NORTH CAROLINA ASSOCIATION OF
REGISTERS OF DEEDS

**MINIMUM STANDARDS FOR INDEXING
REAL PROPERTY INSTRUMENTS**

NCARD Land Records Committee

Final Proposed Substitute

2/2/2011

Effective Date: January 1, 2012
(Except in Wake County in Which the Rules Shall Become
Effective no Later Than 1/1/2014)

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1. STANDARD OF CARE AND INDEXING RULES

1.01 <u>Standard of Care in User Index Searches</u>
These rules are intended to promote predictability in the appearance and sorting of names in alphabetical indexes. Reliance on the procedures in these rules is not intended to define the standard of care for a reasonably careful and prudent user of a register's index. Users may be expected to search for names according to variations in appearance that should reasonably be anticipated.

1.02 <u>Posting of Indexing Rules</u>
Indexing rules shall be posted prominently together with the index. Included in the posted rules shall be, at a minimum:
    a.   These Minimum Standards.
    b.   Document type abbreviations.
    c.   A description of the location of the public documents and indexes.
    d.   Identification of previously applicable indexing rules, the dates during which such rules were used, and the location at which the rules can be reviewed.

2.   CONSOLIDATED INDEX

2.01 <u>Consolidated Real Property Index</u>
    a.   The register of deeds shall maintain a single index of all documents related to real property. Such an index shall be known as the "Consolidated Real Property Index" and shall be subdivided into an index for grantors and an index for grantees. Grantor and grantee indexes shall allow separate searches for human and non-human names. For indexing purposes human names are names apparently of individual human beings. Non-human names are names apparently of entities or organizations such as corporations, partnerships, government agencies, churches, schools, and charitable organizations. Names identified as trade names for sole proprietorships and other businesses or organizations are considered non-human names.
    b.   Names in the Consolidated Real Property Index shall be indexed in a telephone-type listing, continuous alphabetical listing.

3.   INDEXING PROCEDURES

3.01 <u>Indexing Procedures for Spelling Variations and Illegibility</u>
     As set forth in G. S. 161-14.2, when instruments contain spelling variations between the typed or printed portions and signatures, partially illegible signatures, or information in the typed or printed portion not given by the signatures, the following procedures shall govern the indexing:
     a.   When each word of the signature is legible and it gives the complete name of the party, the signature shall govern.
     b.   When the signature is legible but initials or abbreviations are used, any additional information given by the printed or typed name and not in conflict with the signature shall govern.
     c.   When none of the words in the signature are legible, the printed or typed name shall govern.
     d.   When one or more of the words in the signature are legible, then the words that are legible shall govern; the words that appear in the printed or typed name shall govern over the words of the signature that are not legible.
     e.   When the spelling of any word in a legible signature and the spelling of the corresponding word in the typed or printed name is at variance, and the variance would cause the entries to be made at different places in the index, then the instrument shall be indexed under both spellings.
     f.   When a reasonable interpretation of an illegible word in a signature is at variance with the corresponding word in a typed or printed name and the variance would cause the entries to be made at different places in the index, then the instrument shall be indexed in both places.

3.02 <u>Additional Name References</u>
     When the printed or typed portion of the signature block makes reference to an additional name through terms such as "also known as," "formerly known as," "now known as," or "doing business as," or their acronyms such as "AKA," "FKA," "NKA," or "DBA," only the name and the additional name shall be indexed, not the referential words or acronyms.
     Example:
          Signature name – Jane Smith
          Typed name – Jane Smith (FKA Jane Simpson)
          Index: SIMPSON JANE
          Index: SMITH JANE

3.03 <u>Name Format</u>
　　　The register of deeds shall assume that all names on a document are in the United States name convention of given name(s) followed by surname.

