



To: All Georgia Policy Issuing Agents of WFG National Title Insurance Company
From: WFG Underwriting Department
Date: May 6, 2019
Bulletin No. GA 2019-02
Subject: Attestation of Deeds

We've noticed quite a few deeds still coming in as acknowledgements in Georgia. This bulletin is a reminder that acknowledgments are not acceptable in Georgia. To be in recordable form a deed must be attested to and not acknowledged. Effective July 1, 2015, Georgia no longer accepted documents to be executed with two witnesses and acknowledged by a notary. As required in Code Section 44-2-15 the document must be "signed by the maker, attested by an officer (the notary), and attested by one other witness." Documents for recording in Georgia must be attested by two (2) witnesses, one of whom must be the notary.

An acknowledgment by a notary indicates the notary did not witness the signing. The notary (official witness) is required to witness the signing of the document along with an unofficial witness. If you receive a deed that is acknowledged please contact your WFG underwriting counsel immediately. Please see [the attached](#) for a sample of an acceptable California Jurat.

As prescribed by statute, the same principal of execution and attestation applies to all deeds of conveyance filed for record in Georgia. All deeds and security deeds are subject to strict compliance standards to be recorded and to provide constructive notice. No matter in what state the deed is prepared and executed, Georgia law applies. This applies to deed and security deeds along with other instruments sent for recording. A best practice is to ensure all your documents are set up as attestations.

Sample attestation:

Signed, sealed and delivered on ____, ____, 20__

In the presence of

Unofficial Witness

_____(Seal)
Grantor

Notary Public

Commission Expiration Date:
(NOTARY SEAL)

Sample Acknowledgment: Not acceptable in Georgia

Notary Acknowledgment

STATE OF _____
_____ County

On this ____ day of _____, 20__, before me appeared _____, who proved to me through government issued photo identification to be the above-named person who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

Notary Public

Print Name: _____ My commission expires: _____

WFG requirement: All Georgia Issuing Agents must examine the signature page of any deed to ensure it is properly executed by the grantor and contains an official notary public's attestation and also the attestation of an unofficial witness who are both present at the time of execution prior to the instrument being sent to record with the Clerk of Court in the county where the property to be insured is located. Upon the return of the recorded documents, all Georgia Issuing Agents must review the documents again to ensure that the deed contains the proper execution and witness attestation in accordance with Georgia law.

Please contact your local WFG underwriter if there are any attestation issues in your chain of title before proceeding to issue the policies.

Thanks for all that you do!

Georgia Underwriting Team

NOTE: This Bulletin is for the sole purpose of establishing underwriting positions and policies reflecting WFG National Title Insurance Company's best business judgment. The information contained in this Bulletin is intended solely for the use of employees of WFG National Title Insurance Company, its title insurance agents and approved attorneys. Disclosure to any other person is expressly prohibited unless approved in writing by the WFG National Title Insurance Company's Underwriting Department.

The Agent may be held responsible for any loss sustained as a result of the failure to follow the standards set forth above.