

DEED INDEXING STANDARDS

FOR THE COMMONWEALTH OF MASSACHUSETTS

1.1 NAMES OF ALL PARTIES

The names of each grantor and each grantee shall be entered in the index.

Example 1.1-a - Name presented:

Jane Smith

<i>Last Name</i>	<i>First Name</i>
SMITH	JANE

1.2 ADDITIONAL NAMES

When reference is made to an additional name(s) by such terms as “formerly known as”, “fka”, “also known as”, “aka”, “et al”, or “et ux”, the additional name(s) should also be entered separately. The descriptive term(s) should not be entered.

Example 1.2-a - Name presented:

Jane Smith, fka Jane Simpson

<i>Last Name</i>	<i>First Name</i>
SMITH	JANE
SIMPSON	JANE

1.3 CERTIFICATIONS AND DEGREES

When an apparent human name is presented followed by a word or abbreviation indicating a degree or professional certification, only the person’s name should be entered in the index.

Example 1.3-a - Name presented:

Jane Smith, CPA

<i>Last Name</i>	<i>First Name</i>
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SMITH	JANE
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1.4 ESTATES

The human name contained within the estate name shall be indexed as a human name with a suffix extension (EST) depicting the estate status.

Example 1.4-a - Name presented:

Estate of Jane Smith

<i>Last Name</i>	<i>First Name</i>
SMITH	JANE EST

1.5 BUSINESS NAMES CONTAINING HUMAN NAMES

Apparent human names in business names should be entered in the order presented. Apparent human names should not be reversed to last name, first name format.

Example 1.5-a - Name presented:

Jane Smith Engineering Company

<i>Last Name</i>	<i>First Name</i>
JANE SMITH ENGINEERING COMPANY	

1.6 “THE”

Business names beginning with “THE” should be entered beginning with the first word, numeral, letter or character immediately following “THE”. The word “THE” should not be entered.

Example 1.6-a - Name presented:

The Gotham Group

<i>Last Name</i>	<i>First Name</i>
GOTHAM GROUP	

2.1 FIRST AND MIDDLE NAMES

The first name of each grantor and each grantee shall be entered in the appropriate section of the index and shall be followed by the person's middle name or initial. Initials used in a human name shall be separated from other words or initials by a space. No periods shall be used.

Example 2.1-a - Name presented:

Jane R. Smith

<i>Last Name</i>	<i>First Name</i>
SMITH	JANE R

Example 2.1-b - Name presented:

Jane R. P. Smith

<i>Last Name</i>	<i>First Name</i>
SMITH	JANE R P

Example 2.1-c - Name presented:

R. Jane Smith

<i>Last Name</i>	<i>First Name</i>
SMITH	R JANE

2.2 MIDDLE NAMES AND INITIALS

Middle names and initials shall be entered in the index as they appear in the document. Thus, when a middle name is spelled out in a document, it shall not be abbreviated in the index. Initials used in a human name shall be separated from other words or initials by a space. No periods shall be used.

Example 2.2-a - Name presented:

Jane R. Smith

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<i>Last Name</i>	<i>First Name</i>
SMITH	JANE R

Example 2.2-b - Name presented:

Jane Rodman Smith

<i>Last Name</i>	<i>First Name</i>
SMITH	JANE RODMAN

3.1 INDIVIDUALS - LAST NAME PREFIX

- a) **A last name presented with an obvious prefix should be entered as one word.**
- b) **Such a last name should contain no spaces, punctuation or other marks.**
- c) **If the obvious prefix is also a common given name it should be entered (1) with the prefix as the beginning of the last name and (2) with the apparent prefix as a first or middle name.**

Example 3.1-a - Name presented:

Anthony La Crosse

<i>Last Name</i>	<i>First Name</i>
LACROSSE	ANTHONY

Example 3.1-b - Name presented:

Jane O'Brien

<i>Last Name</i>	<i>First Name</i>
OBRIEN	JANE

Example 3.1-c - Name presented:

Carl Van Cott

<i>Last Name</i>	<i>First Name</i>
VANCOTT	CARL
COTT	CARL VAN

3.2 INDIVIDUALS - LINEAGE SUFFIX

Any lineage suffix should be entered after the last first name and middle name/initial (if any).

- a) “Junior” or “Jr.” should be entered as “JR” and “Senior” or “Sr.” should be entered as “SR”
- b) “The Third”, “3rd” or “III” should be entered as “III”

Example 3.2-a - Name presented:

Anthony Cross, Junior

<i>Last Name</i>	<i>First Name</i>
CROSS	ANTHONY JR

Example 3.2-b - Name presented:

Anthony Cross, Senior

<i>Last Name</i>	<i>First Name</i>
CROSS	ANTHONY SR

Example 3.2-c - Name presented:

Anthony Cross the Third

<i>Last Name</i>	<i>First Name</i>
CROSS	ANTHONY III

3.3 INDIVIDUALS - HYPHENATED LAST NAME

An individual’s name presented with a first name followed by two names separated by a hyphen should be treated as a single last name

Example 3.3-a - Name presented:

Jane Smith-Simpson

<i>Last Name</i>	<i>First Name</i>
SMITH-SIMPSON	JANE

3.4 INDIVIDUALS - MULTIPLE WORD LAST NAMES

Multiple word surnames shall not be assumed. If no hyphen or other mark separates words in a name it is not necessary to treat it as a compound last name. If the person recording the document requests that it be indexed under both names, it is permissible to do so.

