

CHICAGO TITLE INSURANCE COMPANY

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Wisconsin Real Estate Recording Checklist Revised 3/10/2000

All instruments must comply with the following:

1. **All instruments must follow very exacting recording box and margin format rules, or be accompanied by a cover sheet in the form attached.**
2. Except for signatures, only black or red ball point or fountain pen ink may be used.
3. Tax parcel number(s) shown.
4. Include full legal descriptions for each parcel. If an easement is being granted, there must be a legal description for the easement parcel also.
5. The names of all signers, including notaries, must be printed or typed below their signatures in black. §§59.513, 59.515, Wis.Stats.
6. Include the drafter's name, and the full "return to" name and address. §59.513.
7. A notary must affix his/her stamp or firmly-raised seal.
8. Deeds may be authenticated in lieu of notarization. Only members of the Wisconsin state bar or a person "entitled by virtue of [his or her] office to administer oaths" may authenticate. §706.06.
9. Include fully-executed original transfer fee return. Purchaser and seller (or their agents) must sign the form. **You must use a 1999-version transfer return form.** The revision date appears at the bottom of the form. **USE OF AN OLD FORM WILL CAUSE YOUR DOCUMENT TO BE REJECTED BY THE REGISTER OF DEEDS.**
10. Most rental property conveyances must be accompanied by a Department of Industry, Labor & Human Relations Certificate of Compliance, Stipulation or Waiver. There are limited exemptions. §101.122.
11. The State Bar of Wisconsin promulgates forms of deeds. "Custom" deeds may be recorded, however.

12. Corporate seals are not required. §706.05(6).
13. Witnesses are not required.

Recording Fees and Transfer Tax

1. In all counties, recording fees are \$10.00 for the first page of each instrument and \$2.00 for each page thereafter.
2. In all counties, the transfer tax on the sale of real estate is \$3.00 per thousand of sale price. §77.21. Various exemptions exist, as shown on the attached form.

Other Recording Rules and Information

1. Affidavits may be recorded to state facts as to possession of real estate, descent, heirship, date of birth, death, marital status or identity of parties to conveyances of record. §706.06(3) requires that affidavits be authenticated by jurat, executed by a person entitled to administer oaths. Witnesses, however, are not required. §706.05(6).
2. Wisconsin is a mortgage rather than title state. Deeds of trust are not used.
3. Passive trusts, such as Illinois land trusts, are considered void in Wisconsin.
4. Mortgage assignments, releases and satisfactions may affect only one mortgage. In other words, a mortgage assignment, for example, may not assign 2 or more mortgages from the assignor to the assignee. 1995 Wis. Act 124. However, a mortgage may encumber more than one parcel.
5. There is no mortgage tax.