

ORDINANCE NO. _____

**BOARD OF COMMISSIONERS OF _____ COUNTY, INDIANA
AN ORDINANCE REQUIRING THE RECORDER OF _____ COUNTY,
INDIANA, TO WATERMARK BULK FORM COPIES**

WHEREAS, the Board of Commissioners of _____ County, Indiana (“County”), has the responsibility of and jurisdiction over the maintenance of certain public records;

WHEREAS, some of those public records include recorded documents as defined under I.C. § 36-2-7-10.1(a)(5) that are filed with and maintained by the Recorder of _____ County (“Recorder”), Indiana or the Recorder’s designee;

WHEREAS, certain individuals or organizations (“Bulk User”) may seek such recorded documents from the Recorder in bulk form (“Bulk Form Copies”);

WHEREAS, I.C. § 36-2-7-10.1(b) authorizes the Board of Commissioners to establish by ordinance the manner and form in which the Recorder provides Bulk Form Copies to a Bulk User, which may include application of a watermark pursuant to subsection (e);

WHEREAS, I.C. § 36-2-7-10.1(i) prohibits Bulk Users from engaging in certain conduct relative to the Bulk Form Copies, including reselling Bulk Form Copies unless excepted under subsection (h);

WHEREAS, the purpose of the watermark is to ensure that any recorded document is not resold or transferred for value in a manner inconsistent with Indiana law; and

WHEREAS, the County finds it is in its best interest to exercise its authority and require Bulk Form Copies to contain a watermark explicitly prohibiting their resale, except as provided for under I.C. § 36-2-7-10.1(h).

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of _____ County, Indiana, the following:

1. The Recorder shall watermark all Bulk Form Copies with the following:

“THIS DOCUMENT IS PROVIDED FOR THE SOLE USE OF (insert bulk user name) AND EXCEPT AS PROVIDED FOR IN I.C. 36-2-7-10.1(h), SHALL NOT BE RESOLD PURSUANT TO I.C.36-2-7-10.1. OFFICIAL COPIES MAY BE OBTAINED AT THE COUNTY RECORDER’S OFFICE.

ORDAINED AND PASSED by the Board of Commissioners of _____ County, Indiana, this ____ day of _____, 201__.

_____ COUNTY COMMISSIONERS

Attest: _____

Auditor of _____ County, IN