

Notice of Refusal to Accept a Document for Filing

Smyth County Circuit Court Clerk's Office

109 West Main Street, Suite 1081
Marion, Virginia 24354
(276) 782-4044

DOCUMENT BEING RETURNED:

- | | |
|---|--|
| <input type="checkbox"/> Deed | <input type="checkbox"/> Certificate of Satisfaction |
| <input type="checkbox"/> Deed of Trust/Credit Line/Refi | <input type="checkbox"/> Certificate of Partial Satisfaction |
| <input type="checkbox"/> Plat | <input type="checkbox"/> Power of Attorney |
| <input type="checkbox"/> Other: _____ | |

DATE DOCUMENT WAS RECEIVED: _____

REASON FOR REFUSAL:

- Document does not pertain to property in Smyth County.
- Document does not bear an original signature. (§55.1-607)
 - If not, is the document a certified copy of document filed in another court?
 - If it is a certified copy, it must also have affidavit saying that the original has been lost/mislaidd.
- Document is not properly notarized or otherwise acknowledged. (§47.1 *et seq.*)
 - Any problem with dating (ie. notarized erroneously on some future date)
 - Any problem with how notarized (ie. notarized in VA by out-of-state notary)
 - Any apparent conflict of interest for the notary (§47.1-30)
 - Notary seal must be “legible, permanent, and photographically reproducible image”. (§47.1-16)
 - Notary certificate must contain signer’s name (unless cert. is on same page as signature) (§47.1-15)
 - [On rare occasions, signature acknowledged not before notary, but before others (§55.1-616 *et seq.*)]
- Must have tax map number if document relates to specific real property. (§17.1-252)
 - For tax map no: <http://arctgis.webgis.net/va/Smyth/> or call Commissioner’s Office (276) 782-4040
- Must not have* social security number(s). (§17.1-227 and §17.1-223B)
- If document is exempt from recording taxes, it must reference the applicable code section. (§17.1-223A)
- Each surname, at its first occurrence, should either be ALL CAPS or underlined or BOTH. (§17.1-223A)
- The name of the person preparing the document should be listed with VSB number, if atty. (§17.1-223B)
- Consideration amount must be stated on 1st page (Class 1 misd to understate consideration). (§58.1-802)
- Must not have* shaded boxes. (according to Library of VA’s Standards for Recorded Instruments)
- Incorrect recording fee. Fee should be \$_____.
- Writing is illegible, is in too small font/type, or is otherwise unreadable.
- Document lacks a mailing address for Grantee(s).
- Insufficient margins. Format a minimum one-inch margin – top, bottom, left.
- Plat/survey lacks approving signature of subdivision agent and fails to state exception for such approval
- Please provided a self-addressed, stamped envelope for the return of your recorded documents.
- Other: _____

*Recording fees/taxes are based on the greater of “consideration” or “actual value”

Actual value may be determined by the **tax assessed value** or by a **certified appraisal**. (§58.1-812 (B))

Affidavits of the property-owner *are not acceptable* methods to determine actual value.

NOTE: It is a Class 1 misdemeanor to understate the amount of consideration. (§58.1-812 (C))

Date

Deputy Clerk