

Deeds: When a piece of property is to be conveyed to a new party, an attorney will usually draw up a Deed and have the current owner sign it. Once the document is properly executed, it is brought to our office to be recorded. This procedure transfers a property from one person to another. There is no law that says an individual cannot draw up his or her own Deed or other document but it is better to seek the advice of an attorney unless you are sure you know how to do this yourself.

Plats: A Plat, or Survey, is a drawing showing the boundaries of a piece of property. We receive many requests from the public for a copy of a plat. Surveys are usually done when you borrow money to purchase a home. Please remember that we won't have a copy of the plat unless a surveyor was hired and the plat was brought to our office to be recorded. It is possible that a previous owner will have had a survey drawn and recorded.

Property Restrictions: Restrictions or Restrictive Covenants are usually placed on properties to protect the value of the homes in a certain area or subdivision. The developer of a subdivision usually puts on restrictions. The period of effectiveness can run anywhere from a month to forever. Only the owners in the chain of title can place restrictions on property and only during their period of ownership. i.e.: No one can place restrictions on property after they have already sold it. However, anyone who does own property can place restrictions as long as they do not conflict with the previous ones. For example, if the developer's restrictions state, "...no poultry or livestock...but household pets are okay..." an owner can place a restriction against having a white dog on the property. For this reason, it is very important to have a title search done before you purchase a property. **Only a full title search will reveal all of the restrictions concerning a particular property.**

General Information: There are many types of liens. Only a full title search will reveal all of the liens against a particular property. An attorney or a professional paralegal usually performs a title search. However, all of the information in the ROD office is public record and you can look it up yourself. While the ROD staff cannot perform a title search, we are happy to show you where our books are and how to use them to search for the needed information.

State and Federal Tax Liens: The State Department of Revenue and the IRS place these liens against individuals. Sometimes one of these liens may show up on your credit report. If the lien is paid, we can provide you with a copy of the satisfaction documentation for your records. You may then contact the Credit Reporting agency to determine further steps to clear your credit record.

Mechanic's Liens: These liens are placed against property when an individual or contractor has done work on the property but the owner refuses to pay for it for some reason. If you need to place a lien against a property, you should seek the advice of an attorney.

UCC Financing Statements: These liens are placed against fixtures that are attached to property. An example of this would be a mobile home or a hot water heater. Furniture, jewelry, and the like can be used for collateral on a financing statement also, but those filings are in the Secretary of State's office. Only fixture filings are recorded in the ROD office. You can find copies of the new UCC forms by linking to www.scsos.com/forms.html.

Judgments, Lis Pendens, Hospital Liens and Family Court Judgments are not located in the Register of Deeds office. These liens are in the Clerk of Court's office in the Courthouse.