3.04 <u>Index Names of All Parties</u>
　　a.　Except as specified or allowed otherwise by the General Statutes, the names of each party to an instrument shall be indexed in the Consolidated Real Property Index, and the names of each party shall be entered into its proper alphabetical section or location of the index.
　　b.　Only one name shall be listed for each entry in the index. The system shall allow entry and display of a minimum of 70 characters (including spaces, punctuation, and other characters that are disregarded in the search routine according to these standards) for each of the following fields: (1) nonhuman name; (2) human surname(s); and (3) given name(s). The indexer shall not abbreviate human and non-human names that are not abbreviated in the document.

3.05 <u>Standard Alphabetizing Procedures</u>
　　a.　Alphabet - All entries shall use the English alphabet and shall be arranged alphabetically according to the order of the English alphabet. Umlauts, accents, dieresis and other diacritical marks in foreign languages shall not be used.
　　b.　Word by word - 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:
　　　　　　　AD VIDEO
　　　　　　　ADAM INSTRUMENT INC
　　　　　　　ADAMS BILT CO
　　　　　　　ADAMS BILT LOT CO
　　　　　　　ADVENT SPEAKERS INC

c. Human Names - Human names shall be alphabetized on the basis of the surname followed by the given name(s).
>   Example:
>>   SMITH JAMES
>>   SMITH JOHN
>>   SMITH JOHN E

d. Non-Human Names - Non-human names shall be alphabetized on the basis of all words in the non-human name, word by word, character by character, in the order in which they appear in the document. A number, single letter, initial, or grouping of letters can be the first word of a non-human name.
>   Example:
>>   WINSTON R AND P CO
>>   WINSTON ROOF AND SIDING INC
>>   WINSTON ROOFING AND GUTTERING CO
>>   WINSTON ROOFING CO

e. Numbers - Arabic numerals shall be used for numeric numbers. For the purposes of alphabetizing/sorting, a number consisting of one or more numerals shall be considered as a word.
>   Examples:
>>   2 GUYS CO
>>   23 STREET INC
>>   4 PENNIES INC
>>   40 THIEVES MARKET
>>   401 AMOCO FOOD MARKET
>>   4TH STREET OYSTER BAR INC

For purposes of alphabetizing/sorting, Roman numerals shall be considered as alphabetic characters and not numbers. A Roman numeral shall be considered as an alphabetical word.
>   Example:
>>   Name -   VIII Division Survivors Fund
>>
>>   Index: VIDEOFONICS INC
>>   VIII DIVISION SURVIVORS FUND
>>   VINYL WHOLESALE SUPPLY CO

3.06 Recognized Characters

Index entries for names shall only include the following characters, numerals and symbols, which shall be alphabetized according to ASCII sequence in the order shown here. Indexers should disregard any other symbols or marks that are part of the name. Diacritical marks appearing above, below or over a letter shall be ignored.

```
! " # $ % & ' () * + , - ./
0 1 2 3 4 5 6 7 8 9
:;< = >? @
A B C D E F G H I J K L M N O P Q R S T U V W X Y Z
[\] ^ _ ` {|} ~
```

Diacritical marks:

```
Example:  Ő
     Name:     Freidrich Rődl
     Index:    RODL FREIDRICH

Example:  Ñ
     Name:     Francisco Peña
     Index     PENA FRANCISCO

Example:  É
     Name      René Theriot
     Index:    THERIOT RENE
```

3.07 Capital Letters

All letters in entries in the Consolidated Real Property Index shall appear in capitals.

3.08 Names Required by General Statutes

In addition to indexing names of parties as they appear in the document consistent with these rules, indexing shall comply with any requirements of the N.C. General Statutes.

