

**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

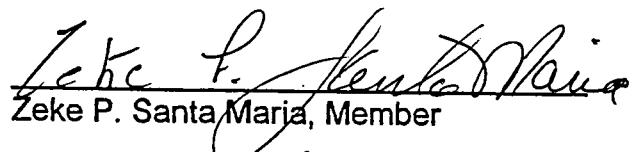
WHEREAS, the money in the county clerk recording fund shall be expended only to purchase equipment associated with recording, filing, maintaining or reproducing documents in the county clerk's office, and

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

  
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Zeke P. Santa Maria, Member

ATTEST:

  
\_\_\_\_\_  
Rena Madrid Cope, County Clerk

  
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Carl W. Scholl  
Carl W. Scholl, Member

## CHAPTER 28

## AN ACT

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

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

6 Section 1. Section 14-8-12.2 NMSA 1978 (being Laws  
7 1985, Chapter 122, Section 2, as amended) is amended to read:  
14-8-12.2 8 "14-8-12.2. RECORDING FEES--WHEN INSTRUMENT IS  
9 PHOTOCOPIED--

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

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

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

Senate Bill 823, aa  
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      14-8-16  
12     REAL PROPERTY AUTHORIZED--RECORDING--FEES.--

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,