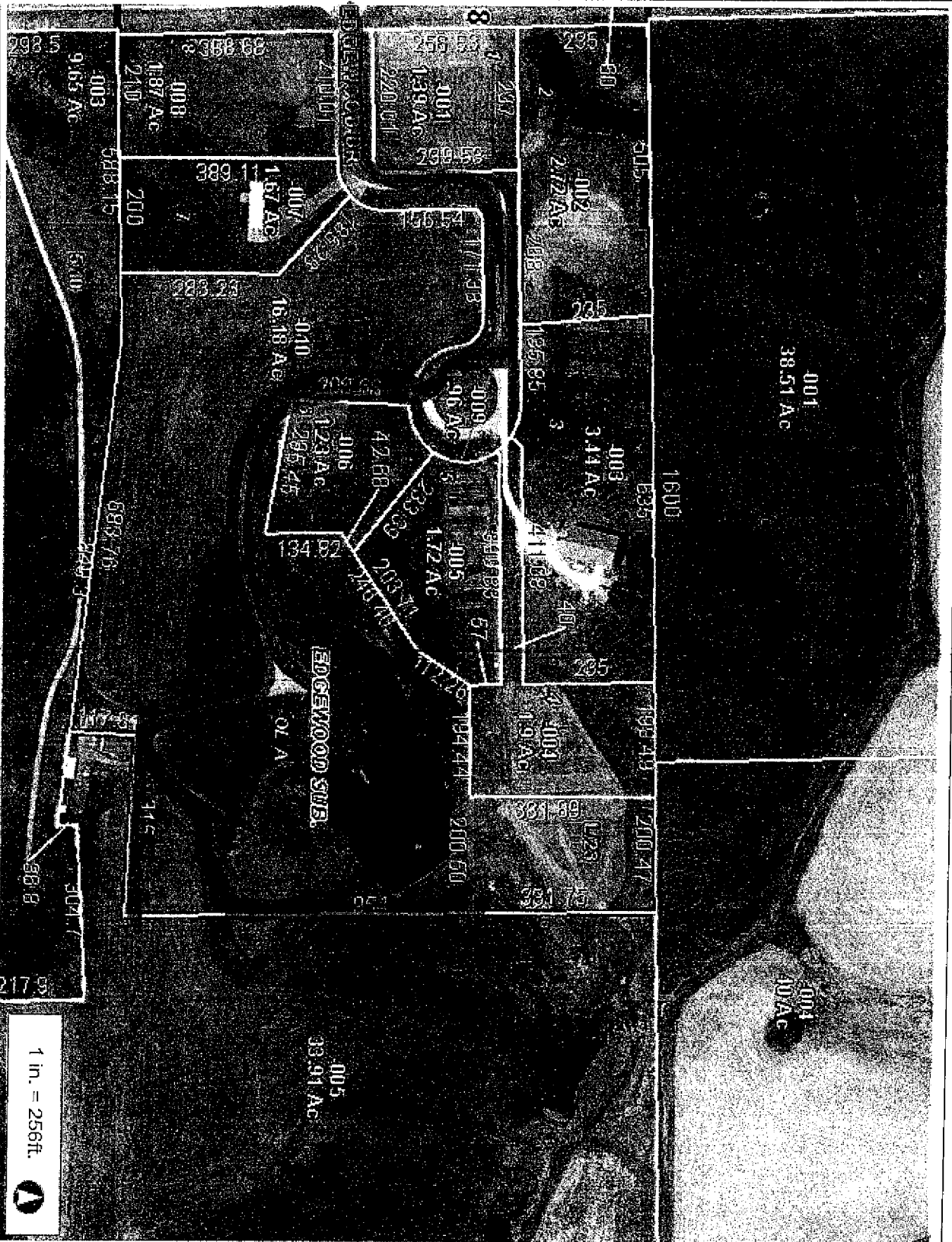


Glen Waters, President



Vincent L. Waters

Cedar County, IA



Legend

- Road
- Interstate
- US Highway
- State Numbered Highway
- <all other values>
- Railroad
- Parcel
- Parcel Number/Acres
- Leased Land
- Land Hook
- Corporate Limit Line
- Original Lot
- Original Block
- Subdivision
- Easement
- Park
- Survey
- Section
- County Boundary

Notes

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Prepared by/Return to: Matthew G. McQuillen, PO Box 228, Anamosa IA 52205, (319) 462-3577

BOUNDARY, FENCE AND EASEMENT AGREEMENT

WHEREAS, Manternach 4L Farms Corp, an Iowa corporation, (hereinafter "Manternach") is the owner of the following described real estate located in Jones County, Iowa:

Parcel 2018-25 in Sections 33 and 34, Township 86 North, Range 1 West of the 5th P.M. in Jones County, Iowa, as shown in the PLAT OF SURVEY recorded in PLAT BOOK V, PAGE 246 (and in Document No. 2018-0700) of the Jones County, Iowa records.

S1/5 NW1/4 NE1/4; and SW1/4 NE1/4 in Section 33, Township 86 North, Range 1, West of the 5th P.M. ("Manternach Property").

WHEREAS, Terrance J. Stanton and John C. Stanton (hereinafter "Stanton"), JoAnne Recker (hereinafter "Recker"), and Maureen Hayes (hereinafter "Hayes") are the owners of the following described real estate located in Jones County, Iowa:

E½ NE¼ of Section 33; and the W½ NW¼ of Section 34 EXCEPT A PART thereof bounded as follows: Commencing at the Northeast corner of said tract and running West 14.76 chains; thence South 11.53½ chains; thence East 14.76 chains; thence North to place of beginning; all in Township 86 North, Range 1, West of the 5th P.M. ("Stanton Property").

WHEREAS the parties desire to acknowledge, document, and establish their respective rights relating to the boundary between their properties, obligations relating to the construction and maintenance of division and barrier fences, and establishing easement rights for Stantons to gain access from Stanton Property to Bluebird Road.

IT IS THEREFORE AGREED AS FOLLOWS:

1. The fence located on the south boundary of Stanton Property is not located on the legal division line as verified by survey of Michael J. Weber. The parties agree that the existing fence will be removed as necessary and the division fence between Manternach

Property and Stanton Property on the south boundary of Stanton Property shall be located on the surveyed line being the north line of Manternach Property according to the Plat of Survey recorded March 22, 2018 in the Office of the Jones County, Iowa, Recorder as Instrument No. 2018-0700. Manternach shall be responsible for the construction and maintenance of the west half of the east to west fence. Stanton shall be responsible for the construction and maintenance of the east half of the east to west fence. This east to west fence shall be considered the boundary between Manternach Property and Stanton Property.

2. Manternach grants to Stanton two easements extending north from Bluebird Road at existing road access points across Manternach Property to Stanton Property. These easements shall be 30 feet wide centered on the existing two-track pathway or roadway now used by Stanton. The estimated locations of the easements are described as Easement A and Easement B on Exhibit A attached. Exhibit A shows a creek running north and south through Manternach Property. One current road access to Bluebird Road is located west of the creek ("Easement A"). A second is located east of the creek ("Easement B"). Stanton shall be responsible for the maintenance of the easements. The easements shall be used only for agricultural and personal recreational purposes and shall not be used for residential, commercial, or concentrated animal feeding operations. Manternach shall have no responsibility for maintenance of the easement areas. Manternach reserves the right to require the gates at the north and south ends of the easements be closed or secured.

3. The parties further agree the parties will construct and maintain a fence on the west boundary of Stanton Property and the east boundary of the portion of Manternach Property lying west of and adjoining the east boundary of Stanton Property. Manternach shall be responsible for constructing and maintaining the south half of this fence. Stanton will be responsible for constructing and maintaining the north half of this fence.

4. This agreement shall be binding upon the parties and their successors in interest and shall establish covenants that run with the land.

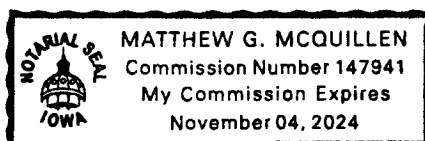
Dated: September 6, 2022

Manternach 4L Farms Corp

By: Loren Manternach
Loren Manternach, President

STATE OF IOWA, COUNTY OF JONES: ss.

This instrument was acknowledged before me on September 6, 2022 by Loren Manternach as President of Manternach 4L Farms Corp, and Iowa corporation.



Matthew G. McQuillen
Notary Public in and for said State

Exhibit
A

Exhibit
A

04-34-100-003 STANTON, TERRANCE J & STANTON, JOHN C 715 ETAL

STANTON, TERRANCE J & STANTON, JOHN C 715 ETAL

04-33-200-005

MANERNACH 41 FARMS CORP

04-33-400-009

MANERNACH 41 FARMS CORP

04-33-400-002

MANERNACH 41 FARMS CORP
04-34-300-007

MANERNACH 41 FARMS CORP

04-33-400-010

MANERNACH 41 FARMS CORP

CLR-1303.46
L-429.27

CLR-1198.28
L-533.10

481.82

47.51

101.16

295.86

573.26

60

100

100

204.30

BLUES RD

100

64.38

60

100

21.38

31

502.95

55

364.78

113.62

Exhibit
A

Number: 2022-2625
Recorded: 9/7/2022 at 3:23:39.0 PM
County Recording Fee: \$37.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$40.00
Revenue Tax:
Sheri L. Jones RECORDER
Jones County, Iowa

SPACE ABOVE THIS LINE FOR RECORDER

Prepared by/Return to: Matthew G. McQuillen, PO Box 228, Anamosa IA 52205, (319) 462-3577

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4. This agreement shall be binding upon the parties and their successors in interest and shall establish covenants that run with the land.

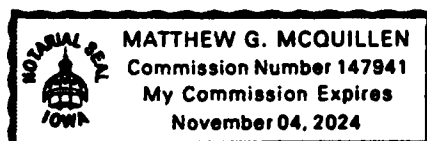
Dated: September 6, 2022

Manternach 4L Farms Corp

By: Loren Manternach
Loren Manternach, President

STATE OF IOWA, COUNTY OF JONES: ss.

This instrument was acknowledged before me on September 6, 2022 by Loren Manternach as President of Manternach 4L Farms Corp, and Iowa corporation.



Matthew G. McQuillen
Notary Public in and for said State

A

04-33-200-005

MANITERNACHTAL FARMS CORP.

800-00-3370

BLUZZARD 20.

MANTERNACH 41 FARMS CORP.

