Instructions for completing e-filing agreement

- Complete all necessary information on the agreement including authorized signatures and initial each page.

- Mail signed and completed agreement to:

Document Technology Systems

ATTN: e-filing

525 W. Portage Trail Extension

Cuyahoga Falls, OH 44223

- After DTS receives your completed agreement, you will be sent an email with your user name and password and instructions on loading the DTS e-filing software.
- If you have any questions: call DTS at 330-928-5311 or you may email allsupport @dts-doc.com
- Loudoun County Clerk of Circuit Court policy will be to e-record your recordings as soon possible upon submission. As a reminder E-recording hours are the same as the Clerk's office recording hours. (8:00 A.M. - 4:00 P.M.) You can always submit your recordings after hours, but it will not be processed by the Clerk's office if submitted after 4:00 P.M. until the next business day.

LOUDOUN COUNTY CIRCUIT COURT CLERK'S OFFICE

ELECTRONIC FILING AGREEMENT

This Agreement ("Agreement") is made by and between the Loudoun County Circuit Court Clerk's Office (hereinafter "Clerk's Office") and _____ (hereinafter "Filer"), having its principal place of business at

_____ _____

(collectively, the "parties").

The parties hereby enter into this Agreement, pursuant to §17.1-258.3:1 of the Code of Virginia, for the purpose of granting Filer the right to electronically file land records, instruments, judgments and UCC financing statements with the Clerk's Office, through the Clerk's Office eRecording System and to establish a method of payment for such filings. For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. FILING/RECORDING DOCUMENTS

Filer may electronically file documents listed in Schedule C. The Clerk's Office agrees to record such documents using a third party automated system that is an agent for the Clerk's Office. Documents electronically filed must have a 2-inch top margin on the first page of the document. Documents electronically filed must comply with the "Standards for Recording Instruments" (as may be applicable) as set forth by the Virginia State Library pursuant to Virginia Code §55-108; Schedule E attached hereto and incorporated herein.

2. AGREEMENT TO PAY

Filer agrees to pay recordation taxes, recording fees or clerk's fees assessed by the Code of Virginia. Filer agrees to pay such filing fees as may be established from time to time by the Clerk's Office. Fees must be paid by Automated Clearing House (ACH) transactions or wire transfer on the same day that the documents are electronically filed. The Authorization Agreement for Electronic Payments form which is attached to this Agreement as Schedule B must be completed and submitted by the Filer

If payment is returned for any reason, Filer has three business days to provide replacement payment. If payment is not receipted, then no future documents submitted by Filer will be accepted by the eRecording System until the account has been paid in full, in addition to any penalities or interest assessed by Clerk's Office resulting from failure to pay.

3. NOTARIZATION AND ACKNOWLEDGEMENT

Land Records documents in order to be recorded shall comply with the requirements for notarization pursuant to §47.1 et. Seq. and §55-118.3 of the Code of Virginia (and any other statutory requirements subsequently applicable).

_____
Filer's Initials

4. NOTIFICATION OF SUBMISSION OF ELECTRONIC DOCUMENTS FOR RECORDATION

The Clerk will provide an electronic or other written notification of including the date and time of the receipt of the electronic document to the Filer that the electronic document has been received by the Clerk, but not recorded.

5. REJECTION OF DOCUMENTS

Electronic documents submitted for recordation through the eRecording System will be rejected if they fail to meet the image or file format specifications or security requirements of the eRecording System, or for failure to comply with the requirements as otherwise provided in the Code of Virginia. If an electronic document is rejected, an electronic or other written notification of rejection will be provided to the Filer.

6. TIME OF RECORDATION OF ELECTRONIC DOCUMENTS

Electronic documents received by the Clerk are deemed filed as of the time the Clerk provides an electronic or other written notification to the Filer that an electronic document has been recorded.

