

HB 2312

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STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1999



ENROLLED

House Bill No. 2312

(By Delegates Hunt, Ashley, Rowe, J. Smith,
Staton, Faircloth and Kelley)



Passed March 12, 1999

In Effect Ninety Days from Passage

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OFFICE OF THE CLERK OF THE HOUSE OF DELEGATES
STATE OF WEST VIRGINIA

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H. B. 2312

(BY DELEGATES HUNT, ASHLEY, ROWE, J. SMITH,
STATON, FAIRCLOTH AND KELLEY)

[Passed March 12, 1999; in effect ninety days from passage.]

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 changing the size designation of legal paper to eight and one-half inches by fourteen inches.

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 word "page" is defined
2 as being a paper writing of not more than legal size, 8 ½" x 14."

3 The clerk of the county commission shall charge and collect
4 the following fees:

5 When a writing is admitted to record, for receiving
6 proof of acknowledgment thereof, entering order
7 in connection therewith, endorsing certificate of
8 recordation thereon and indexing in a proper

9	index, where the writing is a deed of conveyance,	
10	trust deed, lease, or power of attorney concerning	
11	real estate	\$ 2.00
12	If such writing contains more than two pages, for	
13	each additional page, in counties where record-	
14	ing is done by photograph, fifty cents; and in	
15	counties where recording is done by typewriter,	
16	and such writing contains more than one thou-	
17	sand words, three cents for each additional	
18	twenty words	2.00
19	For recording a plat accompanying a deed or other	
20	writing	2.00
21	If such plat contains more than one hundred twenty	
22	square inches, for each additional square inch010
23	For recording and indexing a map to be placed in	
24	map book	3.00
25	If such map contains more than one hundred twenty	
26	square inches, for each additional square inch010
27	For recording and indexing assignment	2.00
28	If such assignment contains more than one reference	
29	to the record of property assigned, for each	
30	reference	1.00
31	If such assignment does not give the reference to the	
32	record of property assigned, for search of record	
33	to determine such book and page50
34	If such assignment contains more than two pages, for	
35	each additional page	1.00
36	For recording and indexing and noting release	
37	of lien	2.00
38	If such release contains more than one reference to	
39	lien released, for each lien released thereby	2.00
40	If book and page reference to lien released is omit-	
41	ted, for search of record to determine such book	
42	and page50

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

76	For recording a will and the matter recorded there-	
77	with in the will book	2.00
78	If will and matter recorded therewith contains more	
79	than two pages, for each additional page	1.00
80	For entering orders and transmitting papers in case of	
81	appeal	3.00
82	If such order and transmittal contains more than five	
83	pages, for each additional page	1.00
84	If any personal representative or guardian qualify for	
85	administering necessary oaths, notating the	
86	bond, entering and copying on the will, order	
87	granting probate or administration, making out	
88	copy of such order for personal representative or	
89	guardian, entering and copying orders of ap-	
90	praisement	2.00
91	For each additional copy of qualification order	1.00
92	If several personal representatives qualify on the	
93	same estate at the same time or term the same fee	
94	shall be charged as if one had qualified, to wit ..	2.00
95	For entering and copying an order granting a license	
96	under provisions of article twelve, chapter eleven	
97	of the code	1.00
98	For certificate for a license or endorsing assignment	
99	thereof	1.00
100	For issuance of marriage license, for preparing the	
101	application and administering the oath, for	
102	registering and recording the license, for mailing	
103	acknowledgment of minister's return to one of	
104	licensees, for notifying one of licensees after	
105	sixty days of the nonreceipt of the minister's	
106	return	8.00
107	One dollar of the latter fee shall be paid by the	
108	county clerk into the state treasury as a state	
109	registration fee, in the same manner that license	