Example 3.4-a - Name presented:

Jane Smith Simpson

<i>Last Name</i>	<i>First Name</i>
SIMPSON	JANE SMITH

or, if the person recording the instrument requests that it be indexed under both names

Example 3.4-b - Name presented:

Jane Smith Simpson

<i>Last Name</i>	<i>First Name</i>
SIMPSON	JANE SMITH
SMITH SIMPSON	JANE

3.5 INDIVIDUALS - NON TRADITIONAL NAMES

A non-traditional name should be entered as presented with the last word as the last name. All marks and other punctuation should be omitted.

Example 3.5-a - Name presented:

To So

<i>Last Name</i>	<i>First Name</i>
SO	TO

Example 3.5-b - Name presented:

Aime Jean Ricot Bien

<i>Last Name</i>	<i>First Name</i>
BIEN	AIME JEAN RICOT

Example 3.5-c - Name presented:

Red Elk

<i>Last Name</i>	<i>First Name</i>
ELK	RED

4.1 NAMES CONTAINING NUMBERS AND NUMERALS

When a name contains a number, Arabic numeral or Roman numeral, the following shall apply:

- a) **When a word is an Arabic numeral, the numeral should be entered as presented,**
- b) **When a word is a number spelled alphabetically, the name should be entered with the alphabetic spelling of the number as presented.**
- c) **When a word is an obvious Roman numeral, the name should be entered with the Roman numeral as presented.**

Example 4.1-a - Name presented:

Five Broadway Realty

<i>Last Name</i>	<i>First Name</i>
FIVE BROADWAY REALTY	

Example 4.1-b - Name presented:

5 Broadway Realty

<i>Last Name</i>	<i>First Name</i>
5 BROADWAY REALTY	

Example 4.1-c - Name presented:

V Broadway Realty

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<i>Last Name</i>	<i>First Name</i>
V BROADWAY REALTY	

5.1 ABBREVIATIONS - LIMITED & MANDATORY

- a) **Only the words specified below should be actively abbreviated.**
- b) **The first word of a name should not be actively abbreviated by the indexer.**
- c) **No part of a human name should be actively abbreviated by the indexer.**
- d) **The following should always be abbreviated unless such word is the first of a name.**

<u>Word</u>	<u>Abbreviation</u>
and	&
company	CO
companies	CO
corporation	CORP
department	DEPT
incorporated	INC
limited	LTD
limited liability company	LLC
limited liability partnership	LLP
limited partnership	LP

6.1 THE UNITED STATES AND ITS AGENCIES

Any combination of words meant to identify the United States of America (i.e. United States, U.S., U.S.A.) are entered into the index as USA (with no spaces and no punctuation). Anytime an agency of the federal government appears in a document, it should be indexed first as USA followed by the name of the agency. The title of the agency head (Secretary, Commissioner, etc) is not used.

Example 6.1-a - Name presented:

Secretary of Housing and Urban Development

<i>Last Name</i>	<i>First Name</i>
USA HOUSING URBAN DEVELOPMENT	

Example 6.1-b - Name presented: **United States Treasury Department**

<i>Last Name</i>	<i>First Name</i>
USA TREASURY	

6.2 COMMONWEALTH OF MASSACHUSETTS, ITS AGENCIES AND COMMUNITIES

Any combination of words meant to identify the Commonwealth of Massachusetts are entered into the index as “Massachusetts Comm”. Anytime an agency of the commonwealth appears in a document, it should be indexed first as “Massachusetts Comm” followed by the name of the agency. Neither the title of the agency head (Secretary, Commissioner, etc) nor descriptive words such as “Department, agency, or bureau” is to be used.

Cities and towns should be indexed in the same manner as the Commonwealth of Massachusetts.

Example 6.2-a - Name presented:

Commonwealth of Massachusetts

<i>Last Name</i>	<i>First Name</i>
MASSACHUSETTS COMM	

Example 6.2-b - Name presented:

Massachusetts Department of Revenue

<i>Last Name</i>	<i>First Name</i>
MASSACHUSETTS COMM REVENUE	

Example 6.2-c - Name presented:

City of Lowell

<i>Last Name</i>	<i>First Name</i>
LOWELL CITY	

Example 6.2-d - Name presented:

Groton Board of Health

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<i>Last Name</i>	<i>First Name</i>
GROTON TOWN HEALTH	

7.1 ALPHABETIZING RULES

All entries shall be arranged word by word, alphabetizing character by character within the word. Alphabetizing shall begin with the first character of the first word and end with the last character of the last word. The principle of “nothing before something” shall be applied, considering the space between words a “nothing.” Thus, a single letter or shorter word precedes a longer word beginning with the same letter or letters. When two or more entries begin with the same word, the entry will be arranged by the first different word.

