

Document Requirements

Any instrument presented for recording must satisfy the requirements of A.R.S. 11-480

A.R.S. 11-480 - Requirements for form of instruments

A. Only an instrument that, on presentation to a county recorder for recordation, fails to meet any of the following conditions may be rejected for recordation at the time of presentation for recordation:

1. Each instrument shall have a caption briefly stating the nature of the instrument, such as warranty deed, release of mortgage and like captions. The county recorder shall have no obligation to index any instrument under any subject index category maintained by the county recorder unless that category is included in the caption to the instrument.
2. Each instrument shall be an original and shall be sufficiently legible for the recorder to make certified copies from the photographic or micrographic record.
3. Each instrument shall have original signatures except when otherwise provided by law.
4. Each instrument dated and executed on or after January 1, 1991, shall be not larger than eight and one-half inches in width and not longer than fourteen inches and shall have a print size not smaller than ten-point type.

B. Each instrument dated and executed on or after January 1, 1991, shall have at least a one-half inch margin across the top, bottom and the left and right sides from the top to the bottom. Any markings, entries or text that are within the one-half inch margin shall be deemed not to impart the notice otherwise imparted by recordation unless such markings, entries or text appear in the reproduction produced under the direction and control of the county recorder. Failure to meet the one-half inch margin requirement of this subsection may affect notice imparted by the document but shall not constitute grounds for rejection for recordation pursuant to subsection A of this section.

C. The first page shall have a top margin of at least two inches, which shall be reserved for recording information. The left three and one-half inches of the top margin of the first page or sheet may be used by the public to show the name of the person requesting recording and the name and address to which the document is to be returned following recording. If the first page of the instrument does not comply with the top margin requirements, a separate sheet that meets the requirements and that reflects the title of the document as required by subsection A, paragraph 1 of this section shall be attached to the front of the document by the party requesting recording.

D. Any instrument presented to a county recorder for recordation that modifies in any way the provisions of a previously recorded document must state the date of recordation and the docket and page of the document being modified.

E. Any instrument accepted for recordation is not subject to a later claim of invalidity for failure to comply with the requirements of this section.

Greenlee County Recorder's Office may refer suspicious documents to appropriate authorities.

Please see A.R.S. 39-161 "Presentment of false instrument for filing; classification".

A.R.S 11-1133. Affidavit of legal value

A. Each deed evidencing a transfer of title and any contract relating to the sale of real property shall have appended at the time of recording an affidavit of the seller and the buyer to the transaction, or the agent of either the seller or buyer, or both, in a form approved by the department of revenue, who shall declare and jointly certify the following information:

1. The name and address of the buyer and seller.
2. The name and address where a tax statement may be sent.
3. The complete legal description of the property.
4. The situs address, if any, of the property.
5. The date of sale.
6. The total consideration paid for the property, the amount of cash down payment and whether or not the type of financing included cash, a new third party loan, a new loan from the seller, an assumption of an existing loan or an exchange or trade of property.
7. Whether or not the estimated market value of personal property received by the buyer equals five per cent or more of the total consideration.
8. The assessor's parcel number or numbers assigned to the real property by the county assessor or, in the case of a new parcel or parcels not yet assigned a parcel number, the parcel number or numbers of the previous parcel or parcels from which the new parcel or parcels are created.
9. The conditions of the transaction including the relationship, if any, of the parties.
10. The use and description of the property and, in the case of a residential dwelling, whether the property is to be owner-occupied or rented.
11. The name and address of the person to contact regarding information contained on the affidavit.

B. If a beneficiary of a foreclosed trustee's deed receives payment based on private mortgage insurance covering the sale that is in addition to the proceeds of the sale, the beneficiary shall submit, in a form approved by the department of revenue, to the county recorder in the county where the property is located within four months after the date of the trustee's sale a beneficiary's declaration of additional funds received that contains the following:

1. The county assessor's parcel number or numbers assigned as of the date of the trustee's sale.
2. The name and address of the beneficiary submitting the declaration.
3. The date of the trustee's sale.
4. The highest bid amount received by the trustee at the trustee's sale.
5. The recording number of the trustee's deed on sale.
6. The amount of any additional compensation received by the beneficiary within three months after the date of the trustee's sale.

C. The county recorder shall refuse to record any deed and any contract relating to the sale of real property if a complete affidavit of legal value is not appended unless the instrument bears a notation indicating an exemption pursuant to section 11-1134.

D. An affidavit is complete for purposes of this section if all of the required information is stated on the affidavit form or is indicated on the form as "not applicable".