



Gabriella Cázares-Kelly Pima County Recorder

SELECTED BULK DOCUMENT ACCESS

AGREEMENT FOR CUSTOMER ACCESS TO THE PIMA COUNTY RECORDER'S WEBSITE FOR RECORDED DOCUMENTS

This agreement is entered between the Pima County Recorder's Office, a department of Pima County, Arizona and _____ for customer subscriber access to electronic images of the documents and/or indexing information for selected bulk orders of documents that have been recorded with the Pima County Recorder through the Pima County Recorder's Office web portal, www.recorder.pima.gov.

Upon receipt of this signed completed agreement and the required fee deposit identified below, the Pima County Recorder's Office agrees to provide a password and login information to the customer in order to allow the customer to have access to the images and/or indexing information for selected types of recorded documents in Pima County Arizona. The Recorder's Office may require password changes from time to time as necessary to protect the security of the recorded documents and your customer account. You will be notified of any change in password by email sent to the email address listed below.

RECORDED DOCUMENT IMAGES

The customer will receive every recorded document of the type or types selected below that were received by the Pima County Recorder's Office each business day. Once the Recorder's Office has completed processing of the documents (typically 2 to 5 business days after the recording date), the image file for all of the recorded documents of the type specified will be gathered and placed in the appropriate web portal for the customer to download. The image file will be in standard "tif" format in a zip file. A single file will include all images of the selected document type for the one business day.

The customer agrees to pay a fee of \$.07 per image created. As used in this agreement, an "image" is a single scanned page of the recorded document.

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The fee will be assessed immediately upon the generation of the file and placement on the web portal for the customer. Once the Recorder's Office has completed its process of documents recorded in a business day, the system will be activated to generate the appropriate files for the customer. All selected bulk purchase documents recorded in a single day will appear in a single zip format file on the customer's web account and can be downloaded any time over the next 30 days. After 30 days the file will automatically be removed from the web portal.

The customer may download a file twice during the 30 day period. Once a file has been downloaded a second time, the customer will no longer be able to access the file again. If there are issues with downloading the file and two attempts occurred, the customer can contact the Recorder's Office to ask for an additional download attempt.

If the customer fails to download the file in the 30 day period, the customer may request that a new file be generated for those documents. Additional fees of \$.07 cents per image and a \$50.00 per day service charge apply for any regeneration of data once a file has been removed from the web portal.

Files will not be generated for the customer if the customer's funds on deposit drop below the amount necessary for the entire file. Even if the customer has some funds on hand, no partial daily file will be uploaded. If this occurs, once the customer has added sufficient funds to the account, the customer can request that the images from the days not generated be created and uploaded to their web portal. However, the customer will be charged a fee of \$50.00 per day as a service charge for manually creating the file in addition to the 7 cent per image fee.

INDEXING DATA

I also wish to purchase Indexing Information

_____ **Yes** _____ **No**

(place a check mark and initial the line in front of whichever applies)

If the customer elects to receive indexing information, a separate folder will be created within the daily zip file containing the indexing information for each document of the type selected that was recorded that date in Pima County. The fee for current indexing information is \$.07 per index line. The minimum number of lines per document is 3 lines (Grantor, Grantee and Document type). Additional lines of indexing will be provided based on the contents of the document itself and the 7 cent per line fee applies to all additional indexing information.

CROSS REFERENCE DATA

I also wish to purchase Cross Reference data for the documents

_____ **Yes** _____ **No**

(place a check mark and initial the line in front of whichever applies)

Many documents refer to other documents already recorded in Pima County. Those references are found in the body of the newly recorded documents and the cross reference information is indexed for each document. If you check yes to obtain the current cross reference information, the cross reference data listed in any of the selected documents will be provided

automatically in a separate folder within each day's zip file for. Each cross reference line will result in a charge of \$.07 per line.

