

**EQUIPMENT RECORDING FEE
RESOLUTION NO. 95-02-02A**

WHEREAS, Section 14-8-12.2 NMSA 1978, allows the creation of an equipment recording fee, which the county clerk may charge a recording fee of up to \$3.00 for each instrument recorded and when the instrument is photocopied, in addition to any other fees authorized by law, and

WHEREAS, the New Mexico County Clerk's Affiliate has passed to regulate the fee at \$2.00 per document recorded, and

WHEREAS, the amounts collected from the equipment recording fee shall be deposited into a county clerk recording fund established by the county, and


WHEREAS, the money in the county clerk recording fund shall be expended only to purchase equipment associated with recording, filing, maintaining or reproducing documents in the county clerk's office, and

WHEREAS, the equipment recording fee and expenditures from the county clerk recording fund shall be determined annually by the county clerk and approved by the board of county commissioners, and

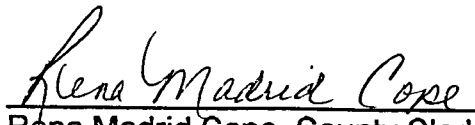
NOW THEREFORE, BE IT RESOLVED by the Board of Grant County Commissioners to implement the \$2.00 equipment recording fee to be charged by the County Clerk for the purpose of generating revenues to purchase equipment associated with recording, filing, maintaining or reproducing documents in the county clerk's office.

PASSED, APPROVED AND ADOPTED by the Board of Grant County Commissioners, this 2nd day of February, 1995.


Manuel T. Serna, Chairman


Zeke P. Santa Maria, Member

ATTEST:


Rena Madrid Cope, County Clerk


Carl W. Scholl, Member

CHAPTER 28

AN ACT

RELATING TO COUNTY RECORDING FEES; PROVIDING FOR AN EQUIPMENT
RECORDING FEE; AMENDING CERTAIN SECTIONS OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 14-8-12.2 NMSA 1978 (being Laws
1985, Chapter 122, Section 2, as amended) is amended to read:

14-8-12.2 "14-8-12.2. RECORDING FEES--WHEN INSTRUMENT IS
PHOTOCOPIED.--

A. For each instrument recorded and when the
instrument is photocopied, the county clerk shall charge a
recording fee of five dollars (\$5.00) for the first page and
two dollars (\$2.00) for each additional page or portion
thereof of the same instrument.

B. For each instrument recorded and when the
instrument is photocopied, the county clerk may charge, in
addition to any other fees authorized by law, including the
fee provided in Subsection A of this section, an equipment
recording fee. The equipment recording fee shall not exceed
three dollars (\$3.00) for each instrument recorded, except
that in class A counties the equipment recording fee shall
not exceed two dollars (\$2.00).

C. Amounts collected from the equipment recording
fee shall be deposited into a county clerk recording and
filing fund, which shall be established by the county. Money

Senate Bill 823, as
Approved February 28, 1994

1 in the county clerk recording and filing fund shall be
2 expended only to purchase equipment associated with
3 recording, filing, maintaining or reproducing documents in
4 the county clerk's office.

5 D. The equipment recording fee and expenditures
6 from the county clerk recording and filing fund shall be
7 determined annually by the county clerk and approved by the
8 board of county commissioners."

9 Section 2. Section 14-8-16 NMSA 1978 (being Laws 1973,
10 Chapter 258, Section 150, as amended) is amended to read:

11 "14-8-16. FILINGS OF LEGAL DESCRIPTIONS AND PLATS OF
12 REAL PROPERTY AUTHORIZED--RECORDING--FEES.--

14-8-16

13 A. Any person owning real property that is subject
14 to property taxation under the Property Tax Code may file for
15 record in the office of the county clerk of the county where
16 the real property is located a legal description or a plat of
17 the real property. To be eligible for recording, the legal
18 description or plat shall be certified by a professional
19 surveyor licensed in the state.

20 B. The United States, the state or its political
21 subdivisions and any agency, department or instrumentality of
22 the United States, the state or its political subdivisions
23 may file for record in the office of the county clerk of the
24 county where the real property is located a legal description
25 or a plat of real property. To be eligible for recording,