

MISSISSIPPI FORMATTING REQUIREMENTS FOR RECORDABLE INSTRUMENTS

Effective, July 1, 2021,¹ any document or instrument presented to the clerk of the chancery court in Mississippi for recording must:

- in the case of a paper document, contain original signatures; or
- in the case of an electronic document, contain electronic signatures that comply with the Uniform Real Property Electronic Recording Act.

Effective, July 1, 2009,² any document or instrument presented to the clerk of the chancery court in Mississippi for recording must also meet the following requirements:

- **Paper:**
 - The document shall consist of one or more individual pages printed only on one (1) side.
 - The document (other than a plat or survey or a drawing related to a plat or survey) shall be on white paper of not less than twenty-pound weight.
- **Margins:**
 - Top Margin of First Page (other than for a plat or survey or a drawing related to a plat or survey): at least three (3) inches which is reserved for the recorder's use.
 - All Other Margins: shall be a minimum of three-fourths (3/4) of one (1) inch.
 - Nonessential information such as form numbers or customer notations may be placed in a margin other than the top margin.
 - A document may be recorded if a minor portion of a seal or incidental writing extends into a margin.
- **Font Size and Color:**
 - All documents must be printed or typed in a font no smaller than eight (8) point in size.
 - Any document (other than a plat or survey or a drawing related to a plat or survey) containing font smaller than eight (8) point type must be accompanied by an exact typewritten or printed copy.
 - All text shall be of sufficient color and clarity to ensure that the text is readable when reproduced from the record.
- **First Page Contents:**
 - IF a document (other than a plat or survey or a drawing related to a plat or survey) contains any of the following information, THEN it shall have that information on the first page below the three-inch top margin:
 - The name, address, telephone number and bar number,³ if any, of the individual who prepared the document;⁴

¹ Miss. Code Ann. § 89-5-24.

² Miss. Code Ann. § 89-5-24.

- A return address;
- The title of the document;
- All grantors' names;
- All grantees' names;
- Any address and telephone number required by Section 27-3-51;
 - Section 27-3-51 requires each deed to contain the following information for each grantor and grantee:
 - the current mailing address;
 - the current business or employment telephone number, if any; and
 - the current residential telephone number, if any.
- The legal description of the property OR indexing instruction per Section 89-5-33(3).
 - if there is insufficient space on the first page for the entire legal description or the entire indexing instruction, immediately succeeding pages shall be used.
- **Signatures:**
 - All signatures shall be in black or blue ink.
 - The corresponding name shall be typed, printed or stamped beneath the original signature.
 - The typed, printed, or stamped name shall not cover or otherwise materially interfere with any part of the document.
- **Binding and Attachments:**
 - The document shall not consist of pages that are permanently bound or in a continuous form and shall not have any attachment stapled or otherwise affixed to any page.
- **Exceptions:**
 - The individual pages of a document may be stapled together for presentation for recording.
 - The document may contain a label that is firmly attached with a bar code or return address.
- **Legibility:**
 - The document shall be of sufficient legibility to produce a clear reproduction.
 - Any document (other than a plat or survey or a drawing related to a plat or survey) that is not sufficiently legible, must be accompanied by an exact typewritten or printed copy which shall be recorded contemporaneously as additional pages of the document.

³ See *also* Miss. Code Ann. § 89-5-33(3). Any instrument prepared by an attorney must include the attorney's Mississippi Bar number.

⁴ Although Section 89-5-24 was not amended to state it specifically, it is logical that the Mississippi bar number of the preparer (as required by the amendment to Section 89-5-33(3)) would be included with the other "prepared by" information.

- **Exempt Documents:**
 - The following documents are exempt from the formatting standards of Section 89-5-24:
 - A document executed before July 1, 2009.
 - A military separation document.
 - A document executed outside the United States.
 - A certified copy of a document issued by a court or governmental agency, including a vital record.
 - A document where one (1) of the original parties is deceased or otherwise incapacitated.
 - A document formatted to meet court requirements.
 - A federal tax lien.
 - A filing under the Uniform Commercial Code.

- **Penalty:**
 - Failure to conform a document to the above standards does not affect its validity or enforceability, but only its ability to be recorded. The Chancery Clerk may refuse to record a document which does not conform to the above standards and which is not otherwise exempt unless an additional recording fee of Ten Dollars (\$10.00) per document is paid.