

How to correct a previously recorded document, options list, forms online.

Unfortunately, as of Feb 2017, re-recording of instruments are no longer accepted. Because document re-recording has been discontinued, 4 available options to update the recording history are as follows. (Please note that affidavits cannot be e-filed.)

a) prepare new or duplicate deed/conveyance instrument*, or duplicate loan instrument, etc., with all new signatures and all requirements, (*35 ILCS 200/31-45 (d) Deeds or trust documents that, without additional consideration, confirm, correct, modify, or supplement a deed or trust document previously recorded.)

b) prepare a simple scrivener's affidavit (with no copy of previously recorded document attached) (<https://cookrecorder.com/wp-content/uploads/2013/02/Scriveners-Affidavit.pdf>)

Note: the scrivener's affidavit is great for simple typos or errors that need to be clarified.

c) obtain court order reforming to correct the documents if you are already in court (such as when in probate or foreclosure),

d) utilize the new Corrective Recordings process*

*Corrective Recordings process instructions and Affidavit

The basic requirement is that **all the parties to a previously recorded document sign-off*** on any updates, changes or corrections regarding that document, through the use of a corrective affidavit.

The details of the error/correction are noted only in the affidavit instead of on the document itself. If more room is needed, extra pages of explanation may be attached to the affidavit.

The unaltered document with the error is only attached as an exhibit to the affidavit. Note, certified copy or original document may be used with the affidavit.

The Corrective Affidavit can only be signed by the actual parties to the document or those with a power of attorney to do so for the party. (*Note: If preparing the corrective recording affidavit, if necessary please attach a certified copy of the death certificate in lieu of the person's signature.

The corrective recording affidavit requires all parties to the document sign off to make it clear that all parties are aware of the error and acknowledge the correction. This is best if the parties may disagree at a later date, example - a mortgage that may end up in foreclosure at some future point if problems arise. For this affidavit, both the lender and borrower has to sign.)

<https://cookrecorder.com/wp-content/uploads/2013/02/Fillable-Corrective-Recording-Aff-Recorder-Moody.pdf>