

Introduced by: Robert J. Scott
Date Introduced: April 9, 2024
Public Hearing Date: April 23, 2024
Public Hearing Time: 7:00 P.M.
Adoption Date: April 23, 2024
Effective Date: Upon Adoption

Ordinance 24-06

Recorder of Deeds Fee Schedule Update

An Ordinance to Repeal and Replace Kent County Code, Chapter 128 Fees, Part 2 Fee Schedule, Article XI Fees Enumerated, §128.44 Recorder of Deeds.

The Levy Court of Kent County hereby ordains:

Section 1. Code Repealed.

The Code of Kent County Levy Court is hereby amended by repealing Chapter 128 Fees, Part 2 Fee Schedules, Article XI Fees Enumerated, §128-44 Recorder of Deeds.

Section 2. Code Amended.

The Code of Kent County Levy Court is hereby amended by adding thereto a new Chapter 128 Fees, Part 2 Fee Schedules, Article XI Fees Enumerated, §128-44 Recorder of Deeds, replacing the repealed section as follows.

§ 128-44 Recorder of Deeds.

Recorder of Deeds fees shall be as follows:

- A. Document Fee: \$36 (\$1 County fee, \$30 state fee as may be amended from time to time, and \$5 technology fee in accordance with (IAW) Ordinance 17-14 for recording a document (deeds, mortgages, liens, satisfactions, assignments, miscellaneous, except noted below).
- B. Per page fee: \$10 per page fee in A, above, and also where noted below.
- C. Tax parcel number \$5 per parcel, on deeds only.
- D. Notation on documents: \$7 per notation.
- E. Recording and indexing a plot 24 inches by 36 inches: \$35 per page + A.
- F. Recording and indexing a plot larger than 24 inches by 36 inches: \$60 per page + A.
- G. An additional fee of \$40 per document may be assessed if not conforming to the standards published by the Recorder of Deeds. (Ordinance 09-16)

- H. An additional fee of \$20 may be assessed per document that is rejected for recording due to error (Ordinance 13-04).
- I. Copies: Letter or Legal: \$1 per page. Plots: \$10 per page.
- J. Certified copy of documents: \$7 per page.
- K. Postage Fee: Mailing service available using self-addressed, stamped envelope for returning recorded documents or arrange to pick them up. If no envelope is provided, the requestor will be charged the prevailing postage rate + \$5 mailing fee.
- L. Faxes: \$1 per page.
- M. Recording and indexing satisfactions: \$10 satisfaction fee per document + A + B.
- N. Recording and indexing finance, terminations, assignments, and continuations related to UCC financing statements: \$25 per document + A but not B.
- O. Recording and indexing amendments and partial releases related to UCC financing statements: \$15 per document + A but not B.
- P. Recording and indexing federal tax liens: \$41 per document + G.
- Q. Recording and indexing federal tax releases: \$36 per document + G.
- R. Recording and indexing releases: A + B + D.
- S. U.S. judgments: A + B + G, if nonconforming.
- T. Unlimited Internet download and printing fee for Recorder of Deeds Land Records Management System: \$75 monthly, per subscriber, payable via 3rd party vendor. (Vendor fees may be amended from time to time.)
- U. Per page internet download and printing fee for Recorder of Deeds Land Record Management System, \$2 per page, payable via 3rd party vendor. (Vendor fees may be amended from time to time.)
- V. GoPrint Printing fee: \$1 per page. (Vendor fees may be amended from time to time.)
- W. Real Estate Commerce professional courtesy building pass: \$65 per year after signing a release.
- X. Transfer Tax Collection Fee: 1% of Transfer Taxes collected on behalf of the State of Delaware and various municipalities is retained by Kent County IAW 30 Del. C. 5401.

- Y. County Transfer Tax: 1.5% of the value of the property collected IAW Ordinance 98-16. First Time Homebuyers are exempt IAW Ordinance 95-08.
- Z. Corporation Recording Fee: \$24 for the first page and \$9.00 for each additional page per instrument filed by the by Secretary of State IAW 8 Del. C. 103-6.
- AA. Returned Check Fee: \$30 + original amount of check IAW §128-37.

Section 3. Severability.

The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph shall be held unconstitutional or violates the Laws of the State of Delaware by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Section 4. Effective Date.

This ordinance shall become effective upon adoption,

Adopted by the Levy Court
of Kent County, Delaware

President, Kent County Levy Court
This 23rd day of April 2024

Attest: _____
Clerk of the Peace