- **NEW METHOD FOR SATISFYING MORTGAGES** (25 Del.C. §2111)

Effective **October 21, 1996,** all mortgage satisfactions in New Castle County must be satisfied via a mortgage satisfaction piece, an attorney's affidavit, or a court order to satisfy. No longer will satisfactions be stamped on the original mortgage record by a Deputy Recorder. Satisfactions will be accepted for recording at our recording windows as would any other document proper for recording or through the mail. These documents will then be indexed in their own satisfaction index. **All satisfactions will cost $20.00, in addition to a $30.00 document fee for the State of Delaware and a $1.00 technology fee for a total of $51.00. If the satisfaction is more than one page, the rate of $11.00 will be levied for each page thereafter.**

There must be a separate satisfaction of a mortgage piece for each mortgage being satisfied. For example, if a corporation or an individual mortgagee desires to satisfy five mortgages at once, that corporation or individual must submit five separate satisfaction pieces for each of the five mortgages being satisfied. Providing that each satisfaction is one page, the cost would be $51.00 per piece. The accuracy of the satisfaction pieces will rest exclusively with the lending institution or individual.

- Satisfaction of a Mortgage Piece Format (25 Del. C. §2111 (c) SEE EXHIBIT A

All satisfaction of mortgage pieces must contain the following information:

Parcel number (if available)
Mortgagor(s)
Mortgagee(s)
Date
Amount
Address of property (if available)
Mortgage record (book and page or instrument number)
Assignee (if applicable)
Assignment of record (if applicable) (book and page or instrument number)
Preparer's name and address
Return to address

Depending upon whether an individual mortgagee or a corporation is recording a satisfaction piece, the appropriate signatures and notarization must be provided as shown in Exhibit A.

- **RECORDING REQIREMENTS FOR DOCUMENTS AFFECTING REAL PROPERTY**

  Effective **October 21, 1996,** any document that does not conform to the following requirements will not be accepted by this office for recordation.

  - Document Form SEE EXHIBIT B

    Documents affecting real property (including deeds, easements, right-of-way, deed restrictions, satisfaction pieces, mortgages, maps and plot plans) presented for recording in the New Castle County Recorder of Deeds office shall contain a blank space of 2 ½ inches at the top of the left side of the first page. This space is to be used by the Recorder's staff to apply the necessary recording information, such as the time and date stamp and document identification number. There should be a blank space of 1 inch at the top of the right side of the first page for additional recording information specifically for the book and page number. The tax parcel identification number, preparer's identity and return address must be placed in the upper right hand corner below this area. The first page of any such document should contain a left, right and bottom margins of at least ¾ of an inch.

    Any additional pages to a document should contain a top margin of 1 inch and left, right and bottom margins of at least ¾ of an inch. All documents should be typed or printed with characters that are at least 15 pitch in size (or 12 pt. font) to ensure legibility of the record produced form the micrographic or electronic storage medium.

    Several of these requirements were originally implemented and effective on July 1, 1991.

  - Parcel Numbers (9 Del.C. § 9605 (f)) SEE EXHIBIT C

    County Tax Assessment parcel identification numbers must be on all deeds and other documents affecting real property (including easements, right-of-way, UCC fixture filings, deed restrictions, satisfaction pieces, mortgages, maps and plot plans). Parcel identification numbers will not be required on tax liens, commissions, discharges, or mortgage and UCC assignments. Except for UCC filings where the ID number should go in the same area as the address of the property affected, the parcel number(s) should be placed in the upper right subdivision, both the previous parcel number and the parcel number of the new individual lot (if available) should be provided and labeled appropriately.

    This requirement was originally implemented and effective September 1, 1990.

- Preparer's Identification (9 Del C. § 9611) SEE EXHIBIT D

  The name and address of the person who prepared documents for recording will be required on all deeds and other documents affecting real property as previously defined (for UCC's the secured party will be presumed to be the preparer). This name and address should be placed two line spaces below the parcel number in the upper right hand corner of the document.

