

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 80
SENATE BILL 44

AN ACT TO FIX A UNIFORM SCHEDULE OF FEES TO BE CHARGED BY THE
REGISTERS OF DEEDS THROUGHOUT NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. G.S. 161-10 is rewritten in its entirety to read as follows:

"Sec. 161-10. Uniform fees of registers of deeds.

(a) In the performance of his duties, the register of deeds shall collect the following fees which shall be uniform throughout the State:

1. Instruments in General: for registering or filing any instrument for which no other provision is made by this section, whether written, printed, or typewritten, the fee shall be two dollars (\$2.00) for the first page, which page shall not exceed eight and one-half inches by fourteen inches, plus one dollar (\$1.00) for each additional page or fraction thereof. A page exceeding eight and one-half inches by fourteen inches shall be considered two pages.

2. Marriage Licenses: for issuing a license - five dollars (\$5.00); for issuing a delayed certificate with one certified copy - five dollars (\$5.00); and for a proceeding for correction of names in application, license or certificate, with one certified copy - five dollars (\$5.00).

3. Plats: for each original or revised plat recorded - five dollars (\$5.00); for furnishing a certified copy of a plat - two dollars (\$2.00).

4. Right-of-way Plans: for each original or amended plan and profile sheet recorded - five dollars (\$5.00). This fee is to be collected from the State Highway Commission.

5. Registration of birth certificate four years or more after birth: for preparation of necessary papers when birth to be registered in another county - \$2.50; for registration when necessary papers prepared in another county, with one certified copy - \$2.50; for preparation of necessary papers and registration in the same county, with one certified copy - five dollars (\$5.00).

6. Amendment of Birth or Death Record: for preparation of amendment and effecting correction - one dollar (\$1.00).

7. Certified Copies: for furnishing a certified copy of any instrument for which no other provision is made by this section - one dollar (\$1.00) per page or fraction thereof.

8. Comparing Copy for Certification: for comparing and certifying a copy of any instrument filed for registration, when the copy is furnished by the party filing the instrument for registration and at the time of filing thereof - one dollar (\$1.00).

9. Uncertified Copies: When, as a convenience to the public, the register of deeds supplies uncertified copies of instruments, he may charge fees that in his discretion bear a reasonable relation to the quality of copies supplied and the cost of purchasing and maintaining copying equipment. These fees may be changed from time to time, but the amount of these fees shall at all times be prominently posted in his office.

10. Acknowledgment: for taking an acknowledgment, oath, or affirmation or for the performance of any notarial act - fifty cents (\$.50). This fee shall not be charged if the act is performed as a part of one of the services for which a fee is provided by this subsection; except that this fee shall be charged in addition to the fees for registering, filing or recording instruments or plats as provided by items one and three of this subsection.

11. Liens for Internal Revenue: for recording a federal tax lien - two dollars (\$2.00); for filing a certificate of discharge - two dollars (\$2.00). These fees are to be collected from the United States.

12. Uniform Commercial Code: Such fees as are provided for in Chapter 25, Article 9, part 4, of the General Statutes.

13. Torrens Registration: such fees as are provided in G.S. 43-5.

14. Master Forms: such fees as are provided in G.S. 47-21.

15. Probate: for certification of instruments for registration as provided in G.S. 47-14 - fifty cents (\$.50).

(b) The uniform fees set forth in this section are complete and exclusive and no other fees shall be charged by the register of deeds.

(c) These fees shall be collected in every case prior to filing, registration, recordation, certification or other service rendered by the register of deeds unless by law it is provided that the service shall be rendered without charge."

Section 2. G.S. 161-11 is rewritten in its entirety to read as follows:

"Sec. 161-11. Per diem as clerk to the board of county commissioners. The register of deeds shall be allowed, while and when acting as clerk to the board of county commissioners, such per diem as the board may allow."

Section 3. G.S. 130-70 is amended by striking the last sentence thereof which is as follows:

"The register of deeds may make duplicates, copies or abstracts of such records, for which he shall be entitled to a fee of fifty (50) cents per copy."

Section 4. G.S. 153-9(12a), as the same appears in the supplement to Volume 3C of the General Statutes, is amended by striking therefrom the words and comma "registers of deeds,".

Section 5. G.S. 161-22.1 is amended by striking therefrom the last paragraph thereof which is as follows:

"For indexing and cross-indexing as grantors the names of persons described in this section, the register of deeds shall be allowed a fee of ten (10) cents. The provisions of this section shall not be construed to repeal any local act, fixing a different fee for such indexing or cross-indexing."

Section 6. G.S. 161-10.1, G.S. 161.10.2, G.S. 2-28 and G.S. 51- 20 are repealed.

Section 7. G.S. 161-25 is amended by striking therefrom the last sentence thereof which is as follows:

"Upon payment of a fee of one dollar the register of deeds or county auditor shall furnish to anyone making application therefor a certified copy of said list of statutes."

Section 8. G.S. 130-56 is amended by striking therefrom the last paragraph thereof which is as follows:

"The register of deeds shall be entitled to a fee of one dollar (\$1.00) for such registration, to include the issuance of one certified copy, and a fee of fifty (50) cents for each additional certified copy issued by him, to be paid by the applicant."

Section 9. G.S. 130-57 is amended by striking therefrom the last sentence of the first paragraph which is as follows:

"The register of deeds shall be entitled to a fee of fifty (50) cents for each acknowledgment, oath, affirmation, or other notarial act performed by him, when such acknowledgment, oath, affirmation, or other notarial act is sealed with his official seal, such fee or fees to be paid by the applicant."

Section 10. G.S. 44-66 is rewritten in its entirety to read as follows:

"When a notice of such tax lien is filed, the register of deeds shall forthwith enter the same in alphabetical federal lien tax index to be provided by the board of county commissioners, showing on one line the name and residence of the taxpayer named in such notice, the collector's serial number of such notice, the date and hour of filing, and the amount of tax and penalty assessed. He shall file and keep all original notices so filed in numerical order in a file or files to be provided by the board of county commissioners and designated federal tax lien notices. The fees provided by G.S. 161-10 for the filing of notices and certificates shall be charged to the United States."

Section 11. G.S. 47-113 is rewritten in its entirety to read as follows:

"Any person desiring a certified copy of any such discharge, or certificate of lost discharge, registered under the provisions of this article shall apply for the same to the register of deeds of the county in which such discharge or certificate of lost discharge is registered. The register of deeds shall furnish certified copies of instruments registered under this article without charge to any member or former member of the armed forces of the United States who applies therefor."

Section 12. G.S. 51-21 is amended by striking the last paragraph thereof which is as follows:

"The register of deeds shall issue the certificates provided for in this section upon the payment of a fee of one dollar and fifty cents (\$1.50) for each such certificate."

Section 13. G.S. 136-19.4(e), as the same appears in the supplement to Volume 3B of the General Statutes, is rewritten to read as follows:

"(e) The register of deeds in each county shall collect a fee from the State Highway Commission of five dollars (\$5.00) for each original or amended plan and profile sheet recorded."

Section 14. Nothing in this Act shall prevent any register of deeds whose compensation is derived from fees from retaining those fees as heretofore provided by law except that the amount of such fees shall be determined as provided herein.

Section 15. All laws and clauses of laws in conflict with the provisions of this Act, including the portions of all local laws setting the fees of registers of deeds or authorizing the county commissioners to set the fees, are hereby repealed.

Section 16. This Act shall be in full force and effect from and after July 1, 1969.

In the General Assembly read three times and ratified, this the 17th day of March, 1969.