4. NAMES

4.01 Surnames

Surnames shall be keyed into the index with the characters as they appear on the document. When a surname consists of two or more separate words separated by a hyphen, the surname shall be keyed into the index as it appears on the document. The surname shall appear in the index pursuant to Rule 7.10.

```
Example:
     Name - Jane Smith-Simpson
     Keyed:    SMITH-SIMPSON JANE
```

4.02 <u>Given Names</u>
    a.   Given names shall be keyed into the index with the characters as they appear on the document. Given names shall be listed in the order of first given name or initial, second given name (middle name) or initial, third given name or initial, etc.
          Example:
             Name – ROBERT M STEWART
             Keyed: STEWART ROBERT M

    b.   Compound Given Name - Given names with two or more words separated by a hyphen shall be keyed into the index as they appear on the document.
          Example:
             Name – Ann Mary-Margaret Hendon
             Keyed: HENDON ANN MARY-MARGARET

4.03 <u>Titles</u>
    Titles such as Reverend, Bishop, Dr., Major, Mr., Ms., Mrs., etc. shall not be keyed into the index as part of the human name unless (a) such title appears with a surname and no other given name, or (b) such title appears with only what appears on the face of the document to be the spouse's name.

        Examples:
             Name -   Mrs. John Smith
             Keyed: SMITH JOHN MRS.
             Name —   Mrs. Smith and Mr. Smith

             Keyed: SMITH MR.
                      SMITH MRS.
             Name —   Major Smith
             Keyed: SMITH MAJOR

4.04 <u>Suffixes</u>
    A suffix denoting lineage such as Junior, Jr., Sr., II, III, etc., shall be placed after the last given name with no comma between the last given name and the suffix.
          Example:
             Name — William John Smith, III
             Keyed: SMITH WILLIAM JOHN III

4.05 <u>Surnames in Parentheses</u>
    When a human name containing what clearly appears to be an additional surname in parentheses before or after the surname [e.g., Jane Ann (Smith) Simpson, Jane Ann Simpson (Smith)], the name shall be keyed into the index by the surname not in parentheses and also by the surname that was in parentheses

(without parentheses). When indexing the surname not in parentheses, the surname that was in parentheses shall be considered and alphabetized as the last given name.

```
            Example:
                Name -    Jane Ann (Smith) Simpson
                Keyed:    SIMPSON JANE ANN SMITH
                          SMITH JANE ANN SIMPSON
```

4.06 Professional Titles
     Professional certifications or degrees showing a certain level or type of education such as CPA, DDS, and MD, shall be keyed into the index as a human name with the title excluded.

```
            Example:
                Name -    John Smith, CPA
                Keyed:    SMITH JOHN
```

4.07 Single Word Human Names
     A single word as a human name shall be considered as both the given name and the surname and shall be keyed into the index as both the given name and the surname.

```
            Example:
                Name -    Topika
                Keyed:    TOPIKA TOPIKA
```

4.08 Estate Names
     The names of estates containing human names shall be keyed into the index by the human name. Additional references to the estate are optional and if included shall not affect the alphabetical order of the human name being indexed.

```
            Example:
                Name -    John Smith Estate
                Keyed:    SMITH JOHN
```

4.09 Trust Names
     The names of trusts containing what clearly appear to be human names shall be keyed into the index both (a) as a non-human name and (b) by the human name contained within the trust. When indexing the human name for a trust, references to the trust are optional and if included shall not affect the alphabetical order of the human name being indexed.

```
     Example:
         Name -    John Smith Revocable Trust
         Keyed:    JOHN SMITH REVOCABLE TRUST
                   SMITH JOHN

         Name:     John Smith and Mary Brown Revocable Trust
         Keyed:    JOHN SMITH AND MARY BROWN REVOCABLE TRUST
                   BROWN MARY
                   SMITH JOHN
```

4.10 Non-Human Names
    Non-human names shall be keyed into the index with the
characters as they appear on the document.

5.   INDEX FORMAT

5.01 Sorting Order for Index
    The location of an entry in the index shall be determined by
the following sort order:
    1st. Alphabetically according to human surname or non-human
          name
    2nd. For human names alphabetically according to given name
    3rd. Date registered

5.02 Trustee or Other Designated Status
    When a party's human or non-human name as it appears in the
document is clearly designated as an
administrator/administratrix, attorney-in-fact,
executor/executrix, or trustee, such status designation shall be
set forth in a separate field but it shall not affect the name's
alphabetical placement. Punctuation separating the name from the
status shall not be keyed into the index.