04-33-400-010

MANTENACH, BRAY J REYR 12 & MANTENACH, LUNN M REYR 12

UNDERGROUND ELECTRIC LINE EASEMENT

For and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, **Thomas V. Spinner (Single Person)** "Grantor(s)", ADDRESS: **1400 Westgate Drive Lansing, Iowa 52151-0176** do(es) hereby warrant and convey unto **Interstate Power and Light Company, an Iowa Corporation**, its successor and assigns, ("Grantee") a perpetual easement with the right, privilege and authority to construct, reconstruct, maintain, expand, operate, repair, patrol and remove an underground electric and telecommunications line or lines, consisting of wires, transformers, switches and other necessary fixtures, appurtenances and equipment, (including associated surface mounted equipment) and construction (collectively, the "*Line*" or "*Lines*") for transmitting electricity, communications and all corporate purposes of Grantee together with the power to extend to any other party the right to use, jointly with the Grantee, pursuant to the provisions hereof, upon, under, and across the following described lands located in the County of **Allamakee**, and the State of Iowa:

See attached Exhibit "A", page 3

together with all the rights and privileges for the full enjoyment or use thereof for the aforesaid purpose.

Grantor(s) agrees that it will not construct or place any buildings, structures, plants, or other obstructions on the property described above.

Grantor(s) also conveys the right and privilege to trim, cut down or control the growth of any trees or other vegetation on said described land and such other trees and vegetation adjacent thereto as in the judgment of the Grantee may interfere with construction, reconstruction, maintenance, expansion, operation, repair, use of the Line or Lines.

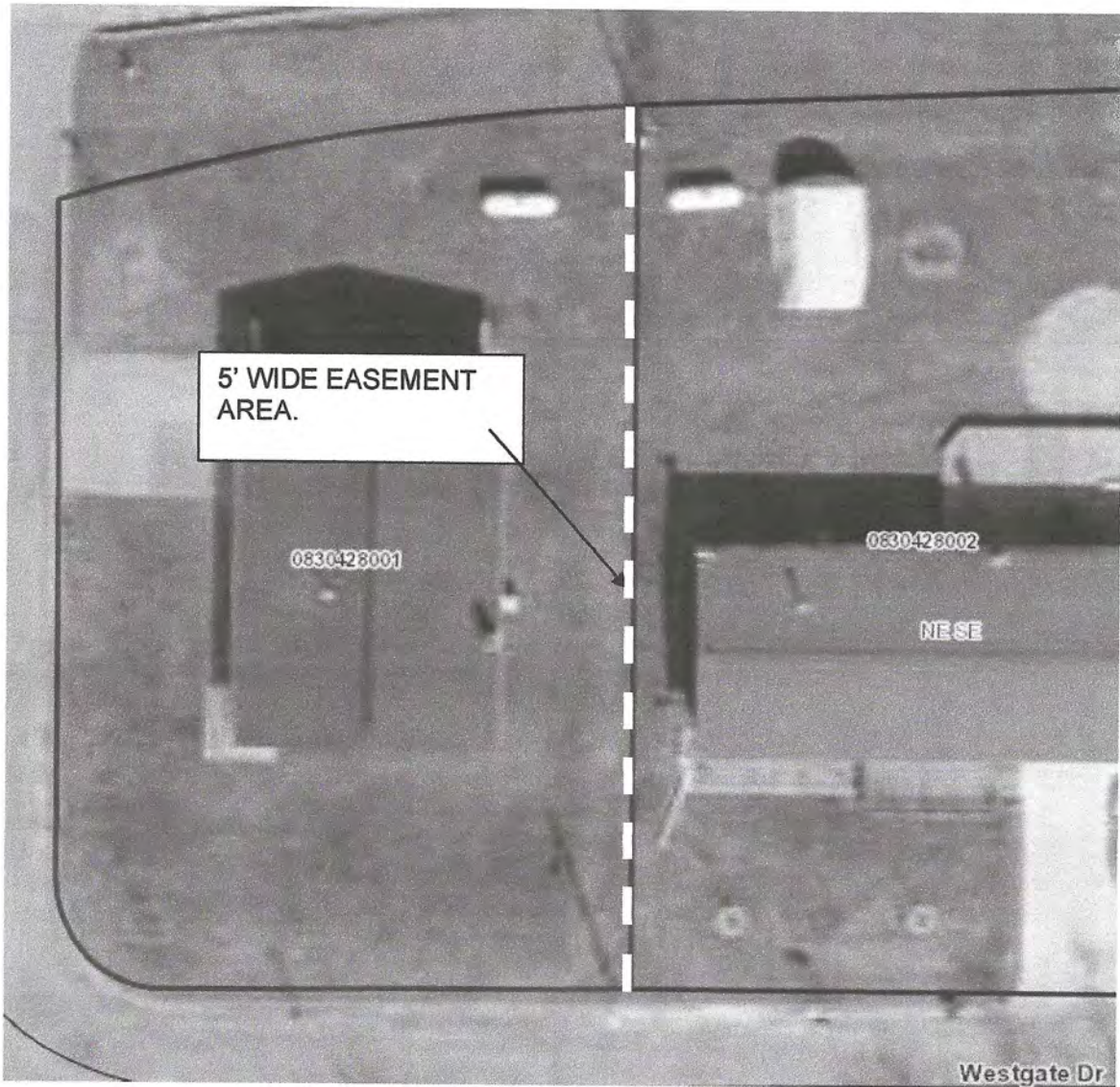
Grantee, its contractor or agent, may enter said premises for the purpose of making surveys and preliminary estimates immediately upon the execution of this easement.

The Grantor(s) also grants to the Grantee the right of ingress and egress to the Line or Lines, under lands now owned by the Grantor(s), for the purpose of constructing, reconstructing, maintaining, expanding, operating, patrolling, repairing and removing the Line or Lines, and the Grantee agrees to pay to the Grantor(s) or its tenants all damages done to the lands (except the cutting and trimming of trees or other vegetation), fences, livestock or crops of the Grantor(s) or its tenants, by the Grantee or its employees while constructing, reconstructing, maintaining, expanding, operating, patrolling, repairing or removing the Line or Lines.

Exhibit "A"

EASEMENT AREA BEING THE EAST FIVE FEET OF THE FOLLOWING DESCRIBED PARCEL:

LOT ONE (1) OF WESTGATE SUBDIVISION OF LANSING, ALAMAKEE COUNTY, IOWA.



Document: 2022 2443
Year 2022 Doc 2443
Recorded: 9/22/2022 at 1:48:16.0 PM
of pages 3
County Recording Fee: \$17.00
Iowa E-Filing Fee: \$3.32
Combined Fee: \$20.32
Revenue Tax:
Debbie Winke RECORDER
Allamakee County, Iowa

Prepared by: Mary Montgomery – Interstate Power and Light Company - PO Box 351, Cedar Rapids, Iowa 52406 (319) 786-4768
Return To: Mary Montgomery – Interstate Power and Light Company - PO Box 351, Cedar Rapids, Iowa 52406 (319) 786-4768
SPACE ABOVE THIS LINE FOR RECORDER

UNDERGROUND ELECTRIC LINE EASEMENT

For and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, **Thomas V. Spinner (Single Person)** "Grantor(s)", ADDRESS: **1400 Westgate Drive Lansing, Iowa 52151-0176** do(es) hereby warrant and convey unto **Interstate Power and Light Company, an Iowa Corporation**, its successor and assigns, ("Grantee") a perpetual easement with the right, privilege and authority to construct, reconstruct, maintain, expand, operate, repair, patrol and remove an underground electric and telecommunications line or lines, consisting of wires, transformers, switches and other necessary fixtures, appurtenances and equipment, (including associated surface mounted equipment) and construction (collectively, the "*Line*" or "*Lines*") for transmitting electricity, communications and all corporate purposes of Grantee together with the power to extend to any other party the right to use, jointly with the Grantee, pursuant to the provisions hereof, upon, under, and across the following described lands located in the County of **Allamakee**, and the State of Iowa:

See attached Exhibit "A", page 3

together with all the rights and privileges for the full enjoyment or use thereof for the aforesaid purpose.

Grantor(s) agrees that it will not construct or place any buildings, structures, plants, or other obstructions on the property described above.

Grantor(s) also conveys the right and privilege to trim, cut down or control the growth of any trees or other vegetation on said described land and such other trees and vegetation adjacent thereto as in the judgment of the Grantee may interfere with construction, reconstruction, maintenance, expansion, operation, repair, use of the Line or Lines.

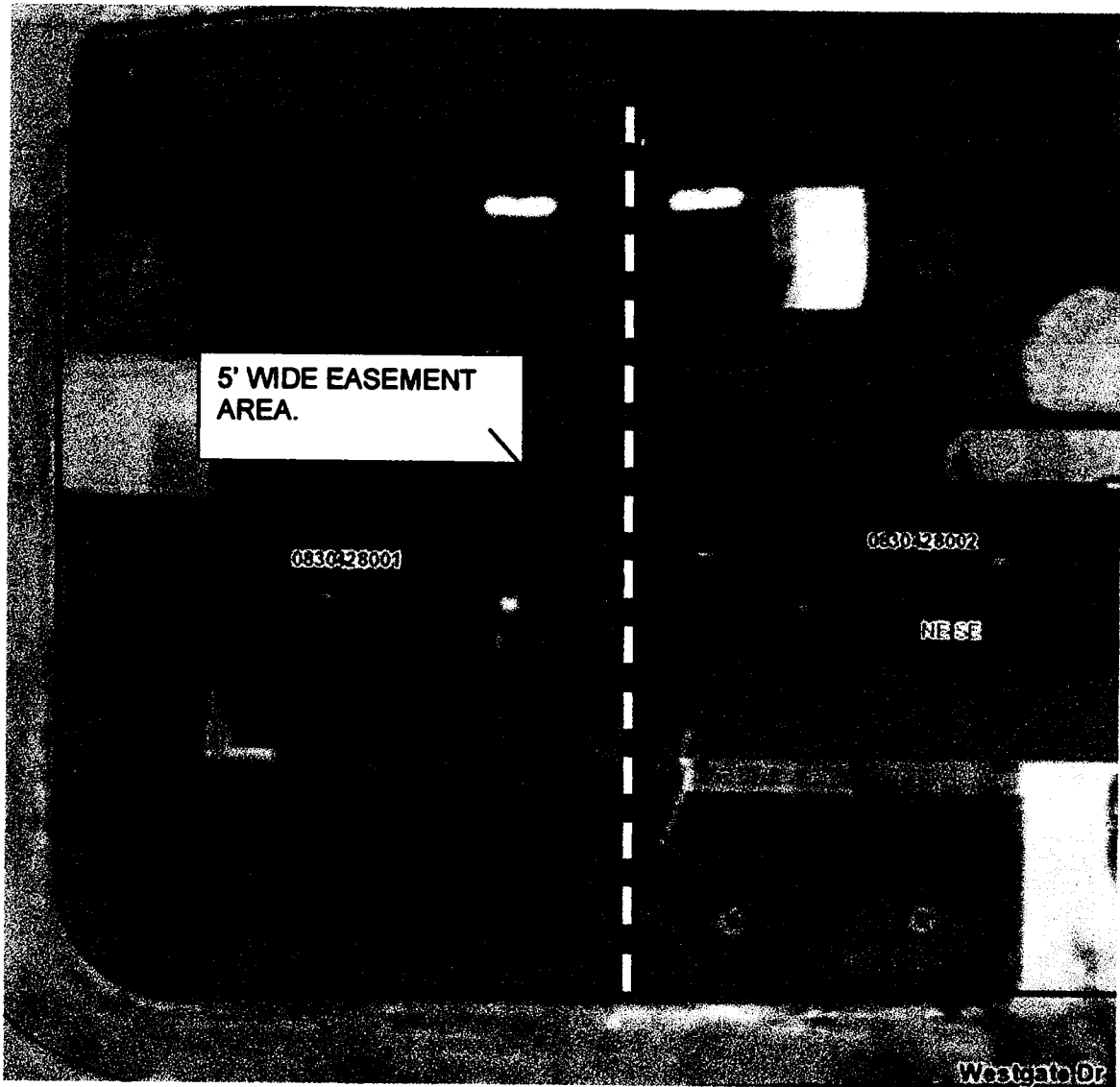
Grantee, its contractor or agent, may enter said premises for the purpose of making surveys and preliminary estimates immediately upon the execution of this easement.

