

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-14-81

Time _____

No: 986

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1981

— ● —

ENROLLED

HOUSE BILL No. 986

(By Mrs. Blatnik)

— ● —

Passed April 2, 1981

In Effect July 1, 1981 ~~Passage~~



ENROLLED

H. B. 986

(By MRS. BLATNIK)

[Passed April 2, 1981; in effect July 1, 1981.]

AN ACT to amend and reenact section ten, article one, chapter fifty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to increasing the fees to be charged by the clerk of the county commission for recordings and other services.

Be it enacted by the Legislature of West Virginia:

That section ten, article one, chapter fifty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 1. FEES AND ALLOWANCES.

§59-1-10. Fees to be charged by clerk of county commission.

1 For the purpose of this section, the words "page" is defined
2 as being a paper writing of not more than legal size, 8½" x
3 13."

4 The clerk of the county commission shall charge and col-
5 lect the following fees:

6 When a writing is admitted to record, for receiving
7 proof of acknowledgment thereof, entering an order in
8 connection therewith, endorsing clerk's certificate of
9 recordation thereon and indexing in a proper index,
10 where the writing is a deed of conveyance, trust deed,
11 lease, or power of attorney concerning real estate \$2.00

12 If such writing contains more than two pages, for
13 each additional page, in counties where recording is
14 done by photograph, fifty cents; and in counties where
15 recording is done by typewriter, and such writing con-
16 tains more than one thousand words, three cents for
17 each additional twenty words.

18 For recording a plat accompanying a deed or other
19 writing 2.00

20 If such plat contains more than one hundred twenty
21 square inches, for each additional square inch010

22 For recording and indexing a map to be placed in
23 map book 3.00

24 If such map contains more than one hundred twenty
25 square inches, for each additional square inch010

26 For recording and indexing assignment 2.00

27 If such assignment contains more than one reference
28 to the record of property assigned, for each refer-
29 ence 1.00

30 If such assignment does not give the reference to the
31 record of property assigned, for search of record to
32 determine such book and page50

33 If such assignment contains more than two pages,
34 for each additional page 1.00

35 For recording and indexing and noting release of
36 lien 2.00

37 If such release contains more than one reference to
38 lien released, for each lien released thereby 2.00

39 If book and page reference to lien released is
40 omitted, for search of record to determine such book
41 and page50

42 For filing or refiling and entering conditional sales
43 contract 2.00

44 For recording and indexing a satisfaction of a condi-
45 tional sales contract 2.00

46	For filing each financing, continuation or termination	
47	statement or other statement or writing permitted to	
48	be filed under chapter forty-six of the code	2.00
49	For filing, preserving and indexing a security agree-	
50	ment filed under chapter forty-six of the code	3.00
51	For recording and indexing a certificate of	
52	incorporation	2.00
53	If such certificate contains more than two pages, for	
54	each additional page	1.00
55	For filing and indexing a certificate showing the	
56	name or names of a person or persons conducting	
57	business under an assumed name	2.00
58	For certifying to the accessor a transfer of real estate	
59	under section eight, article four, chapter eleven of the	
60	code	1.00
61	For swearing the witnesses and entering in the order	
62	or minute book, all orders in relation to the proof of a	
63	will which is admitted to record without contest, and	
64	copying such order on the will or on a paper annexed	
65	thereto, when fully proved and but one order	3.00
66	If the will be but partially proved on one day, for the	
67	order and entering the same on the will or paper an-	
68	nexed thereto	1.00
69	For each subsequent order and entering the same on	
70	the will or paper annexed thereto	1.00
71	For the same services where there is a contest	8.00
72	For preparing notices in connection with contest, or	
73	any hearing, each notice	1.00
74	For recording a will and the matter recorded there-	
75	with in the will book	2.00
76	If will and matter recorded therewith contains more	
77	than two pages, for each additional page	1.00
78	For entering orders and transmitting papers in case	
79	of appeal	3.00