        Example:
            Name: Richard M. Stewart, Trustee
            Index: STEWART RICHARD M.   TR

            Name: Stewart Banking & Trust Company, Trustee
            Index: STEWART BANKING & TRUST COMPANY   TR

5.03 Index Information
    Information returned in response to a query shall include
the following categories of information, in any order:
    a.   Indexed party - For a human name the index shall show
          the surname followed by the given name. If the indexed
          party is acting with a designated status as set forth
          in Rule 5.02, the status shall also be shown.
    b.   Date registered - In numeric form of: two digit
          month/two digit day/four digit year (e.g., January 15,
          2010 would appear as: 01/15/2010).
    c.   Reverse party (grantee if indexed party is grantor;
          grantor if indexed party is grantee) - Only one name
          need be listed as reverse party; if there are more than
          one on the document only the first need be shown. If
          the reverse party is acting with a designated status as
          set forth in Rule 5.02 the status shall also be shown.
    d.   Document type - As is apparent on the face of the
          document. Only one document type need be listed. A list
          of suggested type abbreviations is set forth in the

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Appendix to these standards. Although registers may use additional or different abbreviations use of the list in the Appendix is suggested to promote consistency and predictability. All document type abbreviations in use in the register's index shall be listed in the posted indexing rules according to Rule 1.02.

    e.   Reference - The book and page location, with the book number listed first.

    f.   Description – The index description is an abbreviation and approximation of information that appears in the document, which can be descriptive or reference information. Indexers do not supply or verify the provided information.

    g.   PIN - In a county that uses an index by land parcel identification number (PIN), the PIN shall be shown as required by statute.

6.   PLATS

6.01 Consolidated Real Property Index

Plats shall be indexed in the Consolidated Real Property Index except as otherwise provided by statute. Plats recorded as attachments to other recorded documents need not be separately indexed.

6.02 Owner

The owner of the property that is the subject of the plat, as shown on the plat, shall be indexed as a grantor.

6.03 Plat Title

The title of the plat shall be indexed as a grantor. A descriptive title (such as Singing Oaks, Part II) shall be indexed as a non-human name.

6.04 Condominium Plat

Indexing information for a condominium plat shall also include the following:

    a.   The name of the condominium, as shown on the plat, as a non-human grantor.

    b.   Reference to the book and page and date of recording of the condominium declaration, as shown on the plat.

7.   MINIMUM FUNCTIONAL STANDARDS FOR ELECTRONIC INDEXES

Each register of deeds shall have an electronic indexing system (hereinafter "the system") of real property instruments for public use with the following functional standards. The functional standards required in this part 7 shall apply at least to all records for documents that have been registered beginning on the date on which minimum indexing standards adopted by the Department of Secretary of State pursuant to G.S. 147-54.3(b1) first became effective in the respective register of deed's office. This rule shall not be construed as prohibiting application of these functional standards to records for documents registered before such effective date. Registers may also choose to provide additional functions and features with electronic indexes as well as paper indexing resources.

7.01 Compliance with Standards
The system shall enable real estate instruments to appear in indexes that comply with the rules set forth in these Minimum Standards for Indexing.

7.02 Nonproprietary Data Storage and Accessibility
The system shall store data using open standards and architecture and each data set and table shall be well-documented, enabling conversion to a different system at the register of deeds' sole discretion without need for proprietary software, licenses, or approvals to which the register does not have full and irrevocable rights and access as part of the use agreement for the system.

7.03 Sortable Fields
The system shall enable public users to enter queries for names and view document-specific identification information for all documents for which matching names have been indexed as parties. In counties in which parcel identification numbers are used, as an indexing system in lieu of an alphabetical system, the system shall enable public users to view document-specific identification information for all documents for which matching parcel identification numbers have been indexed.