The Grantor(s) also grants to the Grantee the right of ingress and egress to the Line or Lines, under lands now owned by the Grantor(s), for the purpose of constructing, reconstructing, maintaining, expanding, operating, patrolling, repairing and removing the Line or Lines, and the Grantee agrees to pay to the Grantor(s) or its tenants all damages done to the lands (except the cutting and trimming of trees or other vegetation), fences, livestock or crops of the Grantor(s) or its tenants, by the Grantee or its employees while constructing, reconstructing, maintaining, expanding, operating, patrolling, repairing or removing the Line or Lines.

Exhibit "A"

EASEMENT AREA BEING THE EAST FIVE FEET OF THE FOLLOWING DESCRIBED PARCEL:

LOT ONE (1) OF WESTGATE SUBDIVISION OF LANSING, ALAMAKEE COUNTY, IOWA.



Number: 2022-5737
BK: 2022 PG: 5737
Recorded: 9/29/2022 at 12:22:00.0 PM
County Recording Fee: \$17.00
Iowa E-Filing Fee: \$3.32
Combined Fee: \$20.32
Revenue Tax:
AnnMarie Legler RECORDER
Cerro Gordo County, Iowa

Prepared by: Mary Montgomery – Interstate Power and Light Company - PO Box 351, Cedar Rapids, Iowa 52406 (319) 786-4768
Return To: Mary Montgomery – Interstate Power and Light Company - PO Box 351, Cedar Rapids, Iowa 52406 (319) 786-4768
SPACE ABOVE THIS LINE FOR RECORDER

UNDERGROUND ELECTRIC LINE EASEMENT

For and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, **Ruth J. Baker, Single and Michael R. Baker** "Grantor(s)", ADDRESS: **405 27th Ave S. Apt 44 Clear Lake, Iowa 50428** do(es) hereby warrant and convey unto **Interstate Power and Light Company, an Iowa Corporation**, its successor and assigns, ("Grantee") a perpetual easement with the right, privilege and authority to construct, reconstruct, maintain, expand, operate, repair, patrol and remove an underground electric and telecommunications line or lines, consisting of wires, transformers, switches and other necessary fixtures, appurtenances and equipment, (including associated surface mounted equipment) and construction (collectively, the "*Line*" or "*Lines*") for transmitting electricity, communications and all corporate purposes of Grantee together with the power to extend to any other party the right to use, jointly with the Grantee, pursuant to the provisions hereof, upon, under, and across the following described lands located in the County of **Cerro Gordo**, and the State of Iowa:

See attached Exhibit "A", page 3

together with all the rights and privileges for the full enjoyment or use thereof for the aforesaid purpose.

Grantor(s) agrees that it will not construct or place any buildings, structures, plants, or other obstructions on the property described above.

Grantor(s) also conveys the right and privilege to trim, cut down or control the growth of any trees or other vegetation on said described land and such other trees and vegetation adjacent thereto as in the judgment of the Grantee may interfere with construction, reconstruction, maintenance, expansion, operation, repair, use of the Line or Lines.

Grantee, its contractor or agent, may enter said premises for the purpose of making surveys and preliminary estimates immediately upon the execution of this easement.

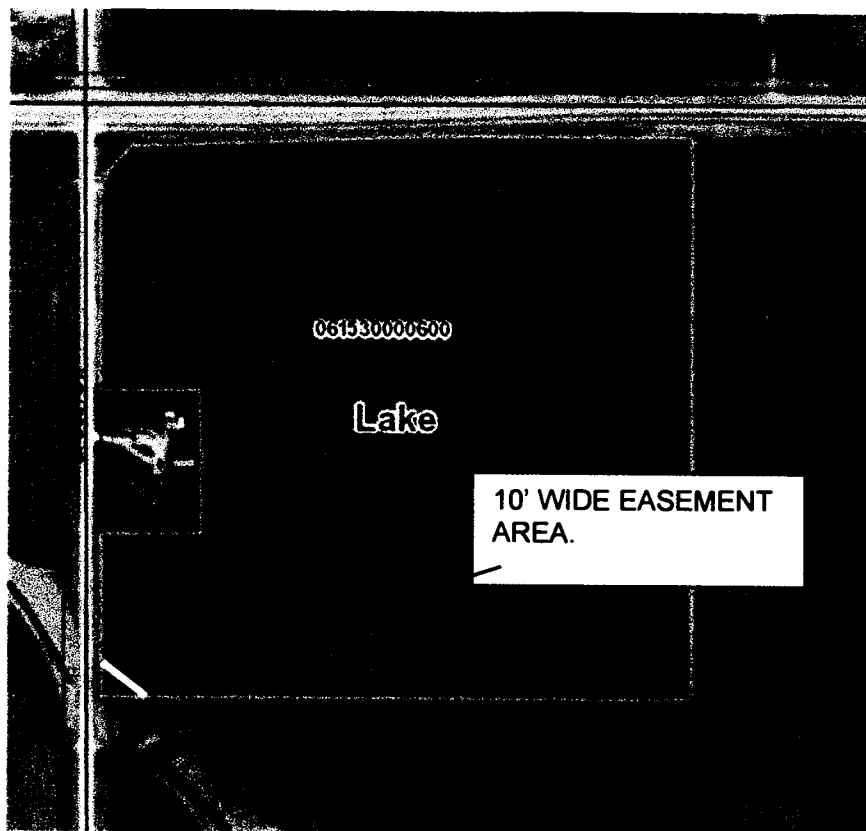
The Grantor(s) also grants to the Grantee the right of ingress and egress to the Line or Lines, under lands now owned by the Grantor(s), for the purpose of constructing, reconstructing, maintaining, expanding, operating, patrolling, repairing and removing the Line or Lines, and the Grantee agrees to pay to the Grantor(s) or its tenants all damages done to the lands (except the cutting and trimming of trees or other vegetation), fences, livestock or crops of the Grantor(s) or its tenants, by the Grantee or its employees while constructing, reconstructing, maintaining, expanding, operating, patrolling, repairing or removing the Line or Lines.

Exhibit "A"

EASEMENT AREA BEING 5 FEET EACH SIDE OF CENTERLINE OF FACILITIES LOCATED ON THE FOLLOWING DESCRIBED PARCEL:

Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section Fifteen (15), Township Ninety-six (96) North, Range Twenty-one (21) West of the 5th P.M., except the property described as follows: Auditor's Parcel "A": that part of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW¼) of Section 15 commencing as follows: Commencing at the West Quarter corner of said Section 15, thence S 00°00'00" E 644.70 feet along the West line of the SW¼ of said Section 15 to the point of beginning; thence continuing S 00°00'00" E. 314.74 feet along the West line of the SW¼ of said Section 15; thence S 90°00'00" E 250.00 feet; thence N 00°00'00" W 314.74 feet parallel with the West line of the SW¼ of said Section 15; thence N 90°00'00" W 250.00 feet to the point of beginning, containing 1.81 acres.

06-15-300-006-00



**ELECTRONIC SERVICES SYSTEM**

8711 Windsor Parkway, Suite 2

Johnston, Iowa 50131

WORK AUTHORIZATION**Authorization #:** LT-2.1**Cost Estimate:** \$ 43,200.00**Effective Date:** 9/12/22**Valid Through:** 10/21/22**Agency:** Electronic Services System (ESS)**Vendor (Service Provider):** Lean TECHniques, Inc.**Project Phase:** Phase 2 – CAS**RFQ/Contract Number:** RFQ Number: ESS-2021-1**Work Requested By:** Phil Dunshee**Lean TECHniques Contact:** Danielle Brommer

Statement of Work Lean TECHniques will provide software development services for the ESS CAS and Admin application. Activities for the project will include the following:

1. 1 Pull down and update existing CAS to v.6.5.9
 - a) Use CAS Overlay on VM, i.e., no Docker
 - b) Kelly to provision access to Travis
2. Install CAS into the permanent Virtual Machine
 - a) Kelly to provision the VM
3. Adjust provisioning of CAS - Admin Privileges
 - a) Explore CAS options to implement password requirements
 - b) Build user management database
 - c) Migrate existing administrator users
 - d) Skin the login screen - Some LT (or Kati at ILR) UI development
 - e) Implement security for forgot password and username functionality
 - f) Implement security for session timeout (planning on being configurable in CAS)
4. Adjust the admin app logic to work with the application and user DB
 - a) Create fresh user database
 - b) Enable authentication in the ESS app

Deliverables include the following working software functions:

1. CAS structure is set up
2. Admins can log into production ESS admin app

Activity	Rate
Delivery Lead (Justin O'Neal)	\$150.00/hr.
Senior Software Developer (Travis)	\$150.00/hr.
Total Cost - Not To Exceed	\$43,200.00

With respect to this work authorization, Lean TECHniques will provide ESS with a detailed invoice bi-weekly.

Work Included:

Weekly Status Reports For ESS Project Manager/Product Owner

Daily Stand Up With ESS Technical Lead

ESS will provide Lean TECHniques with access to necessary software and accounts, and ensure timely communications regarding Deliverables, Acceptance or Non-Acceptance, Deficiency, Error, Enhancement, Services, and Specifications as referenced in the master Agreement.