7. INDEXING REQUIREMENTS

Filer agrees to abide by the Indexing Requirements as published by the Clerk's Office. The present Indexing Standards are attached hereto as Schedule D and are incorporated by reference herein. The Indexing Standards are compatible with those established by the Property Recording Industry Association (PRIA) for file formatting. Any changes to the Indexing Standards will be posted on the Clerk's Office website.

8. CONTACTS FOR FILER

Filer shall provide the Clerk's Office with a completed Filer Contact Information form which is attached as Schedule B to this Agreement. It is Filer's responsibility to ensure that the information in Schedule A is current and accurate. It is the Filer's responsibility to provide the Clerk's Office with proper notice of any changes in the Filer's contact information. Any failure on the part of the Filer to properly notify the Clerk's Office of changes in the Filer's contact information as manifested in Schedule A will result in immediate termination of the Agreement without the requirement prior notice from the Clerk's Office

9. ENTIRE AGREEMENT

This agreement contains the entire understanding of the parties, there being no promises, warranties, or undertakings, written or oral, other than those expressly set forth herein. Furthermore, no modifications, alterations or amendments to this agreement shall be valid unless in writing, and signed by all parties, except as otherwise provided herein.

10. ATTACHMENTS

The attachments referred to in the body of this Agreement are an integral part of this Agreement and reference to this Agreement shall be deemed to include all the attachments.

_____
Filer's Initials

11. SEVERABILITY

If any provision (or part thereof) of this Agreement is found to be invalid, then it shall be stricken and have no effect. The remaining provisions shall continue in full force and effect.

12. APPLICATION OF VIRGINIA LAW

The parties agree that, unless otherwise specified herein, the provisions of Virginia law shall apply including but not limited to the Virginia Uniform Electronic Transactions Act, the Virginia Uniform Real Property Recording Act and the Virginia Mortgage Satisfaction Act.

13. EFFECTIVE DATE

This Agreement is effective upon execution of this Agreement by both parties, as evidenced by the later of the dates reflected below.

14. TERMINATION

Either party may terminate this Agreement without cause with 15 days written notice to the other party. Filer remains responsible for payment of fees for the filing and recordation of documents prior to the effective date of termination. The Filer has the responsibility of providing the Clerk's Office with any changes in the payment information provided in Filer's Schedule B. Any failure to properly notify the Clerk's Office of any changes in Schedule B, will result in immediate termination of this Agreement. The Agreement will be renewed automatically each year unless there is a consensual agreement to terminate or the Clerk's Office initiates termination based upon the Filer's failure to comply with section 8 and/or section 14 of this Agreement.

15. NO WARRANTIES/RELEASE OF LIABILITY

Absent gross negligence or willful misconduct, Filer agrees to release the Clerk of the Circuit Court of Loudoun County and the Loudoun County Board of Supervisors from any liability in connection with the electronic filing and recordation of documents under this Agreement. Filer understands that there are no warranties, express or implied, in connection with the electronic filing and recordation of documents transactions.

16. ASSIGNMENT

Filer agrees not to assign any right or interest in this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date specified below:

Date _____	Date _____
_____	_____
Authorized Signatory for Filer	Authorized Signatory for Clerk's Office
_____	_____
Name and Title	Name and Title

_____
Filer's Initials

Please mail a copy of all of the pages of this agreement to:

Document Technology Systems, Ltd.
Attn: E-filing
525 W. Portage Trail Ext.
Cuyahoga Falls, OH 44223

Contact information for: Document Technology Systems, Ltd.
525 W. Portage Trail Ext.
Cuyahoga Falls, OH 44223
ach@dts-doc.com

Contact information for Circuit Court: 703-777-0270
Kevin Blatchley Kevin.blatchley@loudoun.gov

_____
Filer's Initials

SCHEDULE A
FILER CONTACT INFORMATION

Administrative Contact: (an individual familiar with the process of executing and filing Land Records Documents)

Name _____

Phone Number _____ Fax Number _____

Mailing Address _____

E-Mail Address _____

Other Contact Number(s) _____

Technical Contact: (an individual familiar with the Filer's computing environment and capable of resolving any technical issues)

