

November 4, 2021

TITLE & RECORDING GUIDELINES

The recording requirement of the leases can be different from CLT to CLT. Below is the recording sequence MBOH has put together as a general guide. Please work closely with the title company and Community Land Trust organization for the proper documents required for each individual transaction:

1. **Notice of Leasehold interest with the MBOH Community Land Trust Ground Lease Rider attached**
/or/
Full lease with MBOH Community Land Trust Ground Lease Rider attached
2. **Deed to Leasehold Improvements**
3. **Deed of Trust encompassing both parcels (lease hold interest and improvements), including:**
 - **MERS Rider (if appropriate)**
 - **Other Riders (PUD, Condo, etc.), if appropriate**
 - **MBOH Uniform Rider**

The title policy will also need to include Endorsement 13.1.6; PUD or Condo endorsements, if appropriate

File will need to include a copy of the fully executed Lease with any and all attachments (if it is not required that the entire lease be recorded), such as:

- **Homeowners Letter of Agreement**
- **Attorney's letter**
- **Leased Land (Description)**
- **First Refusal**
- **Restrictions**
- **Copy of Deed (With its own attachment for legal description)**
- **Permitted Mortgage Agreement (Signed by the Lender as well)**

All documents are listed on the loan submission voucher that can be found in Montana Housing Lender Online Portal. The MBOH Community Land Trust Ground Lease Rider can also be found there. Please contact Montana Housing Staff with any questions.