DocuSigned by:

Danielle Brommer

984698CCE0EB46D

Approved: Lean TECHNIQUES**Approved: Electronic Services System**

Timeline: December 30, 2022	Budget: 2 LT FT Developers 1 LT PT Delivery/Product Lead	Integrate CAS into the E-Submission process Tee up for Phase 3 Search or Payment work
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Enter Username & Password

Username*

pdunshee

Password*



LOGIN

 [Reset your password](#)

For security reasons, please [log out](#) and exit your web browser when you are done accessing services that require authentication!

What is Iowa Land Records?

Created and maintained by the Iowa County Records Association, this easy-to-use online portal and e-submission service allows users to search and submit real estate documents in all of Iowa's 99 counties. Iowa Land Records streamlines the overall process for the public and professionals with a convenient online tool that saves valuable time.

Our Mission

Connecting the public to recorded real estate documents and simplifying document submission with our online service.

CAS Workflow

Initial User/Administrator Set Up Processes

Current Process.

Iowa Land Records has three primary applications: E-Submission, Land Records Search, and ADMIN2. Set up for E-Submission requires an organization to complete an application form, and an ILR customer service team member assists with the creation of an initial submitter account administrator and other steps necessary to enable electronic submission. Set up for the Land Records Search application is currently self-administered. Those seeking to search for, and view land records information are required to enter information about themselves through a web form, and they are required to review and accept the Terms of Use and Privacy Policies. Users are also required to respond to a link in a registration email to verify that the email is correct and active. ADMIN2 users are internal members of the ILR team, and any user accounts are set up by an ILR system administrator.

These separate set up processes reflect the history of Iowa Land Records. The Land Records Search application was developed first in 2005, and policy makers directed that searching and viewing records should be at no cost to the user. This led to the development of the self-registration system. The Terms of Use and set up process evolved over time including changes to address concerns about privacy and the potential disclosure of personally identifiable information. Changes in the Terms of Use were also made to address a growing concern about the use of false identities for registration and access to the site by third parties located outside of the United States.

Development of the E-Submission Service came a year later, and a different set up and registration system was required because applications were to be vetted to ensure that participating organizations were legitimate, and to enable a means of payment for recording and E-Submission services. A self-registration system was not an option.

Future Vision

As use of both the Land Records Search and E-Submission applications grew, some users – particularly E-Submission Users – asked if it was possible to have a single log-in that would provide them with access to both E-Submission and Land Records Search services. Initially the request was a desire to use the same user ID and password to log in to either application. Because both applications operate under the same domain – iowalandrecords.org – it is possible to have a single sign-on (SSO) – in which one login could grant access to multiple applications (if the appropriate permissions are in place).

The need for additional security and user controls has also grown. As noted previously, some parties and organizations have set up false accounts in the Land Records Search application. Some have sought access from outside of the United States through proxy servers. And generally, cybersecurity concerns have grown substantially in recent years causing anyone connected to the Internet to consider strategies for hardening their access controls. Additional log-in steps are envisioned for the Iowa Land Records applications; specifically, the implementation of the central authentication service (CAS) and utilizing multi-factor authentication (MFA).

User/Organization Registration Paths

Because Iowa Land Records is a system of well-established services with thousands of users, it will be necessary to consider how new organizations and users will be added to the system while also transitioning existing organizations and users. The following is a description of the requirements and

CAS Workflow

Initial User/Administrator Set Up Processes

workflows for three paths: Set up of organizations and users new to Iowa Land Records, transition of organizations and users of the ILR E-Submission service to enable them to access the Land Records Search application after logging in, and transition of organizations and users of the ILR Land Records Search application to enable authorized organizations to also access E-Submission services.

New Organization/User Workflow

Redevelopment of the Land Records Search application is expected to occur through the end of 2023. For this reason, it is expected that, initially, the CAS will be connected to the legacy search application until the redevelopment has progressed sufficiently.

A link to the CAS login (for active users) to Iowa Land Records will be displayed on the iowalandrecords.org landing page: “ILR Login”. After logging in, an active user would be presented with links to access either the E-Submission application or the Land Records Search application (based on their assigned permissions for either or both applications).

An invitation link would be displayed on the main iowalandrecords.org (WordPress) landing page inviting visitors to “Join the Iowa Land Records Community.” After selecting the “join” link, the user would be presented with the following questions.

1. Are you already a registered user of the Iowa Land Records “Search” application and wish to become an electronic filer (submitter)? If yes – click HERE. [This would redirect the user to the online E-Submission application form (<https://iowalandrecords.org/e-submission-service-app/>) – note: the form will require updating.]
2. Do you work in the real estate industry and work for a company or organization which is interested in using the ILR search application and/or the ILR E-Submission application? If yes – click HERE. [This would redirect the user to a combined online application form.]
3. Are you an individual who does not work in the real estate industry, but have a need to look up a few records that have been recorded in a county in the State of Iowa? If yes – click HERE. [This would redirect the user to a different online application form requesting identifying (not PII) information.]
4. Do you have special need which is not represented by questions 1-3? If yes – click HERE. [This would redirect the user to the/a “Contact” page similar to <https://iowalandrecords.org/contact/>]

CAS Workflow

Initial User/Administrator Set Up Processes

An alternative method for directing users based on their needs might be represented by a set of radio buttons.

CHOOSE ONE

- ☐ I am an individual requesting a limited, temporary pass to look up a few records using the ILR Search application
- ☐ My company/organization is requesting access to the ILR Search application
- ☐ My company/organization is requesting authorization to electronically submit documents for recording
- ☐ My company/organization is seeking access to BOTH the ILR Search

Two buttons would be displayed: Submit and Cancel. Selection of the Submit button would direct the user to an appropriate online application form. Selection of the Cancel button would direct the user back to the main ILR website landing page.

[Note: What method can be used to integrate information in the submitted forms for ADMIN2, such that the applicant data can be reviewed in ADMIN2 and then be acted upon?]

In ILR ADMIN2, the applications or requests for approval would be presented to an ESS Admin, who would either approve or deny the request. If approved the user ADMIN would receive an email with a link and directions to set up a user ID and password. If denied, the user would receive an email explaining the denial. Further elaboration of this ADMIN2 component will be provided separately.

CAS Workflow

Initial User/Administrator Set Up Processes

Individual User Form

The following information would be required of a user requesting temporary access to the ILR Search application.

*Desired Username

*Last Name

*First Name

*Street Address 1

Street Address 2

*City

*State

*Zip Code

*Email Address

*Confirm Email Address

*Phone Number

*Mobile (Yes/No)

[Link to Terms of Use and Privacy Policy](#)

*Are you submitting this application with the same device that will be used to search for land records or to communicate with the ILR team? Yes/No.

☐ Agreement to Terms of Use and Privacy Policy

☐ (Possibly other checkboxes similar to the current search registration form)

* Required

*Background: Tell us about your search interests. How can we help you find what you are looking for?

Comments

[Note: This form may justify the use of Smarty Streets for validation. A call to the applicant might be appropriate if uncertain. An automatic email reply to the applicant – requesting a response might also be appropriate. Other authentication steps may need to be considered. What other methods can be used to determine the authenticity of an applicant?]

[Note: Text would be displayed describing the limits of the search. For example, access for 24 hours only, limited to search by last name, single county, 50 searches, 25 image views, notice that the IP address and search activity will be monitored, and access may not be renewed for a period of time. The applicant would also be provided with some information about how soon their account may be created or activated. The actual policy will be determined later.]

CAS Workflow

Initial User/Administrator Set Up Processes

[Note: The Background section might also include a link to a simple online survey to gather more information about the applicant's search needs. This would also provide a possible method for logging the applicant's IP address.]

Two buttons would be displayed with the form: Submit and Cancel. Selection of the Submit button would notify the user that the form had been submitted successfully, and then return the user to the main ILR website landing page. Selection of the Cancel button would direct the user back to the main ILR website landing page.

CAS Workflow

Initial User/Administrator Set Up Processes

ILR Search application Company/Organization Form

The following information would be required of a company/organization requesting access to the ILR Search application.

Are you also requesting authorization to electronically submit documents for recording?

- ☐ Yes
- ☐ No
- ☐ No - We are already participating in the ILR E-Submission Service

[If yes, the applicant would be directed to a combined form.]

*Company/Organization Type [radio button (choose one)]

- ☐ Abstract or Title Co.
- ☐ Bank
- ☐ Brokerage Co. - Commercial
- ☐ City Government
- ☐ County Government
- ☐ Credit Union
- ☐ Federal Government
- ☐ Law Firm
- ☐ Media or News Organization
- ☐ Mortgage Co.
- ☐ Realty Co. - Residential
- ☐ Research Company
- ☐ State Government
- ☐ Survey or Engineering Co.
- ☐ Other (specify)

*Company/Organization Name

*Street Address 1

Street Address 2

*City

*State

*Zip Code

*Phone Number

*Mobile (Yes/No)

Fax Number

NOTIFICATION: All users of the ILR Search application must be located in the United States. Users who attempt to access the ILR Search application through IP addresses located outside of the United States will be blocked. The use of proxy IP addresses is prohibited. Accounts of companies or organizations whose representatives attempt to circumvent these policies will be deactivated and blacklisted.

Company/Organization Administrator Information

*Requested Global Company Administrator Username (specify format for username here)

*Administrator First Name

*Administrator Last Name

*Administrator Email Address

CAS Workflow

Initial User/Administrator Set Up Processes

Account Structure Set Up – Which structure below best represents how your company/organization wishes to set up an account? (Choose One)*

- ☐ **Central Account Management** This account should be set up for the entire company/organization, or for an individual Section [branch/division/bureau/business unit] of our company/organization which will manage the use of the application, payment, and all users
- ☐ **Individualized Control** We request permission to set up this account only for individual professionals within our company/organization, and those individuals would manage their accounts

[Note: We may wish to set up some guidelines for when this might be permitted – mostly thinking of law firms in this example.]

Agreement

[Link to ILR Search application Terms of Use and Privacy Policy \[https://iowalandrecords.org/terms-of-use-portal/ and https://iowalandrecords.org/privacy-policy-portal/\]](https://iowalandrecords.org/terms-of-use-portal/)

I represent and warrant that on behalf of the company/organization specified above I have the right, power and authority to enter into and perform the obligations under this agreement. I have taken all requisite action (corporate, statutory, or otherwise to approve execution, delivery and performance of this agreement, and this Agreement constitutes a legal, valid and binding obligation of the applicant, enforceable in accordance with its terms. I further agree to the ILR Search application Service Terms of Use policy and Privacy policy.

