



INDIANA RECORDERS ASSOCIATION NEWSLETTER

THIS ISSUE:

- IRA Conference recap
- Indexing the Notary
- Deed Fraud video
- Legislation around the country
- Being named in a lawsuit

INDIANARECORDERS.ORG

Summer 2024



Topics covered legislative and AG Task Force updates, SBOA updates, TODs and other documents.

See Pages 3 & 7 for more.

Indiana Recorders Association Conference, April 16–18, was held at the Sheraton at Keystone Crossing in Indianapolis.

New officers transitioned into their roles on July 1.

President	Mandy Thomason
Vice President	Tami Hines
Treasurer	Marcia Moore
Secretary	Nicole Keesling
Past President	Tom Krueckeberg

See Page 2 for more.



Our charity this year was Indy Honor Flight. (Pg. 7)

IRA Executive Committee 2024–2025

Election Results

Once again, we had nominations from the floor, and the following Recorders were elected to serve.



President
Mandy Thomason



Vice President
Tami Hines



Treasurer
Marcia Moore



Secretary
Nicole Keesling



Past President
Tom Krueckeberg

The Executive Committee officers will serve July 1, 2024 till June 30, 2025.

The President presides at all state meetings, and appoints committees. The Vice President is a backup for the President, is a voting member of the Legislative Committee and assists District VPs. The Secretary retains all records and minutes. The Treasurer collects dues and other receipts, pays all bills, and supplies financial statements at periodic intervals. The Treasurer is bonded.

WANT TO KNOW MORE?

For full job responsibilities and how our Elections are run, see Bylaws (pgs. 29–35 in IRA directory).

Legislative Recap and other good things to know

HB1222 Residential RE Service Agreement (effective 3-14-24)

Protects homeowners from the predatory practice known as Non-Title Recorded Agreements for Personal Services (NTRAPS). Recorders are held harmless if they do record one after this time.

IC 32-17-14-11, IC 32-17-14-13 Quitclaim Deed with TOD Deed (effective 7-1-24)

1. It must be recorded in the Recorder's Office before the owner's death...Section 13 (e)
2. Example language (“(insert owner's name) conveys and warrants (or quitclaims) to (insert owner's name), TOD to (insert beneficiary's name).” Section 11(f), Section 13(d)
3. Auditor must endorse either type: Section 11(i), Section 13(g).
Not previously required for Section 11.

Recording Order is Important - The majority of what we do is by code/law.
See IC 36-2-11-8 (a) for why the recording order is important.

Life Estate reserved by Deed

After life estate holder (Party 1) dies, affidavit is recorded reflecting the automatic transfer to Party 2 which merges life estate into remainder. Index as Party 1 with “type/code” as Life Estate on Party 1.

Trust on a TODD – Don't recommend on-the-spot corrections to TOD Deed

Each grantee listed as an owner in a Transfer on Death deed must be an individual (natural person) who is certain to eventually die.

There are two main formats that can be used to identify the Owner in a TOD deed, so that the Owner's death causes the property to pass to the TOD beneficiary(ies).

Shorter: Olivia Owner (Grantor) CONVEYS AND WARRANTS on Grantor's death to _____ (TOD beneficiary)

Longer: Olivia Owner (Grantor) CONVEYS AND WARRANTS to Olivia Owner (Grantee), TOD on Grantee's death to _____ (TOD beneficiary)

Use of the shorter format can create a potential trap and make the TOD deed invalid if the current Owner and Grantor is not an individual (natural person) . For example, if the record owner is a trust. A trust can be a TOD beneficiary, but a trust cannot be an Owner.

DO NOT RECOMMEND THE SUBMITTER MAKE HANDWRITTEN CHANGES! Recommend they contact an attorney to investigate and to revise the deed.

IRA Conference photos



Teams played JEOPARDY! with the e-recording vendors.



Lots of good information was given during each session. For more, see pages 3 & 7.

Recorders and their staff members totaling 145 attended the conference, not including vendors and guests. There were 87 of our 92 counties represented.



Mandy Thomason was honored with the IRA "Outstanding Service Award." (See pg. 13 in IRA directory)

More conference photos



Pat Brooks was honored with the Agent of Change Award. Pat is pictured above with the six District VPs and IRA Vice President Nichole Keller.



Questions and comments from the audience added to the discussion.



