

**Fiscal Year 2012/2013 Addendum to Memorandum of Understanding  
Department of Justice  
Electronic Recording Delivery System  
Costs for Regulation and Oversight**

**Parties**

This Addendum to the Memorandum of Understanding (Addendum) is between the California Department of Justice, hereinafter referred to as "DOJ" and the County of El Dorado, hereinafter referred to as "County."

**Incorporation by Reference of MOU**

Both County and DOJ agree that the terms of the MOU, previously executed, continue to operate and are incorporated herein by reference.

**Purpose**

The purpose of this Addendum is to continue the agreement found in the MOU previously executed by the parties to comply with the Electronic Recording Delivery Act of 2004 (ERDA) (Gov. Code, §§ 27390-27399; "Act"). This Addendum shall operate to bind the parties to the final proportionate costs to the County for fiscal year 2012/13. These costs include the costs for regulation and oversight.

**Agreement**

DOJ and County hereby consent and agree that County will pay DOJ for the direct cost of regulation and oversight in support of the Act, as set forth in Article 6 (commencing with Section 27390) to Chapter 6 of Division 2 of Title 3. The final proportionate cost for fiscal year 2012/13 is attached and incorporated by reference. Upon receipt of payment, the County is authorized to participate in the Electronic Recording Delivery System (ERDS).

**Term of Addendum**

The term of this Addendum operates for fiscal year 2012/13.

**MOU Representatives**

The Addendum representatives during the term of this Addendum are:

County of: El Dorado	Department of Justice
Name:	Name: Vera GatersAbel
Phone:	Phone: (916) 227-3376
Fax:	Fax: (916) 227-0595
E-mail:	E-Mail: Vera.GatersAbel@doj.ca.gov

**Agreed and Accepted**

Certification of Addendum Representatives

I certify that I have read and understand the aforementioned statements and agree to comply with the requirements contained herein:

County of: El Dorado	Department of Justice
Name:	Name: Vera GatersAbel

Signed: 	Signed: _____
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Dated: <u>Sept. 14, 2012</u>	Dated: _____
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Attachments: Final Proportionate Costs:	Attachment A
Expenditure Report:	Attachment B



**Applicant Record and Certification Branch**  
Electronic Recording Delivery System Program  
P.O. BOX 160526  
SACRAMENTO, CA 95816-0526  
Facsimile (916) 227-0595  
(916) 227-8907

August 30, 2012

William Schultz  
County Recorder  
El Dorado County  
360 Fair Lane, Building B  
Placerville, CA 95667

**RE: Final Intent to Participate and Memorandum of Understanding (MOU) Addendum**

Dear County Recorder:

Thank you for responding to our April 30, 2012 letter indicating your final intent to participate in the Electronic Recording Delivery System (ERDS) program.

This letter is intended to notify you of your final proportionate costs of \$1,407.85 for participation in the 2012-2013 Fiscal Year. Thirty (30) counties have indicated their intent to take part. Please see attachment A. Please note: The dollar amount for each participating county has changed. Also, an expenditure report (Attachment B) is attached showing the projected expenditures and collections for Fiscal Year 2004/05 through Fiscal Year 2012/13.

In addition, enclosed is the MOU or the MOU Addendum between the Department of Justice (DOJ) and El Dorado County. The MOU or the Addendum is an agreement of your county's participation in the funding of the ERDS program. Please review and complete the information requested within the MOU. Specifically, please complete the MOU representative information, sign and date the MOU or Addendum and return it by September 28, 2012 to:

Department of Justice  
Electronic Recording Delivery System Program  
P.O. Box 160526  
Sacramento, CA 95816-0526  
Attn: Michelle N. Mitchell, Field Representative

William Schultz

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Upon receipt of the signed MOU or Addendum from each county, the ERDS Program Manager will sign and return a copy of the MOU or Addendum to the county representative for their records. A copy of the signed MOU or Addendum will be forwarded to the Department of Justice's Accounting office, who will generate an invoice for payment due. Upon receipt of the invoice, the county will send the said lump sum payment along with the bottom portion of the invoice to the address as referenced in the MOU or Addendum and on the invoice.