Name _____

Phone Number _____ Fax Number _____

Mailing Address _____

E-Mail Address _____

Other Contact Number(s) _____

_____
Filer's Initials

SCHEDULE B
DOCUMENT TECHNOLOGY SYSTEMS, LTD
Authorization Agreement for Electronic Payments

Company/Filer Name _____

Company/Filer E-mail Address _____

I (We) hereby authorize Document Technology Systems, Ltd. (agent for Clerk of Circuit Court of Loudoun County Virginia) to initiate debit entries for purposes of payment of recording fees only via ACH Debit from my (our) account indicated below and the depository named below hereinafter called DEPOSITORY to debit the same to such account. There will be a remote filing surcharge of $5.00 per document filed electronically.

DEPOSITORY INFORMATION

Bank Name: _____

Address: _____

_____

****

ACCOUNT INFORMATION

Acct. Type: Checking___ Savings___

Account #: _____

Bank Transit/Routing #: _____

Account Holder Name: _____

Account Holder Address: _____

_____

****

This authority is to remain in full force and effect until Document Technology Systems, Ltd. has received written notification from me (us) of its termination in such time and in such manner as to afford Document Technology Systems, Ltd. and DEPOSITORY a reasonable opportunity to act on it.

Signature: _____ Date: _____

USER ID: _____ (to be assigned by DTS)

PASSWORD: _____ (Please choose the Password you would prefer to use. It must be a minimum of 3 characters, and not more than 10. It is case sensitive and must be in ALL CAPS.)

For DTS Use Only:
Processed by: _____ *Date:* _____

_____
Filer's Initials

SCHEDULE C
E-FILINGING DOCUMENT LIST

Affidavit

Agreement

Lease Agreement

Amendment

Assignment

Contract

Correction

Correction of Deed

Correction of Deed of Trust

Deed of Covenants

Certificate of Partial Release

Certificate of Partial Satisfaction

Certificate of Release

Certificate of Satisfaction

Deed of Easement

Declaration

Deed

Homestead Deed

Deed in Lieu of Foreclosure

Deed of Dedication

Deed of Trust

Deed of Partial Release

Deed of Subordination

Deed of Foreclosure

Deed of Trust Modification

Lien

Notice of Lis Pendens

Mechanics Lien

_____
Filer's Initials

Notice

Power of Attorney

Partial Release

Partial Release of Mechanics Lien

Release of Declaration

Release

Restriction

Release of Lis Pendens

Release of Mechanics Lien

Substitute of Trustee

UCC Assignment

UCC Continuation

UCC Original

UCC Other

UCC Partial Release of Collateral

UCC Termination

Vacate

_____
Filer's Initials

SCHEDULE D
INDEXING STANDARDS

ALWAYS index spelling VERBATIM

When in doubt, it is better to OVER index than to UNDER index

Names of parties participating in, or directly affected by an instrument should be entered into the index.

Do not convert spelled out names to numerals or vice versa

2004-1504004 LLC is indexed as it appears. Do not convert to Two thousand four-1504004 LLC.

Five Eighty Nine LP is indexed as it appears. Do not convert to 589 LP.

Index d/b/a, a/k/a, etc. on ALL documents.

Type out Virginia if it is the first word, if not, abbreviate it

Abbreviate road, street, etc. in the address field ONLY, otherwise index as shown

When a deed has more than two pin numbers, index the first two

All documents being conveyed by a Trustee, etc. shall be indexed in the name of the parties for whom the trustee, etc. is acting, as well as in the name of the person with the designated status.

All titles such as Reverend, Bishop, Dr. Mr. Ms., etc. shall be omitted. Exception: The name is stated as title & surname only.

Omit "The" from the beginning of non-human names.

Change "and" to "&"

Index business names with punctuation marks verbatim (e.g. KABOOM!!, E*TRADE, HAYES.COM LLC)

GOVERNMENT NAMES – No document shall be indexed in the name of the individual who signed on behalf of any government, or any agency or unit of government, i.e. administrator, trustee, director, agent, etc. When an agency is acting for the Government, the document shall be indexed under the name of the government and also the unit or agency name.