  *It is preferred by this office that the "return to" address be placed in the upper right hand corner of each document. This will allow the staff to quickly identify the correct "return to" address on the document.

  This requirement was originally implemented and effective on September 1, 1990.

- Notary Identification (9 Del C.§ 9611) SEE EXHIBIT E

EXHIBIT A

Tax Parcel ID#:_____
Prepared By:

Return To:

MORTGAGE SATISFACTION PIECE

YOU ARE HEREBY requested and authorized to enter satisfaction of and cancel record of the following mortgage:

Mortgagor(s):

Mortgagee(s):

Date:

Amount:

Address of Property (if available):

Mortgage Record: Book_____ Page_____

Assignee (if applicable):

Assignment Record (if applicable): Book_____ Page_____

IN WITNESS WHEREOF the said Corporation has executed this Mortgage Satisfaction Piece this _____ day of _____

Witnessed in the
Presence of

By:_____
(Title and Rank)

_____

Attest:_____
(Title and Rank)

State of _____

County of _____

This instrument was acknowledged before me on this _____day of _____, by _____as _____of _____.

_____
Notary Public

My commission expires: _____

EXHIBIT B

1”
Recording Information Only

2 ½”
Recording Information Only

Parcel Number:
Prepared By Name and Address:
Return To Name and Address:

New Castle County, Delaware/First Page Only

For Documents Affecting Real Property

Must Be Typed or Printed With Characters At Least 15 Pitch In Size

8 ½ x 11 or 8 ½ by 14

¾” margin on bottom and left and right margins

Recording Information Only 1” Recording Information Only

New Castle County/Additional Pages Only

¾” margin on bottom and left and right margins

EXHIBIT C

§9505. Recordation of instruments.

(f) The recorder shall not accept for recordation any deed or other instrument affecting real property unless the deed or other instrument contains thereon in a conspicuous place the county tax assessment parcel identification number of the parcel or parcels affected. In all cases where the affected parcel was just created by subdivision, the number of the parcel which was subdivided shall be identified and the number of the newly created parcel or parcels shall be listed if available. In cases where the affected parcel was just created by combining of separate parcels, the number of parcels that were combined shall be identified. The number or numbers of the newly created parcel or parcels shall be listed, if available.

EXHIBIT D

(h) The Recorder of Deeds shall not accept for recordation any deed or other instrument affecting real property unless the deed or other instrument contains the words prepared by" followed by the name and address of the person who drafted or prepared the deed or other instrument for recording. The information required by this subsection shall appear on the first page of the instrument to be recorded.

EXHIBIT E

§ 9611. Recordation of instruments containing certificate of notarial act.

(a) Any document presented to the recorder for recording which contains a certificate of a notarial act as defined by §§ 4321(3) and 4327 of Title 29 (existing or as amended), shall, in addition to other matters which may be required by law, identify the name and title of the notarial officer who executed the certificate in a legible manner which is suitable for micrographic or electronic reproduction.

(b) The use of a typewriter, printer or rubber stamp which when applied to the instrument produces the printed information required by subsection (a) of this section shall also be authorized.

(c) The recorder may refuse to record any document that contains a certificate of a notarial act which does not comply with subsection (a) of this section unless the person recording the instrument pays a penalty equal to the authorized recording fee for said document.

(d) The recording of any instrument which does not comply with subsection (a) of this section shall not affect its validity or admissibility as a public record. (14 Del. Laws, c 383, § 2; Code 1915, § 1379; Code 1935, § 1550; 9 Del. C. 1953, § 9611; 67 Del. Laws, c. 320, §1.)

Revisor's note. – Section 2 of 67 Del. Laws, c. 320, provides: "This act shall be effective Sept. 8, 1990."

Effect of amendments. – 67 Del. Laws, c. 320, rewrote the section.