HISTORICAL DOCUMENTS AND DATA

I also wish to purchase historical document images

_____ **Yes** _____ **No**

(place a check mark and initial the line in front of whichever applies)

I also wish to purchase the indexing information from historical documents

_____ **Yes** _____ **No**

(place a check mark and initial the line in front of whichever applies)

I also wish to purchase the cross reference index for the historical documents

_____ **Yes** _____ **No**

(place a check mark and initial the line in front of whichever applies)

The Pima County Recorder's Office is engaged in a project to digitize and index all documents ever recorded in Pima County. Prior to computerization of the office, these documents were preserved in microfilm and microfiche format and the indexing information could only be searched manually. The Recorder's Office is involved in a project to digitize the filmed images and to enter the indexing information for each document in the computer system. The project is working backwards so that the most recent historical documents are digitized and indexed first. Once the image processing and indexing is completed for an entire day's recorded documents, the images and indexing are released. Releasing the images and indexing of the historical documents generally occurs twice each month but can occur more often as the day is completed. If you decide to receive these images for the selected types of documents you are receiving for newly recorded images, we will create a file on your customer portal containing all document images for every selected document type recorded on each historical business day once it is released. If you select to receive the indexing information for each historical day's recorded documents, the indexing file for those selected historical records will also be provided in a separate folder within the day's zip file. If you select to receive the cross reference information, that data will be included in a separate folder within the day's zip file.

The fee for historical records that will be assessed for creating the file containing the selected document images is \$.08 per image, \$.08 per index line and \$.08 per cross reference. The fee will be deducted from the customer's account as soon as the file is created and posted on the web portal.

The historical document files will remain on the website for the same 30 day period set forth above and under the same terms as stated for current documents.

PREPAID ACCOUNT REQUIREMENTS

Since all fees under this agreement are assessed as soon as the document images and/or data are gathered, the customer must deposit the funds in advance of any transaction. The

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minimum initial startup deposit required is \$200.00 for any new customer selecting one document type and \$500.00 for any new customer selecting a document type group or two or more individual document types. New customers will be assessed a non-refundable startup administrative fee of \$50.00 to create the account. The remaining funds will then be placed on deposit. As each day's files are generated, the appropriate fees will be deducted from the customer's account. The fees deducted from the account each day will be based on the total number of pages recorded in any given business day and any additional indexing or cross reference information purchased by the customer for each business day at the rates stated in this agreement.

The fees stated in this agreement will be adjusted if the Board of Supervisors adopts by ordinance a rate different from the rates listed in this agreement.

Any customer with a current account with the Recorder's Office is not required to pay the \$50.00 set up fee or make an initial deposit. However, the existing customer must keep the account funds at a sufficient level to receive the documents and data.

The responsibility to monitor the balance of funds on hand in the customer's account is with the customer. The Recorder's Office will provide online access to the customer's account balance and account activity report so that the customer may monitor their own account. If the customer's account balance falls below the amount needed to cover the cost of an entire day's recorded document images, indexing and/or cross reference information purchased, no file will be generated that day. The system will immediately deny any further access to document images, indexing or cross reference information until there are sufficient funds on deposit in the account.

Additional funds may be added to an account at any time by payment in cash, check, electronic check through the Automated Clearing House system or debit/credit card payment. The minimum additional account payment that will be accepted at one time is \$100.00.

Credit and debit card payments may only be made in person at the Pima County Recorder's Office locations of 240 N. Stone and 6920 E. Broadway. A 2% service fee will be added to any payment in excess of \$250.00.

Cash payments may be made in person at either of the Recorder's Office locations listed above.

Check payments may be made in person at either of the Recorder's Office locations or sent by mail to the Pima County Recorder's Office, PO Box 3145, Tucson AZ 85702-3145.

Automated Clearing House payments required advance set up through the Pima County Treasurer's Office. Contact our office to arrange the set up process.