- ☐ We agree to the ILR Search application Terms of Use and Privacy Policy*
E-Signature*
Date*

* Required

Two buttons would be displayed with the form: Submit and Cancel. Selection of the Submit button would notify the user that the form had been submitted successfully, and then return the user to the main ILR website landing page. Note: if the applicant selected “Yes” when asked if they would wish to request authorization to electronically submit documents for recording, the selection of the Submit button might take them directly to the E-Submission application form – and ideally the E-Submission application form would be pre-populated with the information in the ILR Search application form. Selection of the Cancel button would direct the user back to the main ILR website landing page.

In ILR ADMIN2, the request for approval would be presented to an ESS Admin, who would either approve or deny the request. If approved the user would receive an email with a link and direction to set up an admin user ID and password. Generally, they would handle user management from there. Depending on the circumstances, the ESS Admin may contact the applicant to gather additional

CAS Workflow

Initial User/Administrator Set Up Processes

information before deciding. If denied, the user would receive an email explaining the denial. Further elaboration of this ADMIN2 component will be provided separately.

CAS Workflow

Initial User/Administrator Set Up Processes

ILR E-Submission Application Company/Organization Form

The following information would be required of a company/organization requesting access to the ILR E-Submission Application.

Are you also requesting authorization to search for documents at iowalandrecords.org?

- ☐ Yes
- ☐ No
- ☐ No - We are already participating in the ILR Search Service

[If yes, the applicant would be directed to a combined form.]

Electronic Submission Service Application

On behalf of the organization specified below, I request authorization to submit real estate documents for the purposes of official recording in any county or jurisdiction participating in the ILR Electronic Submission Service. By submitting this application to become an authorized user of the Electronic Submission Service, I certify that I have reviewed the Electronic Service Terms of Use and Privacy policies published at the following web addresses: <https://iowalandrecords.org/terms-of-use-esubmission> and <https://iowalandrecords.org/privacy-policy-e-submission>. I agree to abide by the terms and conditions specified therein.

Please provide the following information. All information is required. Incomplete applications will not be processed.

*Company/Organization Type [check box]

- ☐ Abstract or Title Co.
- ☐ Bank
- ☐ Brokerage Co. - Commercial
- ☐ City Government
- ☐ County Government
- ☐ Credit Union
- ☐ Federal Government
- ☐ Law Firm
- ☐ Media or News Organization
- ☐ Mortgage Co.
- ☐ Realty Co. - Residential
- ☐ Research Company
- ☐ State Government
- ☐ Survey or Engineering Co.
- ☐ Other (specify)

*Company/Organization Name

*Street Address 1

Street Address 2

*City

*State

CAS Workflow

Initial User/Administrator Set Up Processes

*Zip Code
*Phone Number
 *Mobile (Yes/No)
Fax Number

NOTIFICATION: All users of the ILR E-Submission Application must be located in the United States. Users who attempt to access the ILR E-Submission Application through IP addresses located outside of the United States will be blocked. The use of proxy IP addresses is prohibited. Accounts of companies or organizations whose representatives attempt to circumvent these policies will be deactivated and blacklisted.

Company/Organization Administrator Information

*Requested Global Company Administrator Username (specify format for username here)
*Administrator First Name
*Administrator Last Name
*Administrator Email Address

Account Structure Set Up – Which structure below best represents how your company/organization wishes to set up an account? (Choose One)*

- ☐ **Central Account Management** This account should be set up for the entire company/organization, or for an individual Section [branch/division/bureau/business unit] of our company/organization which will manage the use of the application, payment, and all users
- ☐ **Individualized Control** We request permission to set up this account only for individual professionals within our company/organization, and those individuals would manage their accounts

[Note: We may wish to set up some guidelines for when this might be permitted – mostly thinking of law firms in this example.]

PAYMENT METHOD*

Please indicate how you will pay for your electronic submissions. The Iowa Land Records team will work with you to set up your payment account.

We will use a credit card for payment
We will use a bank account (EFT) for payment

E-SUBMISSION VALIDATION INFORMATION

Please provide an example of a document you have recorded in Iowa by specifying the reference number of the recorded document and the county in which the document was recorded.

County Where Recorded:
Book & Page or Document Reference Number:
Date of Recording: mm/dd/yyyy

Rationale for Prioritizing or Declining Account Requests

Priority For Customer Transition Support

1. ESS Admins
2. County Recorders and staff
3. Existing Active E-Submission Customers
4. New E-Submission Customers
5. Companies who are members of our key stakeholder organizations (member directories and responses to ILR surveys about the transition)
 - a. ISBA
 - b. IBA/CBI and Credit Unions
 - c. ILTA
 - d. Realtors
 - e. Surveyors
6. Iowa Citizens (who have logged in during the past year)
7. Companies located outside of Iowa
8. Individuals located outside of Iowa
9. Inactive E-Submission Customers

Basis for Declining Access to the Search Application

1. Currently Blacklisted or Blocked IP
2. History of Excessive Searches
3. Evidence that the organization has submitted false or misleading information with their application
4. Evidence that the organization may be located outside of the U.S. and is hiding behind a Proxy IP address
5. Evidence of criminal activity
6. Evidence that the organization is focused on marketing and data mining and searching is not based on a professional role in the real estate industry
7. Poor rating with BBB or D&B or a Credit Reporting system

Basis for Declining Access to the E-Submission Application

1. Currently Blacklisted or Blocked IP with respect to the Search Application
2. Evidence that the organization has submitted false or misleading information with their application
3. Evidence that the organization may be located outside of the U.S. and is hiding behind a Proxy IP address
4. Evidence of criminal activity
5. Poor rating with BBB or D&B or a Credit Reporting system

Note: As a part of the CAS transition, any organization which has not utilized their E-Submission account within the past six months should be deactivated. Efforts will be made to encourage inactive Submitters to become active. (See Priority For Customer Transition Support above - #9)

October 18, 2022

To: ESS Standards Subcommittee

From: Phil Dunshee

Re: Linn County Registration Renewal Project

The Linn County Records office in collaboration with their county IT department is in the process of developing an online registration renewal system. The concept is that they would obtain registration renewal information from the Department of Natural Resources and then invite their customers to renew their registrations and licenses online. In order to implement this system, when developed, it would be necessary for them to integrate a payment system.

Linn County has approached us to inquire about leveraging the ESS payment system to support these renewal transactions. One of their requirements is that they do not wish to maintain any customer payment information in their system. We have examined options and have determined that our payment systems (and providers) have the means to support these transactions.

Of interest to ESS is the possibility that the knowledge gained from the Linn County project could potentially lead to the development of a renewal system that could be used in service to any ESS county (if they desired).

Arrangements with Linn County have not been formalized, but it is expected that a written agreement would be developed to better define the project before any work is performed. Further, we have estimated that development efforts on the part of ESS (to integrate the payment methodology with the Linn County application) would require just a few weeks of development time.

We have made Linn County aware that ESS has a full plate of development projects, but that we are interested in working with them because a) we have access to the technology that would meet their business needs, b) there is potential for developing an new application that would benefit many other counties, and c) ESS development costs could be recouped through the POS service charges.

If we were to proceed, a written agreement would be developed later this year, and development work could potentially begin as early as the first quarter of 2023.

Action Requested. We are seeking discussion and comments from the Standards Subcommittee.

July 15, 2022

To: Jerry Lewallen, President
Members of the PRIA Board of Directors

From: Phil Dunshee, ILR Project Manager

Re: PRIA Operating Rules
Public Land Registry

We have received your June 2, 2022, letter responding to a request that PRIA develop and adopt a clear and firm policy statement to preserve and improve the public land registry, and to oppose efforts to privatize or nationalize these important functions. Plainly stated, you reported that "PRIA has decided not to create a specific policy statement at this time ..."

No explanation was presented for this decision. As a constructive and active participant in the governance working group that is updating the PRIA operating rules and value statements, we are very aware of the pending changes in the operating policies as we highlighted in our February 11, 2022, memo. Allow us to point out some other provisions of the pending operating rules. The updated Transparency Policy, if adopted, will state that PRIA will "maintain openness and transparency in actions ... and to communicate approved Board actions directly to the Membership. It will state that PRIA will "make information available about plans, decisions, policies, and operating practices." Further, it will state that PRIA will "provide any member in good standing additional background and detail regarding Board decisions ..."

The decision and message communicated in the June 2 letter is anything but transparent and it would better be described as exercise in obfuscation. This intent is reflected in the "plan to craft a response" referenced in the Minutes of the May 18, 2022, meeting of the Board of Directors.

In numerous PRIA conferences over the years presentations have been made extolling the virtues of the public land registration system in America, the bedrock of the economy. In subsequent years, PRIA meetings highlighted the coming of Blockchain. There was a lot of talk about what Blockchain is, and that everyone should pay attention to it. But there has never been a serious discussion in a PRIA forum about the implications of Blockchain, its implications for the public land registry, or solutions that would allow the private sector to seek efficiencies without abandoning the public land registry or the role of government, recorders, and registrars.

How does the position to not "create a specific policy statement at this time" serve the goal of aligning the interests of government (the public interest) with the interests of business? Any serious observer knows that business is racing to develop and implement new technologies including distributed ledger technology. As we previously stated, advocates for the use of distributed ledger technology have made no secret of the potential for using blockchain as a platform for immutably establishing the rights associated with property ownership in place of the public land registry.

We ask you plainly - does PRIA support the preservation of a public land registry? Yes, or no?

If yes, what is PRIA willing to do to declare its commitment to the public land registry and the public interest, and to support policies that will maintain the role of local governments as the custodian of this vital information and the performance of these important duties?

We ask again. Is this not what PRIA is all about? Is this not why PRIA exists? As stated on the PRIA website landing page – “The future of property records is here ...”. What is that future?

We look forward to your future discussion and action, and we look forward to being constructive and active participants.



Property Records Industry Association

110 Horizon Drive, Suite 210 · Raleigh, NC 27615

Phone 919.459.2081 Fax 919.459.2075

www.pria.us

June 2, 2022

Dear Phil,

Thank you for your active involvement in PRIA. In response to your letter dated February 11, 2022, the PRIA Board of Directors has had multiple discussions and the PRIA officers in conjunction with a couple of Council of Advisors have met to specifically review your request. As a result of these discussions, PRIA has decided not to create a specific policy statement at this time on the two items you requested.

As you are aware from your participation, the PRIA Operating Rules are being reviewed and we are nearing completion on a variety of updates. As a part of that update, there are proposed changes to the "values" PRIA promotes. We believe the proposed changes provide a framework for the discussion and review of topics such as the improvement of the land registry and privatization. While there is no certainty regarding what the future holds, I am confident there will be change.

