



# UC San Diego

## Policy & Procedure Manual

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### GENERAL COUNSEL

#### Section: 470-5 SUPPLEMENT III

Effective: 02/27/2007

Supersedes: Not Applicable

Review Date: TBD

Issuance Date: 02/27/2007

Issuing Office: [Policy and Records Administration](#)

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### SUPPLEMENT III

#### UCSD/UCSDMC LIMITS ON NOTARY SERVICES

- A. UC San Diego Notaries should not notarize any of the following documents listed under Definitions. If a Campus Notary is asked to perform notarial services for university business that relates to the following requests, then the notary public must contact the Notary Program Coordinator before granting service. This intent of this procedure is to ensure the notary is complying with State regulations and University policy. This policy does not extend to the other UC campuses.
- B. These limitations shall not apply to UCSD employees where condition of employment includes a Notary Public commission as defined in the employee's position description.
- C. UC San Diego Health Notary Publics shall not provide services for the following notarial requests:

#### DEFINITIONS

1. **Will:** A disposition or declaration by which a person provides for the distribution of his estate on death. The *California Notary Public Handbook* advises notaries to decline to notarize wills and to refer the signer to an attorney. A UCSD Notary Public may under no circumstances notarize wills of any nature.
2. **Mortgage:** A legal document that pledges a property to the lender as a security for payment of a debt.
3. **Deed of Trust:** A written instrument legally conveying property to a trustee often used to secure an obligation such as a mortgage or promissory note
4. **Security Agreement:** The contract signed with a secured loan. The agreement indicates what property or collateral can be taken should a default occur.
5. **Quitclaim Deed:** A quitclaim deed transfers whatever ownership interests you have in the property. It makes no guarantees about the extent of your interest.
6. **Grant Deed:** A grant deed transfers your ownership and implies certain promises--that the title hasn't already been transferred to someone else or been encumbered, except as set out in the deed.
7. **Foreclosure Document:** Legal documents of a process by which an owner's right to a property is terminated, usually due to default. Typically involves a forced sale of the property at public auction, with the proceeds being applied to the mortgage debt.
8. **Living Trust:** A trust created for the trustor and administered by another party while the trustor is still alive. A living trust can be either revocable or irrevocable.



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9. **Deed of Reconveyance:** A document used to transfer legal title from the trustee back to the borrower after a debt secured by a deed of trust has been paid in full.
10. **Warranty Deed:** General Warranty Deed used to convey an interest in real estate. The General Warranty Deed guarantees that the title conveyed is good and its transfer rightful.
11. **Passports:** A document issued by a country to a citizen allowing that person to travel abroad and re-enter the home country.
12. **Homestead Declaration:** A homestead declaration is a legal document that claims and registers a particular house as the owner's homestead. When the document is signed by the owner and recorded in the county where the house is located, it helps to protect the house against loss to creditors.
13. **Identity Theft Documents:** Identity theft occurs when an unscrupulous person gathers enough information about you to successfully impersonate you online, by mail, over the telephone, or in person. Documents relating to identity theft can be complicated and if not handled correctly could create significant legal exposure for UCSD; therefore UCSD and UCSDMC notaries must not notarize these documents.