Outgoing District Chairs (like Elzbieta Bilderback, left) and Officers (like Kim Grow, right) were recognized for their dedication and service.



Our current Secretary of State, Diego Morales, welcomed us and gave some brief remarks.

Fun conference photos



11	29	35	53	68
4	21	32	54	72
14	19	28	50	66
3	16	33	52	75
8	30	43	56	63

06/16

Many thanks to those of you who sent photos! :o)

IRA Conference April 16-18



Daviess County photos got left out of the slideshow.

Indy Honor Flight

Our mission is to fly WWII, Korea and Vietnam Veterans to Washington DC to see the memorials built in their honor.

This trip is 100% FREE for the Veteran!



More than \$3200 was donated to Indy Honor Flight. Thank you to those who donated baskets for the silent auction and to those who bid.



Districts met and elected their new 2024-2025 VPs.



New for 2024

- SBOA will keep attendance of elected officials at each conference and publish on SBOA website.
- Elected officials must attend the applicable annual conference called by the SBOA a minimum of once every two years.

New for 2024

IC 36-2-11-2.5 (g)

Elected Recorders must certify completion of the requirements in subsection (b) every year and file the certification with the SBOA in the same manner as the report required in IC 5-11-1-4(a).

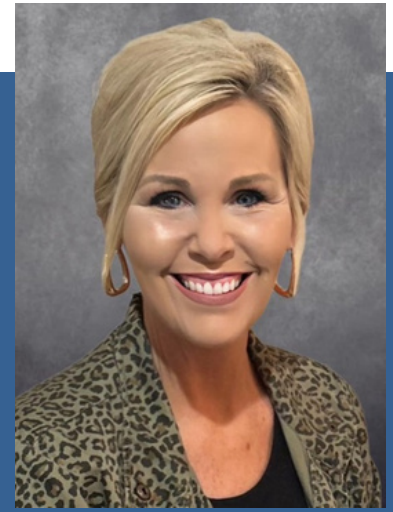
District Vice Presidents 2024-2025



NW District
Beth Liming



WC District
Nikki Allen



SW District
Christy Knotts



NE District
Melanie Upp



EC District
Faith Kimbrough



SE District
Joyce Oles

New District VPs were elected at our annual IRA Conference to serve July 1, 2024 till June 30, 2025. According to IRA Bylaws (pgs. 29-35 in directory), the role of a District Vice President is to plan and preside at all district meetings. They are to attend all called meetings, district meetings and committee meetings on which they have agreed to serve. They comprise the Nominating Committee for next term's slate of executive officers, and as the Awards Committee. As a bonus, they communicate information and reminders from the Indiana Records Association to those in their districts.

Since we voted at the IRA conference to hold just two district conferences next time, three District Vice Presidents from each of the covered areas will be working together to plan their conference.



INTERNATIONAL ASSOCIATION OF GOVERNMENT OFFICIALS

Representing the finest clerks, recorders, election officials & treasurers.

iGO Hot Topics

Indexing the Notary

Penalties for Deed
Fraud

Legislation around
the country



May 2024

How Wayne County,
Michigan, is proposing to
handle deed fraud.
HB 5598

[YouTube video](#)

Check out the QR code
shown in the video for
other coverage.

Why index the notary?

Notaries could use it to check that there are not documents being recorded as notarized by them without their knowledge.

Should this field be searchable by public or just an internal field? The field would need to be separate so that a notary name wouldn't display for every document they notarize every time they have a title search done.

Can we have an alert system available connected to this indexing field similar to Property Watch or Property Fraud Alert?

From PRIA Indexing Work Group:

- Assists law enforcement with fraud cases by identifying notary on document.
- Assists authorities in identifying notary impersonators.



Legislation around the country

Ohio is working on legislation to protect veterans being targeted by outside businesses to pay for their DD-214s.

Go [HERE](#) for more.

Just fyi...Some states have legislation in place to require people submitting documents for recording, especially (or only) conveyance documents, to show ID first. Indiana does not, and we should not ask for it without legislation to back it up except as required for DD-214s.

Wholesalers “buy houses for cash,” record a purchase and sale agreement, while never actually owning the property. Document doesn’t need the buyer’s signature. It can be called “Memorandum of Contract,” “Intention to Purchase,” or something similar. It involves entering into a contract with a seller and then transferring the right to purchase the property to an investor for a higher price. Wholesalers make a profit from the price difference. Wholesaling laws vary from state to state. See IC 32-21. Read this [Forbes article](#).