In particular, the proposed PRIA Value item (3) addresses technology and how we can learn and understand the impact of emerging technology on the recording process. Also, proposed PRIA Value item (4) allows for the continued discussion of the balance between the government and business sectors in terms of how services are provided. The current plan is for the proposed Operating Rules changes to be presented to the Board at the August meeting. We look forward to the Board of Directors approving the proposed changes.

Thank you again for your commitment and dedication to PRIA. You have provided valuable input over the years.

Sincerely,

A handwritten signature in black ink that reads "Jerry Lewallen". The signature is fluid and cursive, with the first and last names clearly legible.

Jerry Lewallen
PRIA
President

February 11, 2022

To: Jerry Lewallen, President
Members of the PRIA Board of Directors

From: Phil Dunshee, ILR Project Manager

Re: PRIA Operating Rules
Public Land Registry

On behalf of the Electronic Services System and Iowa Land Records, I wish to express our thanks and appreciation to the leadership and working group members who have toiled over the update to the operating rules for many, many months. Their work has been thoughtful, thorough, and generally open to some new ideas. The work is nearly complete and soon will be before you for approval.

There are some specific elements that merit attention and praise.

- Modifications to the Transparency Policy which make it clear that PRIA is committed to informing the membership of its policies and actions.
 - PRIA staff and leadership should be proactive in providing advance notice to the members of pending policies and actions.
- The Advocacy Policy provides that the officers and board will apprise the membership of advocacy actions.
 - Any pending actions should be proactively communicated to the membership, and when actions must be taken due to time-sensitivity, PRIA staff and leadership should timely notify the membership and provide justification for any urgent action.
- The Communications Policy affirms PRIA's commitment to providing a culture for inclusiveness, transparency, and participation.
 - The creation of the online forums and the posting of monthly board packets have been a welcome contribution to this goal as are other tools that help facilitate communication among the members.
- The Work Products Policy which may affirm PRIA's commitment to publish draft versions of Work Products 30 days in advance of formal adoption by the Board.
 - Any pending Work Product should be subject to review by the membership prior to final action.
- The operating policies relating to committees and committee meetings which affirm the position that these groups are expected to conduct their work in an open and transparent manner and to include and engage all members.
 - Meeting notices, meeting summaries, and periodic working group or committee updates should be easily accessible to the membership

We look forward to the future with PRIA, and we will work to further the principles outlined in the updated mission statement.

"PRIA promotes (1) respect and open-mindedness amongst its members; (2) attentiveness to members and industry needs; (3) understanding of emerging business innovation; (4) aligning the interests of government and business; (5) collaboration by providing a culture for inclusiveness, transparency and participation; and (6) commitment to creating and publishing consensus-based results."

As we have stated throughout the process of reviewing and updating the operating rules, we believe that PRIA should proactively engage with the membership, and we also believe that the membership must engage with PRIA. We will continue to advocate for the interests of recorders and registrars and for the industry as a whole.

POLICY REQUEST

With this spirit we request that the PRIA Board of Directors consider the adoption of a clear policy statement regarding the public land registry. For several years we have been informed of various efforts to use technology such as blockchain or private registry systems to gain efficiencies in the property industry. Advocates for the use of distributed ledger technology have made no secret of the potential for using blockchain as a platform for immutably establishing the rights associated with property ownership in place of the public land registry. There have been policy discussions about establishing a national land registry system to replace the community and county systems for recording land record information. There are active efforts to override state laws governing remote notarization with federal legislation.

It should be apparent that these advocacy efforts will continue unless the property industry, public and private, strongly asserts that the public land registry should continue, and should not be undermined with these private or federalized efforts. The members of PRIA should in turn recognize that further improvements to the public land registry systems must also continue to be made. Is this not what PRIA is all about?

As a long-standing group of PRIA members from the state of Iowa, members who have fully embraced a commitment to standards and best practices, we respectfully request the PRIA Board of Directors and the entire membership of PRIA to develop and adopt a clear and firm policy statement to preserve and improve the public land registry, and to oppose efforts to privatize or nationalize these important functions.

Thank you for your consideration of this request.

[Approved by the Electronic Services Coordinating Committee, d.b.a. Iowa Land Records – February 10, 2022]

Endorsed By:

Nancy Booten – ESS Chair and Lee County Recorder; PRIA Member

Julie Haggerty – ESS Vice Chair, ESS Committee member and Polk County Recorder

Melissa Bahnsen – ESS Sec./Treas., ESS Committee member and Cedar County Recorder; PRIA Member

Sheri Jones – President – Iowa County Recorders Association and Jones County Recorder; PRIA Member

Denise Baker – ESS Committee member and Wright County Recorder; PRIA Member

Jolynn Goodchild – ESS Committee member and Plymouth County Recorder; PRIA Member

Natalie Steffener – ESS Committee member and Des Moines County Recorder; PRIA Member

Kim Painter – Johnson County Recorder; PRIA Member

Stacie Herridge – Story County Recorder; PRIA Member



110 Horizon Drive, Suite 210, Raleigh, NC 27615
919.459.2081

Operating Rules

Adopted by the PRIA Board on August 30, 2022

<http://www.pria.us>

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1. ***Mission & Values***

The Property Records Industry Association's (PRIA) mission is to develop and promote national standards for the property records industry, including technology standards, implementation guides, white papers, best practices, model legislation, and informational resources.

PRIA promotes the following values:

- (1) respect and open-mindedness among Members;
- (2) attentiveness to members and broader industry needs;
- (3) curiosity and a desire to understand emerging business innovations;
- (4) alignment of the interests of government and business;
- (5) meaningful collaboration through a culture of inclusiveness, transparency, and participation; and,
- (6) commitment to creating and publishing consensus-based results.

2. ***Board of Directors***

Authority. These operating rules (the "Rules") are adopted by the Board of Directors (the "Board") as required under Article IV of the Bylaws of PRIA (the "Bylaws"). The Rules carry out the purpose and objectives of PRIA, as set forth in Article II of the Bylaws, and are binding on and benefit all members of PRIA as identified in Article III of the Bylaws (each, a "Member"). Any reference to a Rule will be construed to include a reference to all parts, if any.

Attendance of Directors. Members of the Board are expected to possess the highest personal and professional ethics and demonstrate a willingness to devote the required time to the duties and responsibilities of Board membership. To properly discharge such responsibilities, Board directors should attend all Board meetings. Prior to each Board meeting, directors are expected to review provided materials, which relate to agenda items for that meeting.

A director who cannot attend a Board meeting may be excused by notifying the PRIA Chief Staff Officer prior to the Board meeting. Board directors whose unexcused absences exceed four in any 12-month period may be subject to removal, as set forth in Article III, item 8 of the Bylaws.

It is generally PRIA's practice for Board directors to serve no more than three consecutive two-year terms (six consecutive years). Exceptions can be made for directors moving into the role of President or Vice President.

3. *Meetings of the Board of Directors*

It is PRIA's practice to provide its Members notice of meetings of the Board and related supporting materials. These practices include the following.

- Publication via the website of the date and time of regular meetings of the Board.
- When practical, Board meeting notices will be published via the website two weeks in advance, Board meeting agenda one week in advance, and Board materials three days in advance of each meeting.
- In the event of a special meeting of the Board, notice will be published 24 hours in advance of the meeting.
- Confidential information such as personnel records may be excluded from the published materials at the discretion of the PRIA President.
- Summaries of meetings of the Board will be published after they are approved. The PRIA Staff may provide members with updates through PRIA communication channels.
- Materials and information will be published in an appropriate electronic format in the Members-only section of the PRIA website (www.pria.us); generally, published meeting notices and materials will be maintained on the website for a minimum period of two years plus the current year and then archived by PRIA Staff.

4. *Officers and Executive Board*

President. It is generally PRIA's practice for a President to serve for two consecutive one-year terms. Further, it is generally PRIA's practice for the President and Vice President to represent alternately the government and business sectors.

Vice President. It is generally PRIA's practice for a Vice President to move from Vice President to President once the sitting President has served two consecutive one-year terms.

Secretary and Treasurer. It is generally PRIA's practice to have Board members serve a one-year term as Secretary or Treasurer to broaden the executive experience of Board members.

Officers. The President, Vice President, Secretary, and Treasurer comprise the PRIA Officers.

Executive Board. The four Officers and the Immediate Past President, if still a PRIA member, typically constitute PRIA's Executive Board for discussions and action items that may be needed between regularly scheduled Board meetings. The Board will be informed of discussion items and actions taken by the Executive Board at the next meeting of the Board.

5. *Council of Advisors*

Each President may name individuals to a Council of Advisors ("Council"). The Council assists the President on a variety of matters to provide perspective, history of PRIA, and general knowledge of the broad property records industry. The Council may be asked to undertake specific tasks or background information gathering for the President. The Council serves as the Nominating Committee, adding additional Regular Members as appropriate. Council members are invited to all meetings of the Board.

6. *Committees, Sub-committees, and Project Teams*

The Board establishes committees, sub-committees, and project teams. The President appoints the co-chairs for all committees, sub-committees, and Work Project teams and will report these appointments to the Board.

Function. The function of a committee is to further the mission of PRIA, and, when appropriate, comment and recommend alterations to achieve its mission through the committee's area of responsibility or expertise. Each committee will keep the Board apprised of developments within its area of responsibility or expertise.

Unless the motion creating the committee states otherwise, the following rules will govern all committees:

Participation in a Committee, Sub-committee or Project Team. Subject to the limitations in Article III of the Bylaws, a Regular, Associate, or Individual Member may participate in any committee, sub-committee, or project team. Non-Member Subject Matter Experts ("SME(s)") may be invited to provide a project team with intellectual resources on a specific topic for a limited period but will have no vote.

Vote in Committee, Sub-committee, or Project Team. If the need for a vote arises, and subject to the limitations in Article III of the Bylaws, each member organization will have one vote.

Liaison. Each committee will have at least one Board member liaison (“Liaison”) who will be appointed by the President. The Liaison will provide guidance and assistance to the co-chairs.