\*\*\*\*\*DO NOT SEND PAYMENT AT THIS TIME\*\*\*\*\*

Sincerely,



Vera Gaters Abel, Manager

Electronic Recording Delivery System Program  
Applicant Record and Certification Branch

For KAMALA D. HARRIS  
Attorney General

Enclosures

## 2012-2013 Final Proportionate Cost Report

<i>County Code</i>	<i>County Name</i>	<i>Recordings*</i>	<i>% of Recordings</i>	<i>Final County Cost **</i>
1	Alameda	381,384	5.01%	\$8,525.40
4	Butte	22,021	0.29%	\$492.25
7	Contra Costa	320,891	4.21%	\$7,173.15
9	El Dorado	62,980	0.83%	\$1,407.85
10	Fresno	175,166	2.30%	\$3,915.63
15	Kern	185,422	2.43%	\$4,144.90
19	Los Angeles	1,732,596	22.75%	\$38,730.19
21	Marin	79,580	1.05%	\$1,778.92
24	Merced	18,201	0.24%	\$406.86
27	Monterey	82,846	1.09%	\$1,851.93
28	Napa	37,309	0.49%	\$834.00
29	Nevada	37,283	0.49%	\$833.42
30	Orange	690,614	9.07%	\$15,437.88
31	Placer	55,454	0.73%	\$1,239.61
33	Riverside	579,875	7.61%	\$12,962.44
34	Sacramento	410,099	5.39%	\$9,167.29
35	San Benito	13,150	0.17%	\$293.95
36	San Bernardino	191,944	2.52%	\$4,290.69
37	San Diego	792,755	10.41%	\$17,721.13
38	San Francisco	240,811	3.16%	\$5,383.05
39	San Joaquin	165,163	2.17%	\$3,692.03
41	San Mateo	164,661	2.16%	\$3,680.81
42	Santa Barbara	39,104	0.51%	\$874.12
43	Santa Clara	525,420	6.90%	\$11,745.16

\* Recordings are based on what the counties submitted to the Insurance Commissioner in 2011 per the LOI.

\*\* The total documents recorded and filed by the participating counties, as reported to the Office of the Insurance Commissioner pursuant to Section 27296 of the Government Code, for the previous calendar year; A percentage figure will be calculated, by dividing the total documents recorded per participating county, by the total documents recorded for all participating counties; The percentage figure is applied to the estimated annual costs of the ERDS Program to arrive at each participating county's System Administrative Fee.

<i>County Code</i>	<i>County Name</i>	<i>Recordings*</i>	<i>% of Recordings</i>	<i>Final County Cost **</i>
44	Santa Cruz	29,714	0.39%	\$664.22
45	Shasta	40,112	0.53%	\$896.66
48	Solano	125,249	1.64%	\$2,799.80
49	Sonoma	132,253	1.74%	\$2,956.36
54	Tulare	81,106	1.07%	\$1,813.03
56	Ventura	201,991	2.65%	\$4,515.28
	<b>Total</b>	<b>7,615,154</b>		<b>\$170,228.00</b>

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PROJECTIONS  
ERDS Expenditure/Collections Report

COLLECTIONS

YTD Collections (November 2004 through June 2012)	3,278,681
Interest on Collections	42,211
Total Collections	3,320,892

EXPENDITURES

Summary of ERDS Program Expenditures (November 2004 through June 2012)	2,972,543
2012-13 ERDS Projected Expenditures	220,228
1/ Expenditure Credit Applied to (2012-13) for Subsequent Years (2011-12)	(50,000)
2012-13 Projected MOUs	170,228

1/ Expenditures credits will be applied one year in arrears to allow for fiscal year liquidation.