Indiana Recorders, a Chief Deputy and a County IT Project Manager attended the annual iGO conference in New Orleans in July.

Get to know your fellow Indiana Recorders



I'm halfway through my 45th year at Wayne County, with all but 3 months in the Recorder's Office. My husband & I were born & raised in Wayne County and I now live 2 houses away from the home I was raised in! My husband's home, where he was raised, is a country block away from where we've lived since we married.

My dream vacation would be to see Hawaii some day!

I have a terrible sweet tooth, so I gravitate to sweets as my snack preference.

I was hired the day after I graduated, so just having a job was exciting. I wish I had known that the low pay rises very slowly! My advice to a newbie would be to gain all the knowledge you can from the people who have been in county government the longest & always be open to learning new things & accepting change gracefully.

Debbie Tiemann Wayne County Recorder, EC

I basically lived in the Dearborn County courthouse (and others) as a title abstractor since 1991 for a local title company or my own business: "Dearborn Independent Abstract Service." In the 90's, I helped out our County Recorder as a part-time Deputy. In 2018, Recorder Glenn Wright asked me to run for Recorder. I folded up my business and he hired me as a Deputy to learn the behind-the-scenes. I was elected and began my term in 2019. It's been a great ride, and I am enjoying every moment. My dream vacation is any vacation that I can have those "in awe of nature" moments: whether it's the ocean, mountains, or huge landscapes.

My favorite snacks are Sweet AND Sour (think chocolate cookies with lemonade). My family wants to have me committed for that. Born and raised in Buffalo, NY. Hubby and I have been married for 43 years and we have 3 wonderful children and 8 amazing grandchildren. I have come to realize that this is not a job – It is complete service. So, I try to ask myself: "In my short time guarding the communities' records, what can I do to make sure all is safe?" And since I have been elected to serve others, "What can I do to help others succeed?"



Joyce Oles, Dearborn County Recorder, SE

I've worked in the office since 2015. It is going so very fast. I owned and worked in the Title Insurance Industry for 33 years, so I had an extensive understanding of the documents and legal descriptions.

This is going to sound very strange, but my dream vacation would be at least 2 weeks in a cabin in the UP of Michigan in the middle of the winter.

Salty treats are my favorite...and Reese's Take Five bars which are sweet/salty.

I was born and raised in Huntington County. I'm blessed to live in a small town.

My advice to newbies would be not to be afraid to reach out to the seasoned

Recorders with your questions and never think that you are asking a stupid question because the only stupid question is one that never gets asked. Always help your constituents with any questions that they may have. If you don't know the answer at the very least give them options on where to find their answers. Just remember not to cross the line of practicing law.

Vicki Pearson, Huntington County Recorder, NE



Get to know your fellow Indiana Recorders



As far as county government, I have only worked in the Recorder's Office since Feb. of 2012 – 12 years. And I have only lived in Clinton County.

My dream vacation would be Hawaii. Sweet or salty snacks? Sweet - I love chocolate!

One thing I wish I'd known when I started working at Clinton County was understanding the budget and the accounts payable process. Planning ahead is important. Also, I would have done more to get our records digitized and to further advance the protection and preservation of our records. Once my term is over, I would like to continue in the Recorder's Office.

Beth Keeney, Clinton County Recorder, WC

I've been with the county for 17 1/2 years now. I served as the 4-H Youth Development Program Assistant with Purdue Extension for the first 10 years, and then as Chief Deputy in the Recorder's Office for the past 7. I was caucused in as Recorder in April of this year, and am currently running for Recorder in the November election.

I'm more of an explorer when I vacation. I love to see and experience new things. My favorite trip so far has been to Yellowstone, but I'm headed to Alaska in August, so we'll see if that takes the new top spot 😊

I was actually born and raised in Monroe County, but my family is from Orange County. I met my husband while he was attending IU, but quickly found out that he was also from Orange County! We ended up moving here 26 years ago when I was completing my internship for my Funeral Director's license. 90% of the time, sweet treats are my vice. When I started, I wish I had known that anything could be fixed – we had so much anxiety the first few months, afraid we would make a mistake. I also wish that there would have been time to learn to search first, before we ever started indexing. I make that a priority any time we have a new hire now.