Committees will include, but not be limited to:

- Communications Committee. The Communications Committee is responsible for all channels PRIA uses to communicate with its Members and the public.
- Education Committee. The Education Committee is responsible for delivering PRIA work products to the membership and PRIA Local Chapters.
- Governance Committee. The Governance Committee is responsible for general administrative functions of the association. The sub-committees of the Governance Committee are outlined below.
 - Budget. The Budget Sub-committee will prepare and present an annual budget to the Board for consideration no later than the annual meeting. The Treasurer will chair the Budget Sub-committee. At least two Regular Members who are not Board members will serve.
 - Bylaws. The Bylaws Sub-committee will review the Bylaws and the Operating Rules on an alternating basis, no fewer than every three years. When reviewing these documents, the Bylaws Sub-committee may recommend changes. Any Regular Member may at any time request in writing that the Bylaws Sub-committee examine a particular provision for suggested change or modification. The Bylaws Sub-committee will respond to the Member’s request within 45 days. The Secretary will chair the Bylaws Sub-committee. At least two Regular Members who are not Board members will serve.
 - Editorial Board. The Editorial Board reviews and edits newsletters and press releases for content prior to distribution.
 - Financial Oversight. The Financial Oversight Sub-committee will review the financial affairs of PRIA, semi-annually. The Vice President will chair the Financial Oversight Sub-committee. At least two Regular Members who are not Board members will serve. The Treasurer will not be a member of the Financial Oversight Sub-committee but will make all records available and comply with any requests for information. The Financial Oversight Sub-committee will report to the Board when making recommendations based upon its findings.
 - Nominating. The Council serves as the core membership of the Nominating Sub-committee, adding additional Regular Members, typically at least two, to ensure a broader perspective. No member of the Nominating Sub-

committee may be a candidate for Board director in the upcoming election. The Nominating Sub-committee will call for nominations from the Regular Members at least 60 days before the annual meeting. At least 45 days before the annual meeting, it will submit to the Secretary a slate of qualified candidates, based on the Candidate Nomination Form. After receiving notification of the slate, the Secretary will advise the Board and the voting Members of the approved slate.

- Style. The Style Sub-committee reviews all PRIA work products for formatting, clarity, and consistency prior to publication.
- Membership Committee. The Membership Committee is responsible for Member retention and recruitment, while monitoring membership categories and the commensurate dues structure.
- Standards & Best Practices Committee. The Standards & Best Practices Committee is responsible for monitoring the progress of all PRIA Work Project Teams. The functions and duties of Work Project Teams are described below.
- Special Committee or Taskforce. The President may appoint a Special Committee to research topics and make recommendations to the President or the Board. Special Committees are ad hoc in nature with a short-term focus and purpose, and dissolve when completed.

7. ***Committee, Sub-committee, and Work Project Team Leadership***

Co-chairs. Each Committee, Sub-committee, or Work Project Team shall have two co-chairs. One co-chair will be a Government Member and the other co-chair will be a Business Member.

Duties of the co-chairs include, but are not limited to:

- Facilitate meetings.
- Set meeting agendas.
- Maintain a focus on the task consistent with PRIA's mission and values.
- Keep the discussion on topic, monitor comments, and raise issues that should be addressed.
- Capture salient information during meetings, as needed. PRIA Staff typically prepares these notes and maintains up-to-date lists of the members of the committee.
- Report monthly to the Board, including information about the work of Sub-committees or Work Project Teams.

- Prepare summaries and updates to inform PRIA Members of the groups' activities. Utilize newsletters and other communications channels, or post in the Members-only section of the PRIA website.

8. *Meetings of Committees, Sub-committees, and Work Project Teams*

- Committee, Sub-committee, and Work Project Team meetings must be held periodically, either face-to-face or electronically, allowing all interested parties to participate.
- Co-chairs must give reasonable advance notice regarding the date and method for a meeting. Shorter notice for a meeting is allowed provided there are no objections.
- These groups are expected to conduct their work in an open and transparent manner to include and engage members. This openness may be demonstrated by any of the following:
 - Notice to the membership about meetings;
 - Publishing summaries of meetings and interim work products;
 - Periodically publishing updates about activities in PRIA newsletters and other communications channels.

A team working on a product may coordinate its efforts with other industry participants. Each presentation, proposal, work product or other deliverable submitted by any such other body or its representative (if such other body or representative is not a Member) will be deemed a PRIA intellectual property "contribution." Such contributions will be submitted in accordance with the terms of a license and release signed by any such non-member prior to the inclusion of the contribution.

9. *Alliances*

The Board may identify other groups with which it wishes to associate. The Board will adopt a resolution approving such an alliance and specifying mutually supportive terms. The resolution shall be posted, along with information about the organization, on the PRIA website. The Board may waive annual dues and event registration fees with comparable reciprocity. The Board will direct a review of all alliance agreements periodically, but no fewer than every five years.

10. *Work Products*

Work Products. PRIA Work Products will include but are not limited to:

- Audio-visual material. An audio-visual presentation, delivered electronically or via other media, intended to inform and educate an audience. Examples include recorded webinars, recorded conference sessions, podcasts, Learning Management System (LMS) modules, or other subject-specific content in a presentation or series. An audio-visual product typically supports PRIA's other published documents and resource materials.
- Background Paper. A document providing relevant facts and information on a specific standard, topic, issue, technology, legislation, statute, decision, development, policy, or practice that is of interest to the property records industry.
- Best Practices. A method or technique that has consistently shown results superior to those achieved with other means. Best practices develop as experience and research evolve. A practice is used to maintain consistency as an alternative to legislated or regulated standards and can be based on self-assessment and benchmarking.
- Model Legislation. Text intended to serve as a guide for drafting future legislation which can be modified based on local circumstances.
- Position Paper. A formal, written statement with background and rationale, generally regarding a single issue, that articulates a position, viewpoint, or policy.
- Standard. A work product that provides rules, technical specifications, guidelines, or characteristics written to ensure interoperability across multiple systems.
- Supplement. Additional information based on or relating to an existing Work Product, such as a toolkit to assist members with implementation of standards or practices.
- White Paper. An authoritative report or guide helping readers to understand an issue, solve a problem or make a decision. It may take a position, as well as include proposals for future Work Products.

Draft Documents.

- Work Products not yet approved by the Board are "Draft" documents.
- "Draft" documents will have the word DRAFT watermarked on each page of the document. If watermarks are not used, then each page must bear the DRAFT designation in either the header or footer.
- All "Draft" documents will contain the PRIA copyright notice and evaluation license in Appendix B (see hyperlink on the Appendices chart).

- Work Products will be posted for 30 days of public comment prior to final approval by the Board.

Final Documents.

- Work products approved by the Board are “Final” documents.
- All “Final” documents will contain the PRIA copyright notice as found in the Appendices.
- The process and checklist by which a work product is approved are set forth in the Appendices.

11. *Presentations*

PRIA offers presentations to educate its Members and others in the property records industry. The specific rules governing all presentations at PRIA meetings, or by Members representing PRIA at other meetings, are contained in the appendices. These rules address presentations using whatever methodology is being employed.

12. *Logos and Trademarks*

The details concerning the use of the PRIA and PRIA Local logos can be found in the appendices.

PRIA Policies

Advocacy Policy – Last approved: 01/20/2021

Purpose: To establish a policy to guide the PRIA Officers and Board when considering advocacy efforts.

PRIA has advocated on topics of importance to the industry overall. This collaboration has been ongoing and benefits both PRIA and its partners. Several examples are:

1. PRIA developed materials to be used at the state level to educate legislators and the industry on the Uniform Real Property Electronic Recording Act (URPERA) and predictable recording fees.
2. PRIA has been actively involved with the Uniform Law Commission in considering model legislation on behalf of the industry, including Uniform Real Property Electronic Recording Act (URPERA), the Revised Uniform Law on Notarial Acts (RULONA), and the Uniform Home Foreclosure Procedures.
3. PRIA wrote model legislation for dealing with military discharge papers and the Social Security Number and Privacy Protection Act (SSNAPP) regarding personally identifiable information in recordable documents.
4. PRIA Members have met with federal legislators to educate them about the issues associated with a national database for land records.

Policy:

- PRIA may choose to take a position on industry-related issues by educating and sharing knowledge or research with legislators, regulators, the judiciary, and other entities. These advocacy efforts may come from a Member request, from an industry partner, or be initiated by PRIA in response to proposed actions affecting the property records industry.
- Government and business perspectives are often aligned, but also may differ. PRIA's advocacy efforts should not disenfranchise either Government or Business Members. Generally, PRIA will only engage at the state level upon a request from a Member.
- Requests should be routed to PRIA's Chief Staff Officer for processing. They will then be directed to the Officers for consideration and to the Board, as the elected representatives of the entire membership.
- Recognizing requests for support may be time-sensitive, the Officers or Board will determine the appropriate response. If there are known conflicts in the

views of PRIA Members, generally PRIA will not take a position. PRIA may respond to requests for support by referencing resource documents, directing the requesting party to a group currently at work on the topic or to subject matter experts.

- The Officers and Board will apprise the membership of advocacy actions through established PRIA communication channels.

Attributions Policy – Last approved: 05/01/2019

Purpose: To establish a policy for consistently applying acknowledgements of copyright or non-copyright data provided for use in a PRIA work product by Member organizations.

Policy:

- When citing work from outside sources, acknowledge the reference via a footnote, endnote, or appendix.
- When citing intellectual resources provided for and aggregated by Members of a work group, these contributions may be identified or acknowledged.

Bereavement Policy – Last approved: 07/25/2018

Purpose: To establish a policy for extending condolences for the PRIA leadership that will be consistently applied.

Policy:

- Flowers or a plant sent to the home with card acknowledging sympathy from the PRIA Board of Directors and Staff. If family has requested a charitable donation in lieu of flowers, a PRIA check for \$100 will be sent to the named charity with a request that acknowledgement be forwarded to the family. This expression of condolences is intended for:
 - Current Board Members, committee or project team co-chairs and volunteers
 - Immediate family of current Board Members
 - Immediate family of past presidents
- Sympathy card sent to the home or workplace on behalf of the PRIA Board of Directors and Staff. This expression of condolences is intended for:
 - Immediate family of committee or project team co-chairs or volunteer
 - Friends of PRIA
- The PRIA Staff will automatically enact this policy once they are informed of a

death and determine relationship to the PRIA Member.

- The PRIA Board will have the flexibility to modify this policy.

Communications Policy – Last approved: 04/15/2020

Purpose: To provide guidelines for communication among Members about PRIA or about activities of Members' organizations, and to provide a framework for using PRIA communications resources.

Policy: PRIA seeks to provide a culture for inclusiveness, transparency, and participation. Members are encouraged to be engaged and to communicate with each other and with PRIA Staff and leadership. Engagement and communication may include participation in a Work Group, posting messages in the Community Forum on the PRIA website, attending a virtual or in-person meeting, or direct communications such as email or other messaging services. Communications among Members through any communication channels should be conducted with respect and open-mindedness. It is also important to observe the rules including the Community's Code of Conduct and Website Privacy Policy and Information Security Practices associated with the PRIA website. Members should not distribute excessive or overt commercial solicitation messages.

PRIA maintains information about individual Members for internal operational purposes, including mailing addresses, telephone numbers, and email addresses. PRIA does not sell any list containing Member information.