110	taxes are paid into the treasury under article	
111	twelve, chapter eleven of the code.	
112	For search of anything in his or her office of over a	
113	year's standing, unless otherwise required by	
114	statute50
115	For recording certificates and posting a copy thereof	
116	under the provisions of section two, article one,	
117	chapter thirty-four of the code	1.50
118	For docketing or redocketing under article three,	
119	chapter thirty-eight of the code, a judgment,	
120	decree, bond or recognizance	1.00
121	If such writing contains more than one page, for each	
122	additional page	1.00
123	For recording and indexing an execution noting the	
124	date of issuance and the date of filing of same	
125	upon the judgment record	1.50
126	For making out a transcript of the record and pro-	
127	ceedings in any case in due form so that the same	
128	may be used in appellate court, such fee shall be	
129	the same as specified herein for recording.	
130	For making out, in any other manner than copying,	
131	any paper to go out of the office which is not	
132	otherwise provided for	1.50
133	If such paper contains more than two pages, for each	
134	additional page	1.00
135	For any copy, if it be not otherwise provided for	1.50
136	If such copy contains more than two pages, for each	
137	additional page	1.00
138	For annexing the seal of the court to any paper,	
139	writing certificates of clerk accompanying it	1.00
140	For writing a certificate of the president of the court	
141	or judge, when the clerk be required to do so . . .	1.00

142	For recording and indexing an inventory or sale bill . .	1.50
143	If such writing contains more than two pages, for	
144	each additional page	1.00
145	For entering an order confirming the report of a	
146	fiduciary	1.00
147	For recording and indexing such report and matter	
148	recorded therewith	3.00
149	If such report contains more than four pages, for each	
150	additional page	1.00
151	For recording and indexing any bond required by law	
152	to be recorded, including the certificate or other	
153	evidence of its execution	1.50
154	If such bond and certificate contains more than two	
155	pages, for each additional page	1.00
156	For recording and indexing a notice of mechanic's	
157	lien	1.50
158	If such notice contains more than two pages, for each	
159	additional page	1.00
160	For recording contract limiting liability of owner and	
161	bond of contractor to be filed therewith, as	
162	prescribed in article two, chapter thirty-eight of	
163	the code	2.00
164	If such contract and bond contains more than two	
165	pages, for each additional page	1.00
166	For recording and indexing a notice of lis pendens . .	1.50
167	If such notice contains more than two pages, for each	
168	additional page	1.00
169	For recording a certificate of real estate claimed as a	
170	homestead	1.00
171	For administering an oath not herein provided for,	
172	and writing a certificate thereof where the case	
173	requires one	1.00

- 174 For recording a writing containing pages in excess of
- 175 legal size, 8 1/2" x 14", additional fee for each
- 176 page, where recording is by photograph50
- 177 For recording and indexing instruments not specifi-
- 178 cally provided for herein 1.50
- 179 If such instrument contains more than two pages, for
- 180 each additional page 1.00
- 181 For recording anew any will, deed or other paper, the
- 182 same fees herein provided for the original re-
- 183 cording.
- 184 For any service other than recording and indexing
- 185 not specifically provided for, the same fee as a
- 186 clerk of the circuit court for similar services.
- 187 All acts or parts of acts in conflict herewith are hereby repealed.

[Faint handwritten signature or initials]

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



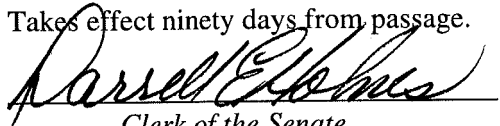
Chairman Senate Committee



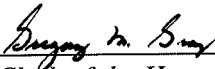
Chairman House Committee

Originating in the House.

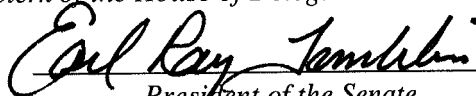
Takes effect ninety days from passage.



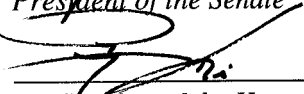
Clerk of the Senate



Clerk of the House of Delegates

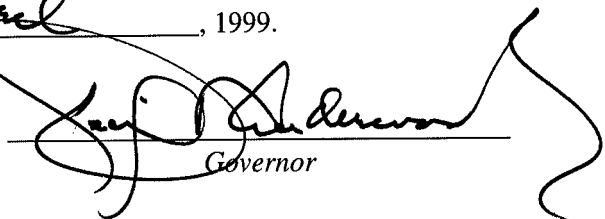


President of the Senate



Speaker of the House of Delegates

The within approved this the 5th
day of April, 1999.



Governor

PRESENTED TO THE

GOVERNOR

Date 3/30/99

Time 3:20 pm