Update your directory – Heather Henderson, Orange County Recorder, SW



I've served 43 years in government. Started in the City of South Bend Legal Department; City Clerk's Office; Assessor's Office; Voter Registration Office; Recorder. I was born and raised in St. Joseph County. The loves of my life are my two grandchildren.

Visiting Poland would be my dream vacation. I am 100% Polish! My grandparents always spoke of Poland when I was a little girl! My grandmother wrote and received many letters from family members over the years and read them to me in Polish and English. I am a life-long member of MR Falcons

Nest #4, our local Polish organization. I guess you can say my "Polish Roots" run deep!!

I love both sweet and salty snacks. My advice to a newbie: ALWAYS treat your customers/ residents with timely, professional and courteous service! My second term ends this year, and I am running for St. Joseph County Treasurer.

Mary Beth Wisniewski, St. Joseph County Recorder, NW

Interesting Facts

Orange County

- Home of West Baden Springs built in 1855, initially called Mile Lick. Rebuilt in 1902.
- French Lick established in 1857, became known for its health resort founded around 1845.
- Orleans: Founded in 1815, it is the oldest town in the county. It was named after General Andrew Jackson's victory at New Orleans.

St. Joseph County

- 1882 First electric trolley streetcar system in the United States!
- Home to Notre Dame, founded November 1842.
- Named after the St. Joseph River, which flows through the county. The river itself is named after Joseph, the husband of St. Mary, the mother of Jesus

Clinton County

- Founded 1830, named for New York Governor DeWitt Clinton, who had been involved in building the Wabash and Erie Canal.
- General James F. Record was born and raised in Clinton County. He was awarded three Distinguished Service Crosses for his gallantry during the Vietnam War.

Huntington County

- Named after Samuel Huntington, who signed the Declaration of Independence and the Articles of Confederation.
- Warren hosts the museum collection in honor of The U.S.S. Salamonie, AO-26, Cimarron Class Fleet Oiler from World War II and is also the location of Heritage Pointe.

Wayne County

- Formed in 1811. It was named for General "Mad" Anthony Wayne, who was an officer during the Revolutionary War.
- Johnny Ringo, a famous outlaw who became the chief antagonist of Wyatt Earp, was born in Greens Fork, Indiana (then known as Washington).

Dearborn County

- Formed in 1803 from a portion of Hamilton County, Ohio.
- Named after Dr. Henry Dearborn, who served as an officer in the Revolutionary War and the War of 1812.
- From 1836 to 1843 the Whitewater Canal was built through Dearborn County. River and canal trade dominated the county's commerce until the construction of the Ohio and Mississippi Railroad in the 1850's.

Ever been sued?

Interview with Jana Gray, Morgan County Recorder

In 2022, the Morgan County Recorder's Office was listed as a respondent on a UCC filing as was Jana Gray, Morgan County Recorder, as an individual. The County Auditor, the bank, the title company and multiple other parties were also listed on the UCC. The filer alleged an indebtedness of \$6,000,000.00! The (then) Morgan County Attorney sent a letter requesting the filer release the UCC citing it's fraudulent recording for lack of notification to the Recorder and Auditor as respondents and, for citing them at all in their status as individuals. Matthew Whitman filed the UCC on 06/29/2022, approximately a month (05/31/2022) after a mortgage foreclosure was filed against him & Maci Whitman 55C01-2205-MF-000835. Mr. Whitman would not release the lien, so the County sued Mr. Whitman 55C01-2207-PL-001160.