_____
Filer's Initials

PREFIXES – Capitalized and/or underlined surnames shall be indexed as they appear on the document. If they are not capitalized and/or underlined, use the last name as the surname.

Examples: Jennifer de Vopta = de Vopta, Jennifer
Jennifer DE VOPTA = DE VOPTA, Jennifer
Jennifer de Vopta = Vopta, Jennifer de

If the surname is not clear, index both ways.

Example: John Mac Donald
Index: Mac Donald, John
also
Index: Donald, John Mac
Not: MacDonald, John

Non-human names containing Mount, Mt, Saint or St shall be indexed as they appear on the document. Do not abbreviate or change to full form.

NOTE: If it is unclear whether such document names are human or non-human, the names shall be indexed as a human name and a non-human name.

Example: John Smith, DDS
Index: Smith, John
also
John Smith DDS

Do not index from the cover sheet

Do not index any word after Inc., Corp., P.C., etc.

Do not index N.A. or FSB

NEVER space U.S. US

If a name is in parentheses – remove parentheses when indexing

Example: Jane Ann (Smith) Simpson

Index as: Simpson, Jane Ann Smith

When an organizational hierarchy of unit or agency names appears, each governmental unit or agency shall be indexed.

_____
Filer's Initials

Example: United States of America
Department of Agriculture

Index as: US of America
Department of Agriculture

NEVER index in the name of the individual who signed on behalf of any government, or any agency or unit of government

INDEXING ABBREVIATIONS

ADMINISTRATOR	ADMIN
AND	&
ASSOCIATES	ASSOCIATES
ASSOCIATION	ASSOC
COMPANIES	COMPANIES
COMPANY	CO
CONDOMINIUM	CONDO
CONDOMINIUM ASSOCIATION	COA
CONDOMINIUMS	CONDOMINIUMS
COOPERATIVE	COOP
CORPORATION	CORP
CREDIT UNION	CU
CUSTODIAN	CUST
DECEASED	DECD
DEVISEE	DEV
ESTATE	EST
EXECUTOR	EXEC
FAMILY CREDIT UNION	FAMILY CU
FEDERAL CREDIT UNON	FCU
GENERAL PARTNERSHIP	GP
GUARDIAN	GUARD
HOMEOWNERS ASSOCIATION	HOA
INCORPORATED	INC
JOINT VENTURE	JV
LIMITED	LTD
LIMITED LIABILITY CO	LLC
LIMITED PARTNERSHIP	LP
PERSONAL REPRESENTATIVE	PER REP
SAVINGS & LOAN	S&L
SECRETARY OF HUD	HUD
SPECIAL COMMISSIONOR	SPEC COMM
TRUSTEE	TR
UNIT OWNERS ASSOC	UOA

ADDRESS ABBREVIATIONS

STREET	ST
COURT	CT
AVENUE	AVE
TERRACE	TERR
PARKWAY	PKWY
HIGHWAY	HWY
LANE	LN
CIRCLE	CIR
DRIVE	DR
BOULEVARD	BLVD
PLACE	PL
SQUARE	SQ
ROAD	RD
TURNPIKE	TNPK

Revised 10/28/09

NAMES THAT DO NOT NEED TO BE INDEXED

Beneficiary of a Deed of Trust when a trustee is named
More than one trustee on a Deed of Trust, only the first needs to be indexed
Names of persons acting in the capacity of power of attorney shall not be indexed, however, the name of the principal party must be indexed (i.e. attorney-in-fact).
SURNAMES IN PARENTHESES:
A human name containing a surname in parentheses i.e. Mary (Ellen) Smith shall be indexed separate. Drop the parentheses.
Index as: Smith Mary
And
Ellen Mary

ESTATE/ DECEASED/HEIR NAMES

The human name contained within the estate name shall be indexed as a human name with a suffix extension depicting the estate status.
Ex: The Estate of John Smith
Index as: John Smith Estate

