



OKLAHOMA ABSTRACTORS BOARD

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INSTRUCTIONS FOR USE OF OAB FORM #17
UNIFORM ABSTRACT CERTIFICATE

Approval has been given by the Oklahoma Abstractors Board for OAB Form #17 which shall be used by all holders of a Certificate of Authority. Certificate Holders must be in "substantial compliance" with the language of Form #17 after September 1, 2010.

Variations from and additions to the Uniform Certificate may be made in the following situations:

- I. **LEGAL DESCRIPTION** (Paragraph 1). An Abstractor must clearly state the legal description that is covered by the Certificate. The legal description must be set forth in full in one of the following manners:
- A. in paragraph 1 of the Certificate; or
 - B. in an Exhibit, with reference in paragraph 1 the Certificate as "See Exhibit 1 for Complete Legal Description"; or
 - C. on the Caption Page, with reference in paragraph 1 of the Certificate as "See Caption Page for Complete Legal Description", which must accurately describe the land being abstracted.

An Abstractor should not refer to an entry number or recorded instrument as the legal description covered by the abstract.

- II. **SURFACE ABSTRACT** (Paragraph 1). If an estate other than a fee simple "surface only" is being certified to, then this paragraph should be edited or deleted to reflect the search being performed and certification being made.

Phrase to be used is: Pursuant to O.A.C. 5:11-3-9 (4D) this Abstract has been prepared for a fee simple estate, less and except oil, gas and other mineral interests. All instruments covering oil, gas and other minerals, including but not limited to deeds, grants, leases, assignments and releases thereof, have been omitted.

- III. **COURT CERTIFICATION** (Paragraph 2). An Abstractor must clearly state the court records and parties' names that have been searched and certified to. A certification covering a proposed buyer may be set forth within the Uniform Abstract Certificate or may be set forth in a separate Special Certificate for which an appropriate service fee has been filed.

An Abstractor is not required to set forth all of the specific names searched and certified to and may place a phrase in the Certificate such as:

"Any of the within named fee owners only as their names appear of record."

If an Abstractor is located in a federal court jurisdiction (Oklahoma, Tulsa, Okmulgee or Muskogee Counties), the following language may be inserted if the search and certification is included within the Uniform Abstract Certificate:

2A. The records of the Office of the United States District [or Bankruptcy] Court for the [DISTRICT] District of Oklahoma disclose that there are no judgments docketed, suits pending, [or bankruptcy proceedings] upon or affecting the real estate described herein, as against any of the within named fee owners, EXCEPT:

[FEDERAL COURT / BANKRUPTCY]

A certificate covering federal court records may be set forth within the Uniform Abstract Certificate, as above, or may be set forth in a separate Special Certificate for which an appropriate service fee has been filed.

IV. **TAX AND SPECIAL ASSESSMENTS CERTIFICATION** (Paragraph 3). An Abstractor must clearly state the status of the records of the county treasurer. The Form sets forth a certification for both ad valorem and personal property taxes, as applicable. The Board recognizes that some Abstractors certify as to Special Assessments by separate Special Certificate. In such a case, the certification may be set forth in a separate Special Certificate for which an appropriate service fee has been filed, and the following language may be set forth in the Uniform Abstract Certificate:

There is no certification as to Special Assessments. Certification is provided by attached Special Certificate at request of customer.

V. **CERTIFICATION DATES/PAGES AND SIGNATURE OF ABTRACTOR** (Paragraph 4) . The Abstractor must date and execute the Uniform Abstract Certificate in one of the following manners:

- A. Certification Coverage: Page numbers that are being certified to on the certificate and the date the certificate covers from (the date and time of when the search begins) and to (the date and time the land and name indexes are checked through).

Date of Issuance - " Dated this ___ day of _____": This date reflects the date the certificate is completed and signed.

- B. If the Holder of the Certificate of Authority is an entity, the Certificate should be executed in the following manner, denoting the Certificate of Authority number.
1. If the Holder is a corporation, the Certificate must be executed by a president or vice president on behalf of the corporation.
 2. If the Holder is a limited liability company, the Certificate must be executed by a Member or Manager on behalf of the LLC.
 3. If the Holder is an individual, the Certificate must be signed the Holder.
- C. The licensed Abstractor **responsible for the certification of the abstract must sign the Certificate**, denoting the individual Abstractor's License Number.

If the licensed Abstractor is **also the corporate officer of the corporation or the member or manager of the LLC, executing the Certificate**, then only one signature is required. The following signature block should then be used:

[NAME OF CERTIFICATE OF AUTHORITY]

By: _____

[Entity Officer]

OAB Certificate of Authority # _____

Abstractor, License # _____

VI. **USE OF TRADE LOGOS.** The Holder of a Certificate of Authority may display their membership in the American Land Title Association and/or the Oklahoma Land Title Association and may add the respective association logos as authorized.