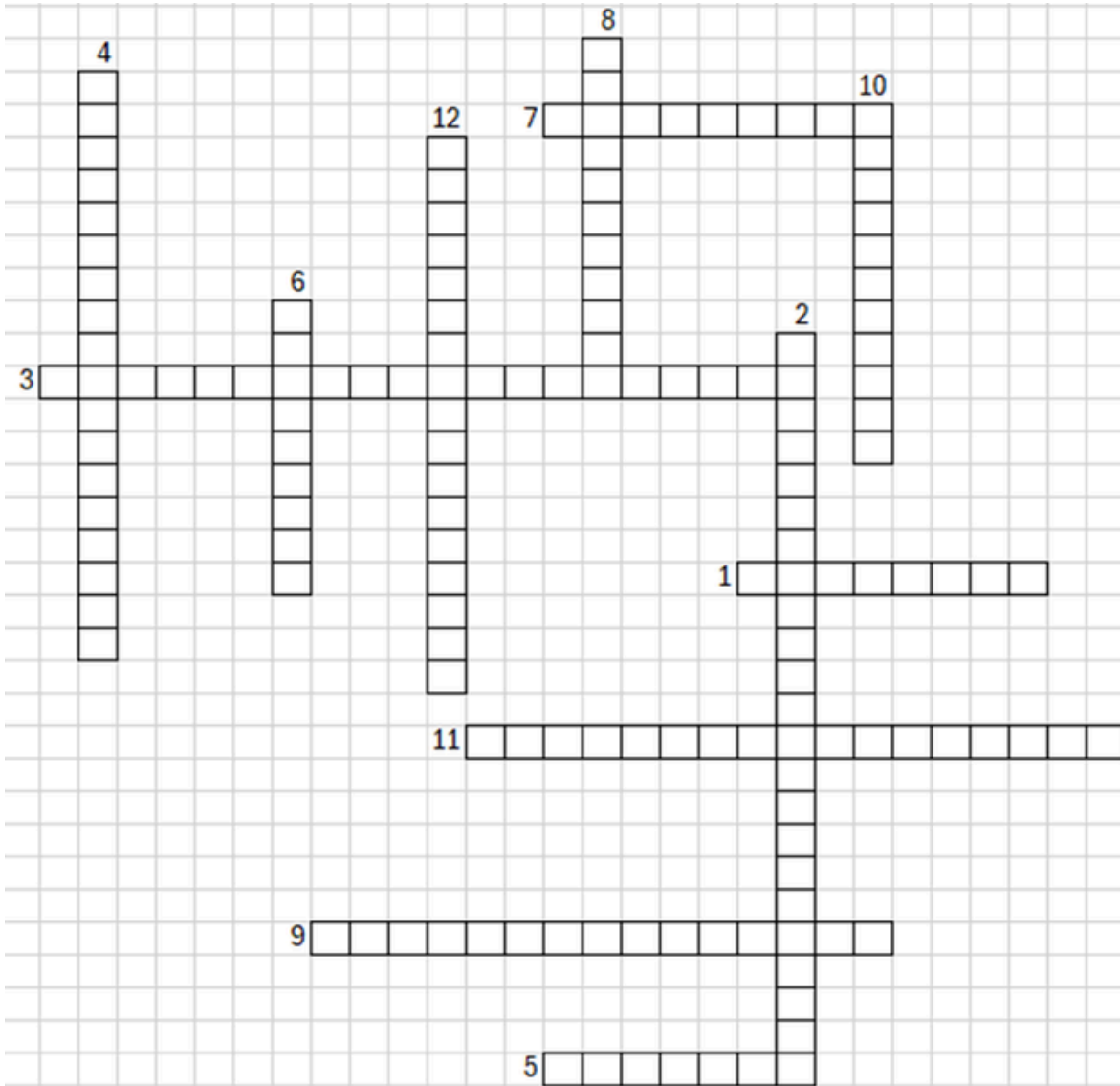
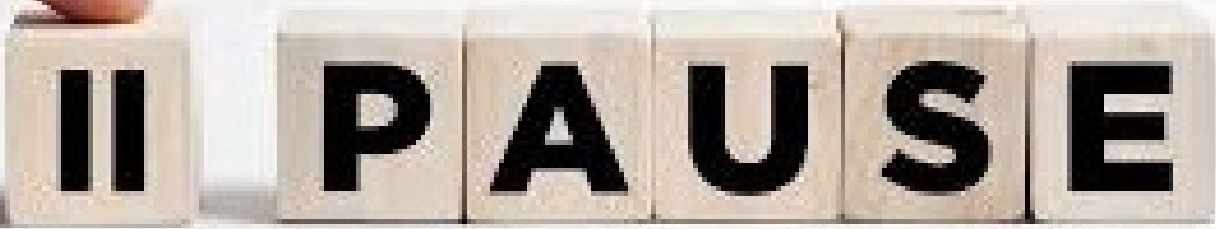
You can read these on <https://public.courts.in.gov/mycase/#/vw/Search...My Case for short>.