7.04 Search Result Narrowing Restrictions
The system shall enable public users to narrow their search results from the required sortable fields to within a range of registration dates. The system may, but is not required to, enable index users to further narrow their searches based on other fields and criteria.

7.05 Auto-Completion
The system shall include a drop-down automatic completion function that, at the searcher's option, suggests in the

alphabetical sorted order at least five of any names that have been indexed and that begin with the characters entered in the name query.

Examples:
    Human surname query entry: J
    Suggested names: Indexed human surnames beginning with J in alphabetical order

    Human surname query entry: JEFF
    Suggested names: Indexed human surnames beginning with JEFF in alphabetical order

    Human surname query entry: JEFFERSON
    Suggested names: Indexed human surnames with last name JEFFERSON, and if no surnames are indexed with following letters (such as JEFFERSONIAN), given names for JEFFERSON in alphabetical order such as ABRAHAM, ADAM, etc.

7.06 Soundex Suggestions

The system shall include a soundex function that, at the searcher's option, suggests to users names from the indexed names database that are pronounced similarly to the query entry but spelled differently, with at least the functional capability of the soundex coding rules of the U.S. Archives and Records Administration.
    Examples:
    Indexed entries: SMYTH
    Returned for query but not necessarily limited to: SMITH

    Indexed entries: GUITEREZ
    Returned for query but not necessarily limited to: GUITERREZ

    Indexed entry: FISTER
    Returned for query but not necessarily limited to: PFISTER

7.07 Sorting Order

The names in each field shall be sorted in ASCII order as specified in Rule 3.06 following the standard alphabetizing procedures in Rule 3.05.

7.08 Allowable Name Length

The system shall allow entry and display of a minimum of 70 characters (including spaces, punctuation, and other characters that are disregarded in the search routine according to these standards) for each of the following fields: (1) nonhuman name; (2) human surname(s); and (3) given name(s). The system shall

return the full information for all indexed entries that begin
with the number of characters allowed.

7.09 <u>Punctuation and Symbols</u>
    The system shall return results for queries both with and
without regard to the presence of punctuation, symbols, and
spaces within a name field.
Examples:
    Indexed human surname name: VAN DER KAMPEN
    Returned for queries but not necessarily limited to:
                            VAN DER KAMPEN
                            VAN DERKAMPEN
                            VANDERKAMPEN

    Indexed human surname: SMITH-JAMES
    Returned for queries but not necessarily limited to:
                            JAMES
                            SMITH JAMES
                            SMITH-JAMES
                            SMITHJAMES

    Indexed nonhuman name: AT&T
    Returned for queries but not necessarily limited to:
                             A T & T
                             AT& T
                             AT&T

    Indexed nonhuman name: @{AUTO}
    Returned for queries but not necessarily limited to:
                             @AUTO
                             @{AUTO}
                             AUTO
                             {AUTO}

    Indexed human name: ROBERT (KIP) M. STEWART
    Returned for queries but not necessarily limited to:
                            STEWART ROBERT (KIP) M.
                            STEWART ROBERT KIP M

Example applying the sorting order of Rule 7.07:
    Same name on two documents: ROBERT (KIP) M. STEWART
    Keyed under prior rules: STEWART ROBERT KIP M   (DOC 1)
    Keyed under these rules: STEWART ROBERT (KIP) M. (DOC 2)

    Search query: STEWART ROBERT KIP M
    Returns include:
    STEWART   ROBERT KIP M   (DOC 1)
    STEWART   ROBERTKIPM   (DOC 1)
    STEWART   ROBERTKIPM   (DOC 2)

```
     Search query: STEWART ROBERT (KIP) M.
     Returns include:
     STEWART   ROBERT (KIP) M.   (DOC 2)
     STEWART   ROBERTKIPM         (DOC 1)
     STEWART   ROBERTKIPM         (DOC 2)
```

7.10 <u>Hyphenated Surname</u>
    When a surname is entered with two or more separate words separated by a hyphen, the system shall create a record (a) with the hyphen dropped and the previously hyphenated words as a surname and (b) with the last word alone as surname, and (c) as it was keyed into the index.

```
     Example:
               Surname entered: JANE SMITH-SIMPSON
               Surname index records: SIMPSON JANE SMITH
                                      SMITH SIMPSON JANE
                                      SMITH-SIMPSON JANE
```

7.11 <u>Words Beginning The, A, An</u>
    The system shall return entries for queries for a nonhuman name both with and without regard to the presence of the articles THE, A, or AN at the beginning of the indexed name or query.

