

**MONTEREY COUNTY BOARD OF  
SUPERVISORS  
Before the Board of Supervisors in and for  
the County of Monterey, State of  
California**

Resolution No.:

- a. Adopt a Resolution Authorizing the County, by and through the County Clerk/Recorder (CCR) to declare its intention to withdraw from the California Electronic Recording Transaction Network Authority (CERTNA) effective July 1, 2021;
- b. If determined to be prudent and in the best interest by the CCR, authorize the CCR to rescind its withdrawal notice and continue to participate in CERTNA; and
- c. If determined to be prudent to proceed with withdrawal from CERTNA, authorize the County Clerk Recorder to take any and all necessary actions to finalize the withdrawal from its participation in CERTNA and take any and all necessary actions to participate in SECURE under the Electronic Recording Delivery Act (ERDA) of 2004 pursuant to an MOU approved by County Counsel containing no less favorable terms as exist in the current CERTNA JPA.

WHEREAS, the Electronic Recording Delivery Act of 2004 (ERDA), was enacted to authorize a county recorder to establish an Electronic Recording Delivery System (ERDS) for recording specified digitized and digital electronic records pursuant to the provisions thereof and regulations developed by the California Department of Justice; and

WHEREAS, the Board of Supervisors may delegate contracting authority to County Officials and has done so from time to time as deemed necessary and in the interest of the County; and

WHEREAS, the Board of Supervisors delegated the County Clerk/Recorder to take related actions specifically related to the County participation in the Electronic Recording Delivery Act (ERDA) of 2004; and

WHEREAS, ERDA authorizes a county recorder to enter into contracts (Submitter Agreements) with authorized submitters, such as title companies and lending institutions, that wish to submit real property records electronically; and

WHEREAS, on May 11, 2010, the Board of Supervisors approved the County's participation in ERDA, Resolution No. 10-118, and delegated authority to the County Clerk/Recorder, or designee, to negotiate, execute, amend, and terminate all Memoranda of Understanding, contracts, or documents necessary to implement and carry out County participation in ERDA; and

WHEREAS, the Board of Supervisors delegated authority to the County Clerk/Recorder to participate in the California Electronic Recording Network Authority (CERTNA), Resolution 10-120; and

WHEREAS, the Board of Supervisors delegates authority to the County Clerk/Recorder to declare its intention to withdrawal from the California Electronic Recording Transaction Network Authority (CERTNA) effective July 1, 2021; and

WHEREAS, if determined in the best interest of the County of Monterey, the Board of Supervisors delegates authority to the County Clerk/Recorder to take any and all necessary actions to participate in the Statewide Electronic Courier Universal Recording Environment (SECURE); and

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors, in and for the County of Monterey, hereby approve the following:

- a. Adopt a Resolution Authorizing the County, by and through the County Clerk/Recorder (CCR) to declare its intention to withdraw from the California Electronic Recording Transaction Network Authority (CERTNA) effective July 1, 2021;
- b. If determined to be prudent and in the best interest by the CCR, authorize the CCR to rescind its withdrawal notice and continue to participate in CERTNA; and
- c. If determined to be prudent to proceed with withdrawal from CERTNA, authorize the County Clerk Recorder to take any and all necessary actions to finalize the withdrawal from its participation in CERTNA and take any and all necessary actions to participate in SECURE under the Electronic Recording Delivery Act (ERDA) of 2004 pursuant to an MOU approved by County Counsel containing no less favorable terms as exist in the current CERTNA JPA.

PASSED AND ADOPTED on this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Valerie S. Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book \_\_\_ for the meeting on \_\_\_\_\_.

Dated:

Valerie S. Ralph, Clerk of the Board of Supervisors,  
County of Monterey, State of California

By \_\_\_\_\_  
,Deputy