

COUNTY TITLE SEARCH STANDARDS

(A) In general

It is the responsibility of all persons making title searches (hereinafter referred to as "searchers") to keep informed with respect to the time lag of indexing in all the various offices.

Generally, in searching the indexes, the rule of *idem sonans* should be followed. Names such as "A. John Doe" should be searched both under "A" and "J" in indexes using first name divisions; names such as "C(K)arl" and "C(K)atherine" should be searched under "C" and "K" in such indexes. Corporate names such as "John A. Smith, Inc." should be searched both under "J" and "S." If title is acquired by nickname, the proper name should also be searched. For example, "Tony" requires a search for "Anthony." Attention is called to the fact that there are special headings used in the various indexes including "schools," "churches," "lot owners," "vacations," "annexations," "trustees," "lodges," etc.

Relative to corporate title holders, since the searcher is to include the Articles of Incorporation, he should also include all pertinent amendments, mergers or consolidations. If a change of name of a corporate title holder is disclosed in any records required by these standards to be searched, the search should be made under both the new name and the former name from the date of the name change.

Land Contract vendees must be searched as fee owners.

(B) New Indexes and Records

It is the responsibility of all searchers to keep informed as to the creation of new indexes subsequent to the adoption of these Search Standards. To the extent that the information contained in any new index affects e, it is the intent of these Search Standards to require the searcher to report said information. As a general note, the Franklin County Recorder has converted its records to microfiche and computer for matters dated on and after October 10, 1980.

(C) County records and search periods

Office: Recorder

Records to be Searched: Official Record Index, Grantor Index, Grantee Index, Mortgager Index, Lessor Index, Miscellaneous Records Direct Index, Miscellaneous Records Reverse Index

Period of Search for Each Titleholder Since Last Evidence of Title: From date title acquired to date title divested.

Office: Recorder

Records to be Searched: Federal Tax Lien Index

Period of Search for Each Titleholder Since Last Evidence of Title: During the 10 years prior to the date of search. NOTE: If a Buyer is known, the Buyer should be searched for any federal tax liens. Purpose: the lien attaches to after acquired property and therefore becomes a lien upon recording of the deed to Buyer.

Office: Recorder

Records to be Searched: Notice Index

Period of Search for Each Titleholder Since Last Evidence of Title: From beginning of Index to date title divested.

Office: Recorder

Records to be Searched: Power of Attorney Index

Period of Search for Each Titleholder Since Last Evidence of Title: No search necessary unless you have notice of exercise of Power of Attorney during your period of search.

Office: Recorder

Records to be Searched: Daily Records

Period of Search for Each Titleholder Since Last Evidence of Title: For period necessary to complete the search to date of search. Computer records have information through last business day. To update to actual time of search, searcher must review the manual entries of the Recorder located behind Recorder's desk.

Office: Recorder

Records to be Searched: Partnership Index

Period of Search for Each Titleholder Since Last Evidence of Title: No search necessary unless you have notice of partnership in title during period of search

Office: Sheriff

Records to be Searched: Foreign Executions

Period of Search for Each Titleholder Since Last Evidence of Title: During the 5 years prior to the date of search, from the date title acquired to date title divested.

Office: Clerk-Civil Division

Records to be Searched: General Index

Period of Search for Each Titleholder Since Last Evidence of Title: A titleholder shall be searched for his/her period of ownership

Office: Clerk-Domestic Relations Division
Records to be Searched: Divorce and Dissolution Index
Period of Search for Each Titleholder Since Last Evidence of Title: From the date title acquired to the date title divested.

Office: Clerk-Domestic
Records to be Searched: Daily Record of New Cases
Period of Search for Each Titleholder Since Last Evidence of Title: For period necessary to complete search to date of certificate.

Office: Probate Court
Records to be Searched: General Index
Period of Search for Each Titleholder Since Last Evidence of Title: From the title acquired to the date title divested.