7.12 <u>Political Divisions</u>
    The system shall return results for queries that identify a political division and proper name without regard to the order in which the political division and proper name is given or the presence of "of": district, village, town, township, municipality, city, county, and state.
```
     Example:
          Indexed nonhuman name: VILLAGE OF PINEHURST
          Returned for query but not necessarily limited to:
          PINEHURST VILLAGE
          PINEHURST VILLAGE OF
          VILLAGE OF PINEHURST
```

7.13 <u>Abbreviations</u>
The system shall return results for queries that automatically associate characters with abbreviations and vice-versa.
```
     Example:
          Indexed nonhuman name: MORTGAGE ELECTRONIC REGISTRATION
                                 SYSTEMS INC
          Returned for query but not necessarily limited to:MERS
          MORTGAGE ELECTRONIC REGISTRATION SYSTEMS
          MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC

          Indexed nonhuman name: MERS
          Returned for query but not necessarily limited to: MERS
          MORTGAGE ELECTRONIC REGISTRATION SYSTEMS
          MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
```

The abbreviations for which such equivalence shall be made shall include the following:

AND: &
ASSOCIATE, ASSOCIATES: ASSOC
ASSOCIATION: ASSN
BANK AND TRUST, BANK & TRUST: B&T
COMPANY, COMPANIES: CO
CONDOMINIUM: CONDO
CORPORATION: CORP
COUNTY: CNTY
DEPARTMENT: DEPT
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES: DENR
FINANCE: FIN
INCORPORATED: INC
INSURANCE: INS
LIMITED: LTD
LIMITED LIABILITY COMPANY: LLC
MORTGAGE: MTG
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS: MERS
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC: MERS
MOUNT: MT
NORTH CAROLINA: NC
PARTNER, PARTNERS: PTNR
PARTNERSHIP, PARTNERSHIPS: PTNRP
SAINT: ST
SAVINGS AND LOAN, SAVINGS & LOAN: S&L
UNITED STATES: USA AND US
US STATE NAMES: U.S. POSTAL SERVICE two-letter abbreviations

The system shall enable the register of deeds to enter additional automatic equivalencies.

Appendix

RECOMMENDED INSTRUMENT TYPE ABBREVIATIONS

AFFIDAVIT	AFFT
AGREEMENT	AGMT
ASSIGNMENT	ASGMT
ASSUMED NAME	A/N
BANKRUPTCY	BKCY
CERTIFICATE	CERT
CONDOMINIUM	CONDO
CONSENT	CONST
DECLARATION	DECL
DEED	DEED
DEED OF TRUST	D/T
FORECLOSURE	FCL
GRAVE REMOVAL	GRAVE
JUDGMENT	JGMT
LEASE	LEASE
MEMORANDUM	MEMO
MORTGAGE	MTG
NOTARY COMMISSION	NTRY
NOTICE	NOTCE
ORDER	ORDER
ORDINANCE	ORD
PARTIAL RELEASE	P/REL
PARTIAL SATISFACTION	P/SAT
PLAT	PLAT
POWER OF ATTORNEY	P/A
RELEASE	REL
RESCISSION	RECIS
RESTRICTIONS	RESTR
RIGHT OF WAY	R/W
SATISFACTION	SAT
SEE INSTRUMENT	S/INS
SUBSTITUTION TRUSTEE	S/TR
UNIFORM COMMERCIAL CODE	UCC