



## Administrative Recording Requirements

### State of Texas

**Marital State:** Community Property State  
**Trust State:** Yes  
**Mortgage State:** No

**Recording Structure:** 254 counties / Recorder

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

#### **Oath of Consideration**

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

#### **Home Equity Lines of**

**Credit: Home Equity Affidavit** required

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

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

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

#### **Formatting of Documents:**

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

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

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

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Re-records require reason listed at top of document and must be re-acknowledged

When adding a spouse to a title, a Warrante Deed is required

When recording certified copies, a cover sheet must be used  
Homestead Affidavits must be recorded as separate documents  
Assumptions of Mortgage must reference previously recorded mortgage by recorded date, book & page, or instrument number

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

**Blanket Assignments:** Generally accepted for an additional fee

**Blanket Releases:** Generally accepted for an additional fee

**Completion Time:** 1 day - 2 weeks

**Texas County Specifics**

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

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

**Camden County** Re-Records must be re-acknowledged

**Collin County** 3 - 4" margin required at bottom of last page, penalty fee applies for non-compliance  
Death certificates must be included as an Exhibit

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

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

**Nueces County** Clarity pages not accepted

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

**Passaic County** Corrective documents not accepted for re-records

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