Morgan County ultimately won, and the outcome is documented in the court order signed/dated 09/25/2023. The case took over a year to conclude which isn't unusual in the civil court cases. Jana didn't have to attend most of the hearings, etc., but was able to attend the concluding hearing via Zoom. She observed at the zoom hearing the Judge asked Mr. Whitman if he was attending from a jail cell and he answered he was. I was glad Jana told me that it was not a stressful experience. "It worked out," and added, "hopefully this will help newer Recorders realize this type of thing just 'goes with the territory' when you are an elected official and not to stress out about it." I won't tell her age, but Jana is in her second term and will probably retire/semi-retire at the end of it. She is a veteran of County Government, having started part-time in 1996. Asked if she likes the job, "Oh, yeah," was her quick reply. Thank you, Jana, for sharing your story.

Editor's Note: *Jana and I pondered that frequent rhetorical question I'm sure we have all mulled over... "Why do people blame others for their mistakes?" As public officials, being named in a lawsuit is something many of us have or will have to contend with as part of engaging with the public. You should know that in the event you are sued, your county is there to support you. When we are performing our duties in the capacity as an elected official, we are protected by statute. My experience as Clerk was that sometimes the County Attorney handles the case, but in special situations the Commissioners will approve outside counsel. It isn't uncommon that the cost of billable hours or the case load make it impractical for the County Attorney to take the case. Also, the situation may justify use of an attorney with experience in a particular area.*

Have you been sued in your capacity as Recorder? What's your story? Your shared experience could be helpful to a fellow Indiana County Recorder.

Contact Mary Dorsett Kilgore, Jennings County, mkilgore@jenningscounty-in.gov, (812)352-3054



Put all your cross words here.

ACROSS

- 1. What is Huntington's nickname?
- 3. What is the name of the 1989 inductee into the Motorsports Hall of Fame?
- 5. What is Frankfort's nickname?
- 7. Name the prestigious university located in the Northwest District of Indiana.
- 9. Richmond is home to 2 of these. What are they?
- 11. Name the 5th most populous county in 2020.

DOWN

- 2. What is Orange County known for?
- 4. Larry Bird is known by what nickname?
- 6. What is the county seat of Clinton County?
- 8. Name the highest point in Indiana.
- 10. Who was called the "Father of 911?"
IN Representative John _____
- 12. What year did the Dearborn County Courthouse burn down?

Community Outreach



Posey County – helping nonprofits

In 2017, the Posey County Recorder's Office began raising funds to award nonprofit community groups. Last year, they were able to fund 4 local agencies through the "Pay it Forward" award: Mt. Vernon Little League, the Council on Aging, Big Brothers/Big Sisters and a local chapter of Tri Kappa. A big shout out to Christine Hoehn, Posey County Recorder, and her staff.



Fayette County – County Fair booth

For the first time since the 80's, the Recorder's Office had a fair booth. They're hoping other county offices will join next year. For four days, 5–8:30/9:00, Lisa and Bev educated people on what Recorder's Office does and that they can get copies of important records like deeds, mortgages, POAs, etc. They also promoted Equity Protect & Property Watch, registering 19 new PW users. Secretary of State Morales stopped by and commended them, giving each of them a challenge coin.

- **August 20–22** PRIA Annual Conference
Cleveland, Ohio pria.us/
- **September 23–26** AIC Annual
Conference, Switzerland County
indianacounties.org
- **October 16** So. District Meeting, Seasons
Lodge & Conference Center, Nashville, IN
(see email for details, registration form)
- **October 22** No. District Meeting,
Logansport Gold Club & Event Center,
Logansport, IN
(see email for details, registration form)
- **October 22** AIC Institute for Excellence
Class, Leadership indianacounties.org
- **November 19** AIC Institute for Excellence
Class, Legislative Affairs, PLEASE NOTE:
Lunch/visit to Statehouse are included.

Upcoming festivals and events

indianafestivals.org

visitindiana.com

Crossword answers: 1. Lime City, 2. Frankfort, 3. Erin Cannonball Baker, 4. Hickory, 5. Gem City, 6. Frankfort, 7. Notre Dame, 8. Hoosier Hill, 9. Egyptian Mummies, 10. French Lick Scenic Railway, 11. Saint Joseph County, 12. Eighteen Twenty Six

16/16

Newsletter committee:

Nikki Allen (Fountain)

Vicki Pearson (Huntington)

Trini Beaver (Hamilton)

Lisa Loveless (Henry)

Torie Kelley (Howard)

Mary Kilgore (Jennings)

Amy Swain (Monroe)