



# NOTICE

COUNTY RECORDER

22 N.W. 1<sup>ST</sup> STREET, SUITE 104

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Date: May 28, 2010

Subject: UNRECORDABLE DOCUMENTS OR INSTRUMENTS

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The clerk of circuit court can not accept documents or instruments for recording in the County's official records which are not authorized by Florida State Statutes.

Pursuant to Florida Statue 28.222, the clerk of the circuit court is the recorder of all instruments "that he may be required or authorized by law to record" in the county which he serves as clerk.

Florida Statutes can be viewed on the web at <http://www.leg.state.fl.us/Statutes>

Additionally, the Florida Attorney General addressed the clerk's ministerial role as it relates to recording and the prescribed authority he has in regards to what instruments may be accepted for recording into the Official Records. Please see Florida Attorney General Advisory Opinion (AGO) 90-69.

"The statutory direction that only those instruments required or authorized by law may be recorded constitutes a prohibition against recording other types of instruments."

AGO's can be viewed on the web at <http://myfloridalegal.com/ago.nsf/Opinions>

If your document or instrument was refused for recording and you feel that it should be accepted, please provide the legal authority that requires or authorizes recording in the Official Records.

Thank you for your cooperation and understanding.

David Rooney,  
Division Chief of Recording

Luis Montaldo, Esq.  
Counsel to the Clerk

Harvey Ruvin,  
Clerk of Courts