Office: Probate Court
Records to be Searched: Marriage Record Index
Period of Search for Each Titleholder Since Last Evidence of Title: From the date title acquired to the date title divested. NOTE: Search necessary only for female titleholders. No search necessary if spouse disclosed in chain of title, unless there has been a divorce.

Office: Treasurer's Office and Auditor's Office
Records to be Searched: Treasurer's and Auditor's Computer
Period of Search for Each Titleholder Since Last Evidence of Title: Name of property owner, Street address, Parcel No. & taxing district, Valuation Brief description (lot number or number of acres)

Office: Treasurer's Office and Auditor's Office
Records to be Searched: Agricultural Recoupment Valuation
Period of Search for Each Titleholder Since Last Evidence of Title: May be reduction in tax valuation due to past agricultural use of property that may be recouped as lien in the future.

Office: Treasurer's Office
Records to be Searched: Treasurer's Duplicate
Period of Search for Each Titleholder Since Last Evidence of Title: Current taxes, Delinquent taxes and penalties, Special assessments, Homestead exemption.

Office: In Rem Foreclosure
Records to be Searched: Treasurer's Computer
Period of Search for Each Titleholder Since Last Evidence of Title: Whenever the computer shows that taxes are certified delinquent, inquiry should be made with the Assistant County Prosecutor to determine whether an In Rem Foreclosure has been commenced.

(D) Searches with respect to condominium property

In addition to searching the owner's name in the records set forth above, searchers making searches with respect to condominium property should search the following records in the name of the condominium unit owner's association:

Office: Recorder

Records to be Searched: Official Record Index, Grantor Index

Information Required: Locate amendments to condominium declaration.

Office: Clerk-Civil Division

Records to be Searched: General Index

Information Required: Determine if there are suits or judgments against the association which might affect the buyer's future assessments, easements or the common area, right to use the common area, etc.

(E) Search with respect to U.S. District Court and U.S. Bankruptcy Court

(1) Period of Search

Recognizing that historically the Real Property Search Standards of the Columbus Bar Association have not required a search of records in the office of the Clerk of the U.S. District Court and the Clerk of the U.S. Bankruptcy Court and the fact that closed files from those courts are routinely sent to other federal government locations for retention after a period of time pursuant to federal government regulations, the searcher shall have no responsibility, unless specifically requested otherwise, to conduct any examination of the records in either of these offices as of a date prior to the date of the base title evidence or prior to the date of acquisition of title by the present fee owner, which ever date is earlier.

(2) Information to be shown

The searcher should set forth the following information:

(a) Clerk of U.S. District Court

--With respect to actions affecting real property, the same information that would be disclosed if the action had been filed in the Common Pleas Court.

(b) Clerk of U.S. Bankruptcy Court

--All bankruptcy proceedings involving the owner of an interest in the real property under investigation during the period of that owner's ownership, together with the applicable chapter of the Bankruptcy Act or Code under which the proceeding was filed, the date of filing, whether the real property was scheduled as an asset of the estate, all actions affecting the real property, whether the case is pending or has been closed, the date of the closing of the case, and the date of discharge, if any.

(F) *Authorized Records Affecting Land or Title Search in County Recorder's Office**
(The following list is not meant to be all-inclusive; it is merely a representational listing for informational purposes only).

Documents or Instruments	Revised Code Sections
Affidavits on facts relating to title.....	317.08, 5301.252
Agreements registering archeological or historical landmarks.....	317.08, 149.51 or 149.55
Annexation ordinances.....	709.06
Arbitration decisions, disputed title or state lands.....	123.61
Articles	
-- Dedicating archeological preserves.....	317.08, 149.52
-- Dedicating nature preserves.....	317.08, 1517.05
Assignments	
-- Land contracts.....	5301.331
-- Leases.....	5301.33
-- Mortgages.....	5301.31, 5301.32
Bail (property) bonds.....	1901.21, 2937.27
Bankruptcy documents.....	317.10
Cancellations	
-- Land Contracts.....	5301.331
-- Leases.....	5301.33
-- Mortgages.....	5301.31, 5301.32
Certificates	
-- Corporate change of name.....	1701.73, 1702.38, 1703.22
-- Corporate merger, consolidation.....	1701.81, 1702.43
-- Fictitious name, partnerships.....	1777.02
-- of Title, Torrenized land.....	317.21, Ch 5309, Ch 5310
-- of Transfer.....	2113.61, 2113.62
-- Removing property as condominium.....	317.0-8, 5311.17

