

City of Virginia Beach
Development Services Center
DSC INFORMATION NOTICE #89
July 11, 2002

TOPIC #1: Change in VA Code 47.1-14 - Notary Notes

In response to concerns stemming from events leading up to September 11, 2001, the Virginia State Legislation changed Section 47.1-14 (Duty of Care) of the Code of Virginia requiring that all notaries must either personally know the individual or individuals executing the document or require the individual or individuals to present one or more of the following credentials:

- S United States Passport*
- S Certificate of United States Citizenship*
- S Certificate of Naturalization*
- S Unexpired Foreign Passport*
- S Alien Registration Card with Photograph*
- S State-Issued Driver's License*
- S State-Issued Identification Card*
- S United States Military Card*

*In order to protect notaries employed by the City of Virginia Beach, the following note **must** be added to all notary notes at the end of the first paragraph for all documents, including plats, signed by a City official:*

“He/She is personally known to me.”

The City Attorney's Office has received several inquiries from private attorneys concerned about the need for such a note. The note is not required at this time for non-City notaries and private signatures, however, the following note is recommended for use by all notaries:

“He/She/They is/are personally known to me or has/have produced _____ as identification.”

EFFECTIVE DATE: July 1, 2002

TOPIC #2: New Land Records System for Final Plats and Legal Documents - Map and

Deed Book OUT, Instrument Number IN

The Clerk of Circuit Court has made the following process changes regarding recording new land records for final plats and legal documents.

- 1) Plats will be digitally scanned instead of being placed on microfilm; and*
- 2) Plats will be given an instrument number instead of the “Map Book and Page Number.”*

When a new plat is received in the Clerk’s Office, an instrument number will be assigned to the plat. A bar code printer will print the bar code and instrument number on a one-half inch adhesive sticker which the Clerk’s Office will place in the upper right-hand corner of the plat before it is scanned. The Clerk’s Recording Certificate (aka Clerk’s Note) will no longer be needed on the plat nor will plats be stamped with the note by the Clerk’s Office. Due to the number of documents currently under review and prepared for submission, the Clerk’s Office will continue to accept documents with the old note.

*Therefore, all references on any plat recorded after **July 10, 2002**, will refer to the instrument number instead of the map book and page number. Also, all recorded documents which reference a plat recorded after July 10, 2002, should refer to the instrument number instead of a map book and page reference.*

EFFECTIVE DATE: July 11, 2002

TOPIC #3: Sample Legal Documents

The Planning Department’s legal documents web page has been updated to include the notary and the instrument number changes to the Stormwater Management Agreement, Subdivision Agreement, Land Management Agreement, Reservation Agreement, Deed of Dedication, Declaration of Easement and Deed of Easement. To receive a copy of the most current legal documents, bond forms or DSC Notices, enter <http://www.vbgov.com/dept/planning/dsc/forms.asp> or log onto the City of Virginia Beach Web Page by following the directions detailed below:

- 1. Log on to www.vbgov.com*
- 2. Click on “City Agencies” from the menu bar (in heading)*
- 3. Click on “Planning” under the Quality Physical Environment section (scroll down)*
- 4. Click on “Forms and Agreements” under Development Services Center from the*

- 5. menu on the left-hand side of the screen (scroll down)
Click on document of your choice

TOPIC #4: Payment for Recording Documents

The Clerk of Circuit Court requires separate checks for recording fees when recording plats and documents.

EFFECTIVE DATE: July 11, 2002

CONTACTS FOR TOPICS #1, #2, #3 AND #4:

Clerk of Circuit Court

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TOPIC #5: Virginia Beach Land Records and Other Documents

Many public documents maintained in the Office of the Clerk of Circuit Court may now be researched on-line. Deeds, judgements, marriage licenses, plats, uniform commercial code filing (UCC's), wills and estates and business names/partnerships/charters can be found by using this new service. Access to the new service may be obtained by entering <http://www.vblandrecords.com/rec/about.asp> or by following the directions detailed below:

- 1) Log onto www.vbgov.com
- 2) Click on Virginia Beach Land Records under "New Services & Features" located in the center of the page. (Note: This portion of the page will change as other new services and features are provided.)

CONTACTS:

Clerk of Circuit Court

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