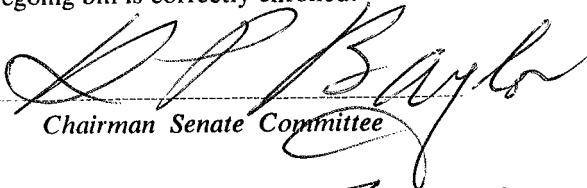
80	If such order and transmittal contains more than five	
81	pages, for each additional page	1.00
82	If any personal representative or guardian qualify	
83	for administering necessary oaths, notating the bond,	
84	entering and copying on the will, order granting pro-	
85	bate or administration, making out copy of such order	
86	for personal representative or guardian, entering and	
87	copying orders of appraisement	2.00
88	For each additional copy of qualification order	1.00
89	If several personal representatives qualify on the	
90	same estate at the same time or term the same fee	
91	shall be charged as if one had qualified, to wit	2.00
92	For entering and copying an order granting a license	
93	under provisions of article twelve, chapter eleven of	
94	the code	1.00
95	For certificate for a license or endorsing assignment	
96	thereof	1.00
97	For issuance of marriage license, for preparing the	
98	application and administering the oath, for register-	
99	ing and recording the license, for mailing acknowledg-	
100	ment of minister's return to one of licensees, for	
101	notifying one of licensees after sixty days of the non-	
102	receipt of the minister's return	8.00
103	One dollar of the latter fee shall be paid by the	
104	county clerk into the state treasury as a state registra-	
105	tion fee, in the same manner that license taxes are paid	
106	into the treasury under article twelve, chapter eleven	
107	of the code.	
108	For search of anything in his office of over a year's	
109	standing, unless otherwise required by statute50
110	For recording certificates and posting a copy there-	
111	of under the provisions of section two, article one,	
112	chapter thirty-four of the code	1.50
113	For docketing or redocketing under article three,	
114	chapter thirty-eight of the code, a judgment, decree,	
115	bond or recognizance	1.00

116	If such writing contains more than one page, for	
117	each additional page	1.00
118	For recording and indexing an execution and noting	
119	the date of issuance and the date of filing of same	
120	upon the judgment record	1.50
121	For making out a transcript of the record and pro-	
122	ceedings in any case in due form so that the	
123	same may be use in appellate court, such fee shall	
124	be the same as specified herein for recording.	
125	For making out, in any other manner than copying,	
126	any paper to go out of the office which is not other-	
127	wise provided for	1.50
128	If such paper contains more than two pages, for	
129	each additional page	1.00
130	For any copy, if it be not otherwise provided for...	1.50
131	If such copy contains more than two pages, for each	
132	additional page	1.00
133	For annexing the seal of the court to any paper,	
134	writing certificates of clerk accompanying it	1.00
135	For writing a certificate of the president of the court	
136	or judge, when the clerk be required to do so	1.00
137	For recording and indexing an inventory or sale bill	1.50
138	If such writing contains more than two pages, for	
139	each additional page	1.00
140	For entering an order confirming the report of a	
141	fiduciary	1.00
142	For recording and indexing such report and matter	
143	recorded therewith	3.00
144	If such report contains more than four pages, for	
145	each additional page	1.00
146	For recording and indexing any bond required by law	
147	to be recorded, including the certificate or other	
148	evidence of its execution	1.50

149	If such bond and certificate contains more than two	
150	pages, for each additional page	1.00
151	For recording and indexing a notice of mechanic's	
152	lien	1.50
153	If such notice contains more than two pages, for each	
154	additional page	1.00
155	For recording contract limiting liability of owner	
156	and bond of contractor to be filed therewith, as pre-	
157	scribed in article two, chapter thirty-eight of the	
158	code	2.00
159	If such contract and bond contains more than two	
160	pages, for each additional page	1.00
161	For recording and indexing a notice of lis pendens ..	1.50
162	If such notice contains more than two pages, for	
163	each additional page	1.00
164	For recording a certificate of real estate claimed as	
165	a homestead	1.00
166	For administering an oath not herein provided for,	
167	and writing a certificate thereof where the case re-	
168	quires one	1.00
169	For recording a writing containing pages in excess	
170	of legal size 8½" x 13", additional fee for each page,	
171	where recording is by photograph50
172	For recording and indexing instruments not specific-	
173	ally provided for herein	1.50
174	If such instrument contains more than two pages, for	
175	each additional page	1.00
176	For recording anew any will, deed or other paper, the	
177	same fee herein provided for the original recording.	
178	For any service other than recording and indexing	
179	not specifically provided for, the same fee as a clerk	
180	of the circuit court for similar services.	

181 All acts or parts of acts in conflict herewith are hereby
182 repealed.

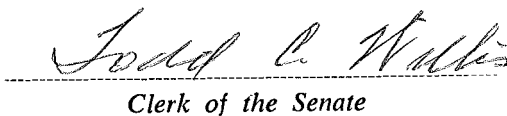
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



Chairman Senate Committee


Chairman House Committee

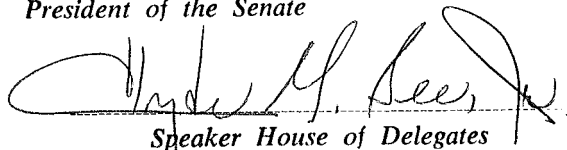
Originated in the House.

Takes effect July 1, 1981.


Clerk of the Senate


Clerk of the House of Delegates

President of the Senate


Speaker House of Delegates

The within is passed this the 11
day of April, 1981.


Governor

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