

Electronic Recording County – Submitter Agreement

This Electronic Recording County-Submitter Agreement is made effective _____, 20____, between the Registry of Deeds for the County of Penobscot, State of Maine, located at 97 Hammond St., Bangor, Maine 04401, (Registry) and _____, a _____ located at _____, (E-File Submitter).

In consideration of the Registry allowing the E-File Submitter to record documents electronically at the Registry, the E-File Submitter agrees to and acknowledges the following:

1. The E-File Submitter shall safeguard all computer equipment, passwords, logins and other security measures so as to prevent the unauthorized use of the E-File system.
2. The E-File Submitter shall permit only authorized employees or agents acting on behalf of the E-File Submitter to use the system and to have access to passwords, logins or other security measures.
3. In the event of a compromise (including but not limited to, theft of equipment or information or unauthorized access to the system), the E-File Submitter shall immediately inform the Registry of the security breach.
4. The E-File Submitter shall record electronically ONLY ORIGINAL documents bearing ORIGINAL signatures and acknowledgments.
5. The E-File Submitter SHALL NOT record electronically a copy of an original document except for certified copies from a Registry or from another governmental agency provided that the copy scanned and presented for electronic recording contains the Original governmental certification.
6. All documents submitted by the E-File Submitter will be legible which means a clear, readable image, including signatures. Certain documents, such as certified copies of death certificates, do not scan well and likely will be refused for electronic recording. All documents submitted by the E-File Submitter shall contain sufficient blank space in the required

- places to accommodate the electronic recording data. The minimum requirements are a one inch margin on the top right hand side of the first page and a one inch margin on the bottom right hand side of the last page.
7. Documents will only be processed on those days and hours that the Registry office is open to the public for business. Documents will not be processed on holidays, weekends, if the office is closed due to weather or other emergency, or in the event of network or equipment failure.
 8. The E-File Submitter shall be responsible for submitting the documents in the proper page order and document order. The first page of every deed shall be the accompanying transfer tax form. Mortgage documents shall be scanned in the following order: Standard body of the mortgage, consecutive order first, followed by any riders, with the property description last. Assignments must have the book and page number of the mortgage being assigned as these will not be inserted by the Registry staff on an electronic recording.
 9. All documents and data submitted by the E-File Submitter shall comply with the laws of the State of Maine and the United States of America.
 10. The F-File Submitter shall submit documents to the correct Registry. If the E-File Submitter submits documents to the wrong Registry, the E-File Submitter shall be solely responsible for and incur all costs related to correct such erroneous recording.
 11. The F-File Submitter acknowledges that the Registry has made no promises or guarantees regarding the time of recording or the order of recording of documents submitted for electronic recording other than such documents will be recorded in the usual course.
 12. The E-File Submitter acknowledges that the Registry may terminate access to any electronic system at any time it deems it necessary to protect the public interest, to protect the integrity of the public records. No cause of action or liability against the Registry or any government agency shall arise from the decision of the Registry to terminate or deny access of any person or entity to the electronic recording system.
 13. The E-File Submitter acknowledges that the Registry and/or any related government agency will be held harmless and not liable for any damages that arise out of the use of the electronic recording system. The E-File

Submitter shall be responsible for verifying that the documents transmitted were, in fact, recorded.

14. The E-File Submitter acknowledges that the Registry shall have the final say on whether any document submitted may be recorded.
15. The E-File Submitter acknowledges that it is ultimately responsible for the payment of all recording fees and transfer tax fees to the Registry in the event that the Intermediary Company (the E-File Service Provider) fails to convey such payments to the Registry on behalf of the E-File Submitter.

Dated: effective the date first written above.

Registry of Deeds, County of Penobscot, Maine

By: _____

Name: _____

Office/Capacity: _____

Date: _____

E-File Submitter:

By: _____

Name: _____

Office/Capacity _____

Date: _____