

Utah Recording and Processing Standards	Number:	Processing - 4
	Version:	1
	Effective:	04/30/2023
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1. Title

Name Discrepancies – Entities: Recording of Documents with discrepancies between property Record Owner and the Grantor, Signature Line, and Notary Acknowledgement/Jurat.

2. Standard Procedure

2.1 All Entity Names Match Exactly: When a document is presented for recording, the name of the Record Owner entity and the Grantor of the document should match exactly:

- Real Estate Investors Group, LLC (Record Owner)
- Real Estate Investors Group, LLC (Grantor)

The name of the entity, name(s) of the person(s) authorized to sign for the entity, and the person’s capacity, must appear in the Signature Block:

- Real Estate Investors Group, LLC

Jane Smith, Manager

or

-

Jane Smith, Manager of
Real Estate Investors Group, LLC

The name(s) of the person(s) authorized to sign for the entity appear in the Notary Acknowledgement.

When the entity name does not match the Record Owner, the follow standards apply:

2.1.1 Grantor Line:

i. Error in Entity Name: If the name of the entity on record does not match the entity name due to an error in a prior document, the correct/current name of the entity must appear as the Grantor of the document followed by clarifying language. For example, if the entity name is “Real Estate Investors Group, LLC, a Utah limited liability company”, but the record owner shows as “Real Estate Investor Group, LLC”, the following is acceptable in the Grantor section:

- “Real Estate Investors Group, LLC, a Utah limited liability company, that acquired title as Real Estate Investor Group, LLC”

Inconsistencies in punctuation in the name of the entity, such as commas, hyphens, and periods, do not invalidate the recording.

The inclusion or omission of the entity description, such as “a Utah limited liability company”, does not invalidate the recording.

ii. Entity Name Change/Merger/Acquisition/Conversion: If the name of the entity on record does not match the entity name due to a name change, merger, acquisition, or conversion, the current name of the entity and the entity name of record must appear together as the Grantor of the

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document followed by clarifying language. For example, if the current name of the entity is “Real Estate Investors Group, LLC, a Utah limited liability company, but entity of record is “Smith Investors, a Utah limited partnership”, the following is acceptable in the Grantor section:

- “Real Estate Investors Group, LLC, a Utah limited liability company, by merger of Smith Investors, a Utah limited partnership”
- “Real Estate Investors Group, LLC, a Utah limited liability company, by acquisition of Smith Investors, a Utah limited partnership”
- “Real Estate Investors Group, LLC, a Utah limited liability company, by conversion of Smith Investors, a Utah limited partnership”

2.1.2 Signature Block: The name of the entity, name(s) of the person(s) authorized to sign for the entity, and the person’s capacity, must appear in the Signature Block. The name(s) of the person(s) authorized to sign for the entity must be typed or printed just beneath the signature on each document (UCA 17-21-25). For example:

- Real Estate Investors Group, LLC

Jane Smith, Manager

or

-

Jane Smith, Manager of
Real Estate Investors Group, LLC

2.1.3 Notary Acknowledgement/Jurat: The name of person(s) signing the document must be typed/printed in the Notary Acknowledgement section. The acknowledgement language must include language indicating that the person(s) are signing on behalf of the entity. The typed/printed name(s) should be the same names as the printed name(s) in the Signature Block. However, the typed/printed name(s) in the Notary Acknowledgement section do not need to be the exact same as the printed/typed name(s) in the Signature Block. Notary Publics will often type/print the name(s) of the person(s) signing before them exactly as their names appear on their government issued ID’s. For example, the following formats are acceptable:

- Jane Smith, Manager (Signature Block)
- Jane Doe Smith (Notary Acknowledgment)
- Jane Doe Smith a.k.a. Jane Smith (Notary Acknowledgment)

3. Approvals

Group	Approval	Date
Utah Association of County Recorders	100%	04/30/2023
Utah Land Title Association Board	100%	05/08/2023

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4. References

4.1 Names of Persons Signing to be Typed or Printed on Instruments

Presented for Recording: UCA 17-21-25(1)(a) Each instrument presented to the county recorder for recording shall have typed or printed on it the name of each person whose signature appears on the instrument whose name is required to be indexed. (b) The person's typed or printed name shall appear just beneath that person's signature. (2) The requirements of Subsection (1) do not affect the legality of the instrument to be recorded.

4.2 Utah Lieutenant Governor's Office Instructions to Utah Notaries: What to do if the signer's name on the document doesn't match the name on the ID?

- The signer can ask the agency issuing or receiving the document if it's OK to sign using an "also known as" or "AKA" signature.
- "(Name appearing on the ID), also known as (name appearing on the document)"
- "(Name appearing on the ID), AKA (name appearing on the document)"

4.3 Common Notarial Act – Acknowledgment:

- Ensures that a signer is who they say they are and are voluntarily signing the document.
- Common with documents concerning valuable assets (deeds, mortgages, trusts, etc.).
- Signer may sign document in front of notary, but this is not required.

Acknowledgment

State of Utah)

County of 5)

On this _____ day of _____, in the year 20____, before me, _____ a notary
date month year notary public name

public, personally appeared _____, proved on the basis of satisfactory
name of document signer

evidence to be the person(s) whose name(s) (s/are) subscribed to this instrument, and acknowledged

(he/she/they) executed the same.

Witness my hand and official seal.

(notary signature)

(seal)

4.4 Common Notarial Act – Jurat:

- Used for a signer to swear that the contents of a document are true.

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- Most often performed on affidavits or depositions to be used in court.
- Signer must sign the document in front of the notary and take an oath or affirmation.

Jurat

State of Utah)

§

County of _____)

Subscribed and sworn to before me on this _____ of _____, in the year 20____, by
date month year

name of document signer

Witness my hand and official seal.

(notary signature)

(seal)