A directory of PRIA members is located on the Members-only section of the PRIA website. This information is intended to facilitate communication among PRIA Members about PRIA activities. Members may opt out of being listed in the directory, but their contact data will continue to be accessible by PRIA Staff. PRIA Members can search the directory for contact information about Members who have not opted out of the listing.

PRIA distributes information to its Members in many forms including periodic electronic newsletters, mailings, or emails. These communications are essential to the operation of a Membership organization, and they are managed and directed by PRIA Staff under the oversight of the PRIA Board and the Communications Committee.

A PRIA Member may submit a request to have a message distributed to the membership. Such requests, including the message content, will be reviewed by the

PRIA Staff, the Board, or the Communications Committee. If approved, the message content and the form of the message will be distributed by PRIA Staff in coordination with the requesting member.

Opt-Out Procedures

When joining PRIA or when renewing a PRIA membership, a Member will express a preference with respect to receiving PRIA communications.

Preference choices are included on all Membership forms, including application and renewal forms, both online and paper copies. The following preference options will be specified.

- Opt-out of Member directory
- Opt-out of all communications from PRIA

PRIA distributes pre- and post-conference attendee lists, which include attendee name, organization, city, and state. (Note: email addresses are not included.)

Opt-In Procedures

When registering for a PRIA conference, webinar or other meeting, a PRIA Member will be asked to grant permission to receive a one-time promotional message from an event or meeting sponsor. The permission request shall be included on all conference or meeting registration forms, both online and paper copies.

Language for Registration Forms: If you wish to receive a one-time email from PRIA conference sponsor(s), please indicate below.

- *I agree to receive a one-time email from conference sponsor(s).*

Document Retention Policy – Last approved: 11/16/2016

Purpose: To identify the record retention responsibilities of contracted Staff and Board members for maintaining and documenting the storage and destruction of the association's documents and records.

Policy: The association's contracted Staff and Board members are required to adhere to these rules:

- Physical or electronic documents and historical artifacts indicated under the terms for retention below will be maintained by the association management office or its equivalent.

Speaker Registration Policy – Last approved: 06/21/2017

Purpose: To attract the most knowledgeable speakers available to deliver relevant content to enhance expertise in the industry.

Policy:

- For PRIA Members and Industry Non-members
 - For an individual speaker for a General Session or Concurrent Educational Session (excluding a working session), conference registration may be waived, based on a final decision by the President and Conference Planning Committee. In general, all speakers are expected to pay for their own travel and accommodations for PRIA conferences.
- For Non-industry Speakers
 - For non-industry speakers, PRIA may waive registration fees and, if requested, will consider providing travel, accommodations, incidentals, and a professional speaking fee.
 - A non-industry speaker is defined as one whose organization does not meet the eligibility requirements for PRIA membership.

Transparency Policy – Last approved: 12/16/2020

Purpose: To maintain openness and transparency in actions to be taken by the Board and to communicate approved Board actions directly to the membership.

Policy:

- Post a Board binder to the Members-only section of the PRIA website before each monthly Board meeting for review by all Members. The Board binder includes the agenda, previous meeting minutes, monthly financial reports, and other documents relative to the Board agenda.
- Make information available about plans, decisions, policies, and operating practices.
- Provide information about PRIA governance, finances, and actions taken by the Board.
- Make information easy to find, relevant, accurate and, wherever possible, self-explanatory.
- Provide any Member in good standing additional background and detail regarding Board decisions, provided disclosing additional information is not in violation of any legal or contractual obligations. The Board will provide the additional information and meet with the Member to discuss any concerns or input the Member may have.

Travel, Expense, & Registration Reimbursement Policy – Last approved: 03/03/2005

Purpose: To establish guidelines for certain reimbursable expenses.

Policy:

- Travel Expense and Registration Reimbursement for PRIA Meetings
 - Board members and committee co-chairs are expected to attend all PRIA meetings each year, at their expense. If an unplanned or unexpected meeting needs to be scheduled, the Board will decide on the use of its resources to make attendance possible for as many Board members and committee co-chairs as need to attend the meeting.
 - The waiver of any registration costs and requests for travel assistance must be approved by a majority of the Officers.
- Travel Expense and Registration Reimbursement for non-PRIA Meetings (such as for Speakers Bureau or attendance at industry-related conferences or meetings)
 - Expense Reimbursement Requests and Approval
 - An itemized list of estimated expenses must be approved in advance by a majority of the Officers.
 - Officers will either approve or disapprove the request and notify the requestor.
 - Expense Reimbursement
 - The requestor must submit a compilation of actual expenses, attaching receipts, within 30 days of the final day of the meeting or event.
 - The report and supporting receipts are to be submitted to PRIA Staff. Upon receipt of the supporting receipts and verification that all claimed expenses have been substantiated, the requestor will be reimbursed. Reimbursable expenses include:
 - Transportation Expenses:
 - Reasonable ground transportation from the airport to the conference location and back.
 - Actual air travel expense (economy or equivalent).
 - Car rental at the standard rate for a compact class auto within the meeting dates from the airport or requestor's home area to the conference location and back.
 - Personal vehicle mileage reimbursement from the requestor's home area to the airport or conference

- location and back at the prevailing IRS mileage reimbursement rate.
- Other modes of travel (train, boat, etc.) will be reimbursable based upon standard economy class accommodations or equivalent.
- Parking or mass transit expenses.
- Meal expenses commensurate with the GSA guidelines for the location.
- Lodging expenses at the established meeting rate for a single, regular (non-suite) room.
- Membership fees to another organization as the PRIA representative.
- Meeting registration fees for other organizations as the PRIA representative.
- Other expenses or suggestions must be pre-approved by the Officers.

Website Privacy Policy and Terms of Use – Last approved: 04/22/2017 and 08/23/2010 (respectively)

Purpose: To protect and secure information provided by visitors to the PRIA website, www.pria.us.

Policy:

The Privacy Policy describes how personal information is collected and used. The Terms of Use provides requirements for use of the website and website content. Use of the PRIA website constitutes acceptance of the Privacy Policy and Terms of Use and consent to the practices they describe. The policy is reviewed periodically by the Communications Committee with recommended changes presented to the Board for approval.

The policy can be found on the [PRIA website](http://www.pria.us).

Whistleblower Policy – Last approved: 11/16/2016

Purpose: To encourage PRIA Staff and Members (1) To come forward with credible information on alleged illegal practices or serious violations of adopted policies of the association; (2) To specify that the association will protect the person from retaliation; and (3) To identify where such information can be reported.

Policy:

- Encouragement of reporting. The association encourages complaints, reports, or inquiries about alleged illegal practices or serious violations of the association's policies, including alleged illegal or improper conduct by the association itself, by its leadership, or by others on its behalf. Appropriate subjects to raise under this policy would include financial improprieties, accounting or audit matters, ethical violations, or other similar alleged illegal or improper practices or violation of PRIA policies. Such complaints, reports, or inquiries should be reported to the PRIA Chief Staff Officer or President.
- Protection from retaliation. The association prohibits retaliation by or on behalf of the association against PRIA Staff or Members for making good faith complaints, reports, or inquiries under this policy or for participating in a review or investigation under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. The association reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports, or inquiries or who otherwise abuse this policy.
- Where to report. Complaints, reports, or inquiries may be made under this policy on a confidential basis. They should describe in detail the facts demonstrating the basis for the complaints, reports, or inquiries. They should be directed to PRIA's Chief Staff Officer or President; if both of those persons are implicated in the complaint, report, or inquiry, it should be directed to any other Officer or Board Member. The association will conduct a prompt, discreet, and objective review, or investigation. Staff or Members must recognize that the association may be unable to evaluate a vague or general complaint, report, or inquiry that is made anonymously.

Work Product Publication Policy – Last approved: 03/20/2019

Purpose: To assure that PRIA publications remain relevant, accurate, and offer valuable information.

Policy:

- Generally, a PRIA product, once published, should be reviewed every four years. If a publication cannot be reviewed in a timely fashion, it may be removed from the public Resource Library.
- The Style Committee will be responsible for product review, including both new products and previously published products.

- The Style Committee may require interested SMEs to participate in the review of existing products. These people may be original drafters, work group members, committee members, or simply interested individuals from the PRIA membership.
- At least once each year, PRIA Staff will identify any products available in the Resource Library with a creation date more than four years earlier.
- The Style Committee will review the list of publications and determine which action is appropriate:
 - Restore the publication to the Resource Library with the original publication date. PRIA Staff will update the cover page and reflect the date of Style Committee review;
 - Refer the publication to the appropriate committee, work group, or an SME for review and submission of recommendations to the Style Committee; or
 - Permanently archive the publication.
- The Style Committee will provide an annual report to the PRIA Board of Directors to indicate the actions taken on publications moved to the archive.
- The Board may recommend at any time that publications fewer than four years old be reviewed.

October 18, 2022

To: ESS Standards Subcommittee
From: Phil Dunshee
Re: Back File Scanning Procurement

Currently any back file scanning projects are left to the individual counties. While ESS and ILR support such projects and underwrite the cost of redaction review, we have never taken the initiative to organize or direct such projects. Further, the financial responsibility for any back scanning projects is with the individual counties. In recent years we have observed a few projects that have not been completed due to technical issues, or the images are not archived and indexed in a format that is compatible with the Iowa Land Records structure.

We have been invited by US Imaging to explore some of the challenges they experience when performing back file scanning projects in Iowa. Specifically, they have stated that "We want to ensure that the process works the best in [sic] can for the County's when it comes to the data that we are putting in their Land records system, and how that same data will make its way into CLRIS."

Topics they wish to discuss include"

- Redaction, and possible re-redaction if we replace poor images
- Consistent naming conventions across Counties

We appreciate that they have reached out to us, and we are scheduled to meet with them virtually on October 19.

While we do not have plans to provide direct funding for back file scanning projects (we will continue to handle redaction services), we believe that ESS could provide a structure for more consistently defining the specifications for such projects and for administering and coordinating those projects. The object would be to ensure that the images are correct, properly indexed in the county systems, and properly mapped and transferred to the Iowa Land Records database. Here's how.

ESS would conduct a procurement process, probably an RFQ, to identify and select qualified imaging and indexing companies. It is anticipated that more than one company could be identified and selected. ESS would then enter master agreements with these companies, providing for the necessary specifications and project management procedures as well as determining the standard fees. As resources permit, counties could access the services through the master agreement, and ESS would assist them with the administration of the project. Any project might include a fee structure that would help support the delivery of ESS project management and coordination services.

There are many details that would need to be worked out, but we wish to present this concept to you for consideration.

Action Requested. We are seeking discussion and comments from the Standards Subcommittee.