

Effective 7/1/2015

Superseded 5/14/2019

17-21-18.5 Fees of county recorder.

- (1) The county recorder shall receive the following fees:
 - (a) for recording any instrument, not otherwise provided for, other than bonds of public officers, \$10;
 - (b) for recording any instrument, including those provided for under Title 70A, Uniform Commercial Code, other than bonds of public officers, and not otherwise provided for, \$10 for the first page and \$2 for each additional page, and if an instrument contains more than one description, \$1 for each additional description;
 - (c) for recording a right-of-way connected with or appurtenant to any tract of land described in the instrument, \$1, but if the instrument contains a description of more than one right-of-way, \$1 for each additional right-of-way, and if an instrument contains more than two names for either the first or second party, or the plaintiffs or defendants, \$1 for each additional name;
 - (d) for recording mining location notices and affidavits of labor affecting mining claims, \$10 for the first page and \$2 for each additional page; and
 - (e) for a location notice, affidavit, or proof of labor which contains names of more than two signers, \$1 for each additional name, and for an affidavit or proof of labor which contains more than one mining claim, \$1 for each additional mining claim.
- (2)
 - (a) Each county recorder shall record the mining rules of the several mining districts in each county without fee.
 - (b) Certified copies of these records shall be received in all tribunals and before all officers of this state as prima facie evidence of the rules.
- (3) The county recorder shall receive the following fees:
 - (a) for copies of any record or document, a reasonable fee as determined by the county legislative body;
 - (b) for each certificate under seal, \$5;
 - (c) for recording any plat, \$30 for each sheet and \$1 for each lot or unit designation;
 - (d) for taking and certifying acknowledgments, including seal, \$5 for one name and \$2 for each additional name;
 - (e) for recording any license issued by the Division of Occupational and Professional Licensing, \$10; and
 - (f) for recording a federal tax lien, \$10, and for the discharge of the lien, \$10.
- (4)
 - (a) For recording a document that is subject to and complies with the Real Estate Settlement and Procedure Act, 12 U.S.C. Sec. 2601 et seq. for a residential property constructed for at least one family but no more than four families, the county recorder shall receive:
 - (i) \$14 for each deed of conveyance;
 - (ii) \$40 for each deed of trust; and
 - (iii) \$14 for each assignment of a deed of trust when recorded concurrently with the assigned deed of trust.
 - (b) If a person submits for recording a document described in Subsection (4)(a), the person shall notify the county recorder by including the word "RESPA" in at least 16 point font on the front page of each document.
 - (c) A county recorder is not required to:
 - (i) refund a fee described in Subsection (4)(a); or

- (ii) change a fee amount shown on a recorded document if the fee described in Subsection (4) (a) is not collected at the time of recording.
- (d) A county recorder may examine a document recorded under this Subsection (4) for compliance with the Real Estate Settlement and Procedure Act, 12 U.S.C. Sec. 2601 et seq.
- (5) In addition to any other fee that the county recorder is authorized to charge and collect, if a county recorder is required to comply with the standards established under Chapter 21a, Uniform Real Property Electronic Recording Act, the county recorder may charge and collect from a person who submits an electronic document, as defined in Section 17-21a-102, for recording, a surcharge that:
 - (a) is calculated to recover the additional costs of complying with Chapter 21a, Uniform Real Property Electronic Recording Act; and
 - (b) may not exceed 10% of the cost before the surcharge.
- (6) The county may determine and collect a fee for all services not enumerated in this section.
- (7) A county recorder may not be required to collect a fee for services that are unrelated to the county recorder's office.