



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AN AMENDED MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN THE COUNTY OF NEVADA (“PARTICIPANT”) AND THE COUNTIES OF ORANGE, LOS ANGELES, RIVERSIDE, AND SAN DIEGO (“OWNER”) TO CONTINUE THE NEVADA COUNTY CLERK-RECORDER’S USE OF THE STATEWIDE ELECTRONIC COURIER UNIVERSAL RECORDING ENVIRONMENT (“SECURE”) MULTI-COUNTY ELECTRONIC RECORDING DELIVERY SYSTEM (“ERDS”)

WHEREAS, on November 14, 2017, the Board of Supervisors approved Resolution 17-577, authorizing the Nevada County Clerk-Recorder to participate in an Electronic Recording Delivery System (“ERDS”) program pursuant to the Electronic Delivery Act of 2004, which allows for the delivery and return of specified digitized electronic records (Type 1 records) and digital electronic records (Type 2 records); and

WHEREAS, upon establishing the ERDS Program, the Board of Supervisors also authorized the Nevada County Clerk-Recorder to impose a fee of \$1.00 for each instrument recorded by the County pursuant to Government Code section 27397(c)(1); and

WHEREAS, the Counties of Orange, Los Angeles, Riverside, and San Diego (“Owners”) share the ownership and ongoing maintenance of SECURE, which is an ERDS available to other counties for use as sub-county participants; and

WHEREAS, on May 22, 2018, the Nevada County Board of Supervisors approved Resolution 18-190, authorizing the Nevada County Clerk-Recorder to participate in a Memorandum of Understanding (“MOU”) between County of Nevada and the Statewide Electronic Courier Universal Recording Environment (“SECURE”); and

WHEREAS, the Nevada County Clerk-Recorder has successfully implemented the SECURE ERDS, in which customers efficiently submit Type 1 and Type 2 records; and

WHEREAS, Owners updated the Partner MOU, which reflects changes to the sub-county participant fee structure from an annual flat fee of \$5,000.00 to a fee of \$0.30 per document, which increases Nevada County’s annual fee to approximately \$7,600.00; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Nevada County Board of Supervisors that the amended MOU between the County of Nevada as Participant and the Owner authorizes the County Clerk-Recorder’s continued use of the SECURE ERDS, with an annual Participant maintenance fee of \$0.30 per document, for a term ending August 18, 2023, and that the Nevada County Clerk-Recorder is hereby authorized, on behalf of the County of Nevada, to execute any future amendments to this MOU, on behalf of the County of Nevada.