

ELECTRONIC RECORDING SUBMITTER AGREEMENT

THIS SUBMITTER AGREEMENT, dated _____, is between the Office of the Register of Deeds of WAKE County, North Carolina (“**COUNTY**”), and _____ (“**SUBMITTER**”) with offices at

The **SUBMITTER** will be transmitting their documents to the **COUNTY** through _____ (“**VENDOR**”).

COUNTY desires to offer the ability to record real property documents by electronic means and to provide for the receiving and transmitting of those documents electronically as a substitute for conventional paper based documents. This includes the electronically based receipt of confirmation of recording.

The **COUNTY** also desires to assure that transactions are legally valid and enforceable as a result of the use of available electronic technologies, to the mutual benefit of the parties of the transactions.

Documents may be submitted in accordance to **COUNTY** guidelines and will only be processed on those days and hours that the **COUNTY** Recording Office is open to the public for business, **Monday through Friday from 8:30 AM to 4:45 PM, Eastern Standard Time**. Documents will not be processed on **COUNTY** holidays, weekends, etc., or in the event of network or equipment failure.

SUBMITTER acknowledges and agrees that all documents electronically submitted to the **COUNTY** for recording shall only become part of the public record and considered properly recorded after the **COUNTY** accepts, records, and indexes each document in the public record pursuant to N.C.G.S. 161-22.

There will be no added fees or costs of any kind charged by the **COUNTY** for Electronic Recording although **SUBMITTER** will be responsible for the payment of normal recordation fees using a method authorized by the **COUNTY**. **SUBMITTER** is responsible for the costs of any services provided by a third party (**VENDOR**) that enables **SUBMITTER** to file their documents electronically.

SUBMITTER and the **COUNTY** recognize the need to ensure that only original documents bearing signatures that are properly notarized are submitted for electronic recording. The **SUBMITTER** is responsible for complying with the originality requirements. The **COUNTY** will rely on the **SUBMITTER** representation of compliance with the requirements by having the **SUBMITTER** include the following statement on the first page of any document:

Submitted electronically by _____ (“Submitter”) in compliance with North Carolina statutes governing recordable documents and the terms of the Submitter Agreement with the Wake County Register of Deeds. GS 47-14 (a1)(5)

SUBMITTER acknowledges that documents submitted and received electronically shall be considered the "original" record of the transaction in substitution for paper documents. The electronic version of the recorded document and electronic recording data, including endorsement and receipt, will be returned or otherwise made available to the **SUBMITTER** after recordation has been completed by the **COUNTY**. Documents that are rejected will be returned to the **SUBMITTER** in electronic format along with a description of the reason(s) for rejection.

SUBMITTER shall provide a contact through which detected problems or issues can be reported and addressed.

Neither the **COUNTY** nor **SUBMITTER** shall be liable to the other for any special or consequential damages arising from, or as a result of, any delay, omission or error in the transmission or receipt of electronic documents.

The **SUBMITTER** agrees that, unless otherwise specified herein, the provisions of North Carolina’s Uniform Electronic Transactions Act (UETA) 66 Article 40, the Uniform Real Property Electronic Recording Act (URPERA), and the electronic recording standards as adopted by the North Carolina Secretary of State shall apply to the electronic transactions covered by this Agreement.

Agreed and Accepted:

(SUBMITTER)

By: _____ (Authorized Signature)
Name: _____
Title: _____
Date: _____

Administrative Contact Name: _____
Phone Number: _____
E-mail Address: _____

(COUNTY)

Administrative Contact Name: Hon. Charles P. Gilliam
Phone Number: 919-856-5460
Fax Number: 919-856-5467
Mailing Address: P.O. Box 1897, Raleigh, NC 27602
E-mail Address: ROD-EMOUSubmission@wakegov.com