DOCUMENT TYPE SELECTION

The customer may select to receive a combined group of document types or selected individual document types. Attached to this agreement is a listing of the document types included in each group and a list of the document types that are available for daily purchase. In order to receive a file of the document type, you must specify exactly what document or document groups you are purchasing. If you indicate that you wish to receive a group type of documents, you will receive every document listed in that group each day. You may opt to select only individual document types within that group. The larger the group selected, the

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higher the number of documents that are recorded each business day and the higher the number of document images you will receive in each file.

I want to receive the document images and/or indexing information for every document recorded in Pima County each business day for the following types of documents:

Group Document Types:

Deeds

Liens

Lien Release Documents

Individual Document Types:

Affidavits of Value

Specify the particular document type from the attached list

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Specify the particular document type from the attached list

Specify the particular document type from the attached list

SYSTEM ACCESS

The customer agrees to control access to the login and password information provided by the Recorder's Office. The Recorder's Office is not liable for any file download by unauthorized person(s) who gain access to the customer's password. The customer may ask for the immediate deactivation of a password and the issuance of a new password during regular Recorder's Office business hours.

The Recorder's Office will strive to have its web service available 24 hours a day, 7 days a week. On occasion the website will be deactivated for software maintenance and upgrades. The Recorder's Office will attempt to provide advance notice of any planned outage on the Subscriber Access page of the website. The Recorder's Office is not liable for any damages caused by outages due to equipment failure or other events outside the control of the Recorder's Office.

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The images that will be viewed and/or indexing/cross reference data that will be provided are public records as defined by Arizona Revised Statutes §39-121. The statutes in effect at the time this agreement is entered are enclosed with the agreement and the customer agrees to be bound by those statutory provisions. Changes to the statute by the Arizona Legislature may impact the services provided in this agreement. Under the terms of the statute, the customer must provide a certified statement of their intended use of the public records and information in those public records. The login and password information will not be provided without the certification statement. The customer must complete the certification statement as part of this agreement. If the customer's use of the documents or information contained in the documents or the data provided changes, the customer must immediately notify the Recorder's Office and provide an amended certification of use. Use of any of the recorded document images or information contained in the documents other than included in the certification statement is a violation of state law and will result in the immediate termination of this agreement and the customer's web access will be immediately terminated.

The funds on deposit in the customer's account may also be used for in-person transactions in the Recorder's Office including purchasing individual documents and other services. The customer may also use their login and password to search for individual document images other than those selected for bulk receipt. If the customer searches for those documents and opens the image, the customer's account will be charged 24 cents per document reviewed and \$3.00 for any map image opened.

Web accounts will go dormant if there is no activity in the account for twelve consecutive months. Should that occur, the Recorder's office will automatically close the account and any funds remaining on deposit when the account is placed in dormant status will be transferred to the Pima County General fund as a service charge assessed for closing the account. The Recorder's Office will not issue refunds on closed dormant accounts.

Each customer must provide the Recorder's Office with current contact information for both telephone and email contact. My customer contact information is as follows:

Contact (name): _____
Telephone: _____
Cell phone: _____
Email: _____

Any issues with your web account or access to the Recorder's Office web portal should be reported to the Recorder's Office immediately. Call 724-4350 during regular business hours or email websubscriber@recorder.pima.gov to report issues. We will attempt to resolve the issues as soon as possible once we are notified.

Certification of Use of Public Information

I _____ certify that I will use the document images or other information contained in recorded documents in the Pima County Recorder's Office for: (check one)

_____ A non-commercial purpose

_____ A commercial purpose

As defined by A.R.S. § 39-121.03(D).

If the use is for a commercial purpose, I will be using the documents or the information contained in the documents as follows: (specify exactly how you will be using the document):

By signing below I understand and agree to the terms and conditions stated in this agreement for access to recorded documents and data through the Recorder's Office web service. If I indicated above that the documents and/or information from the recorded documents will be used for a commercial purpose, I declare that the documents and information will only be used in the manner stated in this agreement and I certify that the document images and the information contained in the documents will not be used for any other purposes than described above. I declare under the penalty of perjury that the foregoing statement and information provided herein is true and correct.

Printed name: _____

Signature: _____

Date: _____