Ex: David Jones deceased
Index as: Jones David Decd

Ex: John Smith, Heir
Index as: Smith John Heir

GOVERNMENT NAMES

Index in the name of the governmental unit as it appears in the document. When an organizational hierarchy of unit or agency names appears, each unit or agency shall be indexed, unless it stated solely in the letterhead.
United States of America
Department of Agriculture

Index as: United States
And
Department of Agriculture

US National Weather Service
By John Smith, Director

Index as: US National Weather Service

_____
Filer's Initials

SUBDIVISION PLAT NAMES

Plat name: Property of John B. Smith
Owner: Smith John B
Index as: John B. Smith (Plat name)
Smith John B (Owner name)

Plat name: Property of John B. Smith – Section 2, Block 4A, Phase III
Index as: John B Smith S2 B4A PHIII (Plat name)
Smith John (Owner name)

RULES

The main rules to remember when indexing are: All capital letters, no apostrophes in non-human names and last name before the given name.
There are NUMEROUS rules when indexing. The rules are necessary due to different formats in different documents. Formatting rules DO NOT correct or change spelling or errors.
It is important to follow the rules to keep names appearing in the same location in the index.

ABBREVIATIONS

Do not abbreviate unless it appears that way in the document. Standard abbreviations will be used for designated status extensions such as TR for Trustee, etc.

HUMAN NAMES

SURNAMES –
Example: Linda C Norton-Smith
Joseph C. Smith II
Joseph C. Smith JR
Index as:
Norton-Smith Linda C
Smith Joseph C III
Smith Joseph C JR
"The" when it is the first word of a non-human name shall not be indexed
"And" is always &
Notations and abbreviations such as "et al", "and other", "and wife" shall not be indexed.

_____
Filer's Initials

SCHEDULE E
STANDARDS FOR RECORDED INSTRUMENTS

These standards are set forth by the Virginia State Library, pursuant to Virginia Code §55-108.

1. STATEMENT OF APPLICABILITY:
These standards shall apply to all writings required by law to be recorded and retained permanently in the clerk's office of the circuit courts of the Commonwealth. As noted in the section on exclusions, wills are exempt form the requirements of these standards.

2. RECORDING MEDIUM:
Instruments shall be recorded on paper that is uniformly white, opaque, smooth in finish, unglazed, and free of visible watermarks and background logos. The size of the paper shall be no less than 8 1/2 x 11 or larger than 8 1/2 x 14 inches. A minimum paper weight of 20 lb. is required. Positive (black on white background) copies may be substituted provided the copies meet the paper and quality inscription standards noted herein and are microfilmable and capable of producing a legible image from microfilm. Negative (white on black background) and carbon copies are not acceptable.

3. INSCRIPTION STANDARDS:
All inscriptions shall be black and shall be solid, uniform, dense, sharp, and unglazed. Inscriptions are solid when the lines forming each letter do not have blank or light spots, and they are uniform when the entire letter is the same darkness. To be dense, each letter must be dark, and to be sharp, the demarcation between each letter and the background must be abrupt. Inscriptions are unglazed if they are non-reflective. Signatures shall be in dark blue or black ink.

4. INSCRIPTION SIZE:
Printing shall be nine point or larger. Typing shall be elite (12 character per inch) or pica (10 characters per inch) or larger.

5. FORMAT:
A minimum one-inch margin shall be provided on the left, top, and bottom margins and one-half inch on the right margin.

6. RECORDING STANDARDS:
Recordation inscriptions shall be by clerk's printed certificate, stamping, typing or handwriting and shall conform to the quality inscription standards noted above.

7. EXCLUSION:
These standards do not apply to wills, non-permanent disposable forms, such as Uniform Commercial Code forms, and Juvenile and Domestic Relations District Court and General District Court judgments and warrants. Original documents executed prior to July 1, 1986 shall be admitted to record. Where a plat is submitted as part of an instrument, the standards for plats shall apply.

_____
Filer's Initials