

ORDINANCE NO. 2019-17

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

**WHEREAS**, the Board of Commissioners of STARKE 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 STARKE 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 STARKE 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 STARKE County, Indiana, this 21 day of OCTOBER, 2019.

STARKE COUNTY COMMISSIONERS

Chad Clark

Byron

William J. Jones

Attest: Scott Ostrutt

Auditor of Starke County, IN