

Chapter DFI-CCS 7

LAND RECORDING OFFICES

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DFI-CCS 7.01 Recording offices. (1) This section applies only to UCC filings that:

- (a) Indicate the type of collateral listed in s. DFI-CCS 7.02.
- (b) Indicate they are “to be filed for record.”

(2) This section does not apply to UCC filings associated with railroad property described s. 190.11, Stats.

History: CR 01-122: cr. Register February 2002 No. 554, eff. 3-1-02.

DFI-CCS 7.02 Types of collateral. Only UCC financing statements containing the following realty-related collateral shall be filed in land recording offices:

- (1) Fixtures.
- (2) As-extracted collateral.
- (3) Timber to be cut.

History: CR 01-122: cr. Register February 2002 No. 554, eff. 3-1-02.

DFI-CCS 7.03 Forms. Land recording offices in this state shall only accept the following forms:

(1) National standard forms – financing statements (UCC1 and UCC1Ad) and financing statement amendments (UCC3 and UCC3Ad) as prescribed by s. 409.521, Stats. All other forms shall be rejected.

(2) Correction statements. Only a standard correction statement form shall be accepted.

(3) Forms may have attachments which require an additional fee per page as set forth by s. 59.43 (2) (e), Stats.

(4) Only the original form shall be submitted. The original or an image of the record shall be returned as acknowledgement of recording.

(5) The documents under this section shall be executed as follows:

(a) White paper shall be used that is at least 20 pound weight. The page width shall be 8.5 inches and the page length shall be 11 inches or 14 inches. The page shall not deviate more than ¼ inch from these dimensions.

(b) A multi-paged instrument shall not be hinged or otherwise joined completely at the top or sides.

(c) The entire document shall be clear and the letters, numbers, symbols, diagrams and other representations in the document shall be large enough and dense enough to be reproduced or read by a copy machine and a microfilm camera or optical scanner to the extent that the image captured is legible.

(d) The ink shall be black or red.

Note: Land recording offices do not accept electronic documents.

History: CR 01-122: cr. Register February 2002 No. 554, eff. 3-1-02.

DFI-CCS 7.04 Acceptance or rejection of filings. The following criteria and notice provisions shall apply to land recording offices for UCC purposes:

(1) Neither debtor nor secured party signatures shall be required on any form filed.

(2) The basic statutory criteria for acceptance or rejection shall be as listed in s. 409.516, Stats.

(3) UCC3 without debtor and record owner names and addresses shall be rejected. Secured party addresses shall be required also.

(4) UCC3 without date of initial financing statement referenced shall be rejected.

(5) UCC3 shall contain only one change per form.

(6) A sufficient legal description of the real property to which it relates shall be given on all filings.

(7) The rejection notice shall contain date, time and reason for rejection.

(8) UCC filings shall not be rejected by recording offices for the reasons set forth in ss. 409.516 (2) (c) 2. b. and (g), Stats.

(9) A UCC1 shall have item 6 checked and a UCC3 shall have item 1b checked.

History: CR 01-122: cr. Register February 2002 No. 554, eff. 3-1-02.

DFI-CCS 7.05 Indexing. (1) Debtor, record owner and secured party names given in UCC filings shall be indexed only in the grantor/grantee index in the same manner as from mortgage instruments.

(2) UCC filings shall be indexed in the tract index in counties where tract indices are maintained.

History: CR 01-122: cr. Register February 2002 No. 554, eff. 3-1-02.

DFI-CCS 7.06 Land recording UCC filing fees and payment methods. (1) Fees for filing documents filed in land recording offices under this section are those set forth in s. DFI-CCS 1.10 (1) (g).

(2) Payment of fees for records filed in land recording offices under this section shall be acceptable in the form of cash, checks, or money order only.

History: CR 01-122: cr. Register February 2002 No. 554, eff. 3-1-02.

DFI-CCS 7.07 Transition. Land recording offices shall continue to provide searches of documents properly filed under ch. 409, Stats., that was in effect prior to July 1, 2001 in the same manner as in effect prior to July 1, 2001 until the end of the transition period. The end of the transition period shall be June 30, 2008. Indexes shall be maintained without any deletion, addition or modification until the end of the transition period.

Note: Land recording offices in this state do not perform searches of the grantor/grantee –real-estate tract indexes for realty-related UCC filings. Office hours for land recording offices are determined by each county board. For these hours contact the appropriate land recording office.

History: CR 01-122: cr. Register February 2002 No. 554, eff. 3-1-02.