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Condominium Documents	
-- Certificates removing property as condominium.....	317.08, 5311.17
-- Declarations and bylaws.....	317.08, 5311.01 to 5311.22
-- Drawings.....	317.08, 5311.01 to 5311.22
Conservancy districts, incorporation.....	6101.09
Corporation documents	
-- Change of name certificates.....	1701.73, 1702.38, 17-3.22
-- Merger, consolidation certificates.....	1701.81, 1702.43
Deeds.....	317.08, 5301.25
Drawings, condominiums.....	317.08, 5311.01 to 5311.22
Easements	
-- Generally.....	317.08, 5301.25
-- Railroad right of way.....	4961.39
-- Solar access.....	5301.63
Financing statements under UCC.....	1309.38
Instruments	
-- Absolute and unconditional sale or conveyance of lands,.....	317.08, 5301.25
tenements, or hereditaments	
-- by which lands, tenements, or hereditaments mortgaged or.....	317.08, 5301.23
conditionally sold, conveyed, affected or encumbered	
Judgments	
-- Actions to quiet title.....	317.08, 5303.01
-- Lis pendens.....	2703.27
Land contracts, i.e. executory installment contracts for.....	317.08, 5303.01
sale of land, executed after 9-29-1961 and not to be fully performed within one year	
Leases	
-- Generally.....	317.08, 5301.08, 5301.25,
.....	5309.50
-- Memoranda.....	317.08, 5301.332
Liens.....	317.08, 317.09, Ch. 1311,
.....	2305.26, 2329.02, 2329.04,
.....	2505.13, 5111.33, 5301.25,
.....	5301.27, 5309.47, 5309.53,
.....	5309.54, 5719.04, 5733.18,
.....	5749.02
Maps.....	317.08
Mortgages	
-- Cancellations, releases, satisfactions.....	317.08, 5301.31, 5301.32
-- Generally.....	317.08
Municipalities, surrender of corporate rights.....	703.16, 703.2
Notices to preserve interests under Marketable Title Act.....	317.08, 5301.47 to 5301.56
Options to purchase real estate, starting specific day and.....	317.08
year of expiration	

Partnerships	
-- Fictitious name certificates.....	1777.02
-- Limited partnership statements.....	1783.01
Plans of regional or county planning commission.....	713.27
Plats, maps, and drawings, including town lots and subdivisions,	317.08, 503.31, Ch. 711
other divisions or surveys, highway center line surveys,	5311.01 to 5311.22
condominium drawings, plats of defunct townships	
Powers of attorney.....	317.08, Ch. 1337
Releases	
-- Land contracts.....	5301.331
-- Leases.....	5301.33
-- Mortgages.....	5301.31, 5301.32
Satisfactions of mortgage.....	317.08, 5301.31, 5301.32
Other documents (not listed in Hausser):	
-- Certificate of Judgment.....	2329.07
-- EPA Liens.....	3734.122, CERCLA
-- Estate Tax Liens.....	5371.02, 2001 et seq
-- Federal Tax Liens.....	I.R.C. 6322
-- In Rem Foreclosure.....	5721.18
-- Personal Property Tax Liens.....	5719.04
-- Real Estate Tax Lien.....	323.11
-- RICO/Corrupt Activities Liens.....	2923.32, 18 USC 1961
-- Special Assessments.....	727.34
-- Unemployment Compensation Lien.....	4143.23
-- Vendor's Lien.....	5301.02
-- Workers' Compensation Lien.....	4123.76