ORDINANCE NO. _____2022 - 04_____

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

WHEREAS, the Board of Commissioners of Huntington 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 Huntington 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 Huntington 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 Huntington County, Indiana, this 23rd day of May , 2022

Huntington COUNTY COMMISSIONERS

[signature]

Tom Wall

Terry Stoffel

Attest: _[signature]_

Auditor of _Huntington_ County, IN