Example 7.1-a - The following names are in the correct alphabetical order:

Ad Video
Adam Instrument Inc
Adams, Gerald R
Adamson, Harry T
Advent Speakers Inc

8.1 INSTRUMENTS REQUIRING ACKNOWLEDGMENT

The following types of instruments shall not be accepted for recording unless properly acknowledged in a manner authorized by Massachusetts General Laws chapter 183, section 30 and by these rules:

1. **Deeds (excepting conveyances from the United States); see MGL Chapter 183, sec. 29. The term “deeds” shall broadly construed to include all types of deeds, with or without covenants, including mortgage and easement deeds; also included are boundary line agreements, leases, terminations of leases, and notices of leases including assignments of leases, collateral or conditional assignment of leases, options to lease and assignments of same, options to purchase including assignments of same and deeds of trust, as opposed to declarations of trust.**
2. **Purchase and Sale Agreements (MGL Chapter 184, sec. 17A)**
3. **Discharges and Partial Releases (MGL Chapter 183, secs. 54, 54B, and 54C)**
4. **Powers of Attorney (MGL Chapter 183, sec. 32)**

5. **Homesteads and Releases of same (MGL Chapter 188)**
6. **Receipts of federal revenues for succession taxes (MGL Chapter 36, sec. 16)**
7. **Subdivision Covenant Releases and Clerk's Certificates (MGL Chapter 41, sec. 81U)**
8. **Tax Redemptions (MGL Chapter 60, sec. 62)**
9. **Incorporation Certificates re Roman Catholic Church (MGL Chapter 68, sec. 44)**
10. **Liens for failure to reimburse the Commonwealth of Massachusetts for removal of wharves or piers (MGL Chapter 91, sec 49B)**
11. **Veteran's Agent Liens and Discharges or Satisfactions thereof (MGL Chapter 115, sec. 5A)**
12. **Dissolutions of attachments by plaintiff, or his executor, administrator or attorney of record (MGL Chapter 223, sec. 132)**
13. **Notices or other instruments required or permitted to be recorded by MGL Chapter 254 (MGL Chapter 254, sec. 30)**
14. **Release of Notice of Contract**
15. **Planning Board Release**
16. **Declaration of Trust**
17. **Resignation of Trustee**
18. **Release of Damages (General Releases)**

Instrument types not contained in this list shall be accepted for recording whether or not they are acknowledged.

8.2 ACKNOWLEDGMENT WITHIN MASSACHUSETTS

The acknowledgment of an instrument within the Commonwealth of Massachusetts shall be done by a justice of the peace or notary public (Massachusetts General Laws chapter 183, section 30):

8.3 ACKNOWLEDGMENT OUTSIDE OF MASSACHUSETTS

An acknowledgment made outside of the Commonwealth of Massachusetts but within any state, territory, district or dependency of the United States shall be made (in accordance with Massachusetts General Laws chapter 183, section 33) by:

- 1) **a justice of the peace, notary public, or magistrate of the state in which the**

acknowledgment is made;

- 2) **a commissioner appointed therefor by the governor of the Commonwealth of Massachusetts; or**
- 3) **any other officer of the state in which the acknowledgment is made provided that a certificate of authority of said officer in the form prescribed by M.G.L. c. 183, s. 33 is attached thereto.**

To be recorded in Massachusetts, such an acknowledgement does not require the seal of the Notary Public taking the acknowledgement.

8.4 ACKNOWLEDGMENT OUTSIDE OF THE UNITED STATES OR ANY DEPENDENCY THEREOF

An acknowledgment made outside of the United States or any dependency thereof shall be made (in accordance with Massachusetts General Laws chapter 183, section 33) by:

- 1) **a justice of the peace, notary public, or magistrate of the country in which the acknowledgment is made;**
- 2) **a commissioner appointed therefor by the governor of the Commonwealth of Massachusetts;**
- 3) **or before an ambassador, minister, consul, vice consul, charge d'affaires or consular officer or agent of the United States accredited to the country where the acknowledgment is made and if made before an ambassador or other official of the United States, it shall be certified by him under his seal of office.**

9.1 LIS PENDENS

No Lis Pendens (i.e. a memorandum indicating that a pending legal action constitutes a claim of a right to title to real property or the use and occupation thereof or the buildings thereon) shall be accepted for recording unless such memorandum (in accordance with M.G.L. chapter 184, section 15)

- 1) **has been endorsed by a justice of the court before which the action is pending; and**
- 2) **is accompanied by an affidavit to the effect that the moving party has served notice of the allowance of such motion by certified mail addressed to all other parties prior to the recording of the memorandum.**

10.1 SUBDIVISION PLANS

No definitive subdivision plan (i.e. any subdivision plan which DOES NOT contain the phrase

“Approval not required” over the signature(s) of the applicable Planning Board) shall be accepted for recording unless it is accompanied by a municipal lien certificate indicating that all taxes, assessments, and charges then assessed against the land shown on the plan have been paid in full. Massachusetts General Laws chapter 60, section 23.