



Office of the Upshur County Clerk

Filing Requirements

Effective September 1, 2008

All documents submitted for filing must meet the following requirements:

- (1) Heading at the top of the first page clearly identifying the type of instrument being filed
- (2) Name typed or printed under each signature
- (3) Every signature notarized
- (4) Address for every Grantee listed in the instrument
- (5) A "Return To" address

Any document submitted for recording that fails to meet these requirements may be rejected or recorded at **double** the filing or recording fee. *L.G.C. § 191.007(h)*

Personal Property Filing Fees

REAL & PERSONAL PROPERTY

Fee	Reference	Amount
Recording Fee	L.G.C. § 118.011(a)(1-2)	\$5.00
Record Management & Preservation Fee	L.G.C. § 118.011(b)(2)	\$5.00
Record Archive Fee	L.G.C. § 118.011(f)	\$5.00
Courthouse Security Fee	L.G.C. § 291.008(d)	\$1.00
	TOTAL:	\$16.00
Missing grantee's address	P.C. 11.003(a)(2)	+ \$25.00
Each additional page	L.G.C. § 118.011(a)	+ \$4.00
Each name in excess of 5 to be indexed	L.G.C. § 118.011(a)	+ \$0.25

ABSTRACT OF JUDGMENT

Fee	Reference	Amount
Recording Fee	L.G.C. § 118.052(1)(c)(i)	\$5.00
Record Management & Preservation Fee	L.G.C. § 118.011(b)(2)	\$5.00
Record Archive Fee	L.G.C. § 118.011(f)	\$5.00
Courthouse Security Fee	L.G.C. § 291.008(d)	\$1.00
	TOTAL:	\$16.00
Each additional page	L.G.C. § 118.011(a)	+ \$4.00

Filing Fees - continued

HOSPITAL LIEN & RELEASE OF HOSPITAL LIEN

Fee	Reference	Amount
Recording Fee	L.G.C. § 118.011(a)	\$5.00
Record Management & Preservation Fee	L.G.C. § 118.011(b)(2)	\$5.00
Record Archive Fee	L.G.C. § 118.011(f)	\$5.00
Courthouse Security Fee	L.G.C. § 291.008(d)	\$1.00
TOTAL:		\$16.00

STATE TAX LIEN & RELEASE OF STATE TAX LIEN

Fee	Reference	Amount
Recording Fee	L.G.C. § 118.011(a)	\$5.00
Record Management & Preservation Fee	L.G.C. § 118.011(b)(2)	\$5.00
Courthouse Security Fee	L.G.C. § 291.008(d)	\$1.00
TOTAL:		\$11.00

FEDERAL TAX LIEN & RELEASE OF FEDERAL TAX LIEN

Fee	Reference	Amount
Recording Fee	P.C. § 14.005	\$10.00
Record Management & Preservation Fee	L.G.C. § 118.011(b)(2)	\$5.00
Courthouse Security Fee	L.G.C. § 291.008(d)	\$1.00
TOTAL:		\$16.00

BRAND REGISTRATION

Fee	Reference	Amount
Recording Fee	L.G.C. § 118.011(a)(9)	\$5.00
Record Management & Preservation Fee	L.G.C. § 118.011(b)(2)	\$5.00
Record Archive Fee	L.G.C. § 118.011(f)	\$5.00
Courthouse Security Fee	L.G.C. § 291.008(d)	\$1.00
TOTAL:		\$16.00
Each additional tattoo	A.C. § 144.110(b)	+ \$0.25

Vital Statistics Filing

MARRIAGE LICENSE (without course completion)

Fee	Reference	Amount
Issuance Fee	L.G.C. § 118.011(a)(7)	\$60.00
Record Management & Preservation Fee	L.G.C. § 118.011(b)(2)	\$5.00
Record Archive Fee	L.G.C. § 118.011(f)	\$5.00
Courthouse Security Fee	L.G.C. § 291.008(d)	\$1.00
Vital Statistics Archive Fee	H.S.C. § 191.0045(d)(h)	\$1.00
	TOTAL:	\$72.00
Parental Consent Form (<i>applicants under 18</i>)	L.G.C. § 118.018	+ \$1.00

MARRIAGE LICENSE (with course completion)

Fee	Reference	Amount
Issuance Fee	L.G.C. § 118.018(b-1)	n/c
Record Management & Preservation Fee	L.G.C. § 118.011(b)(2)	\$5.00
Record Archive Fee	L.G.C. § 118.011(f)	\$5.00
Courthouse Security Fee	L.G.C. § 291.008(d)	\$1.00
Vital Statistics Archive Fee	H.S.C. § 191.0045(d)(h)	\$1.00
	TOTAL:	\$12.00
Parental Consent Form (<i>applicants under 18</i>)	L.G.C. § 118.018	+ \$1.00

DECLARATION OF INFORMAL MARRIAGE

Fee	Reference	Amount
Issuance Fee	L.G.C. § 118.011(a)(8)	\$25.00
Record Management & Preservation Fee	L.G.C. § 118.011(b)(2)	\$5.00
Record Archive Fee	L.G.C. § 118.011(f)	\$5.00
Courthouse Security Fee	L.G.C. § 291.008(d)	\$1.00
Vital Statistics Archive Fee	H.S.C. § 191.0045(d)(h)	\$1.00
	TOTAL:	\$37.00

Filing Fees - continued

BIRTH RECORDING

Fee	Reference	Amount
No charge		\$0.00
TOTAL:		\$0.00

DEATH RECORDING

Fee	Reference	Amount
No charge		\$0.00
TOTAL:		\$0.00

Subdivision Plat Filing

PLAT

Fee	Reference	Amount
Application Fee	L.G.C. § 232.0021(a)	\$30.00
Record Management & Preservation Fee	L.G.C. § 118.011(b)(2)	\$5.00
Record Archive Fee	L.G.C. § 118.011(f)	\$5.00
Courthouse Security Fee	L.G.C. § 291.008(d)	\$1.00
TOTAL:		\$41.00
Each additional page	L.G.C. § 232.0021(a)	+ \$30.00
Attached tax certificate	P.C. § 12.002(e)	+ \$4.00

PLAT AMENDMENT

Fee	Reference	Amount
Application Fee	L.G.C. § 232.0021(a)	\$30.00
Record Management & Preservation Fee	L.G.C. § 118.011(b)(2)	\$5.00
Record Archive Fee	L.G.C. § 118.011(f)	\$5.00
Courthouse Security Fee	L.G.C. § 291.008(d)	\$1.00
TOTAL:		\$41.00
Attached tax certificate	P.C. § 12.002(e)	+ \$4.00

Assumed Name

ASSUMED NAME

Fee	Reference	Amount
Recording Fee	B.C.C. § 36.15	\$5.00
Record Management & Preservation Fee	L.G.C. § 118.011(b)(2)	\$5.00
Record Archive Fee	L.G.C. § 118.011(f)	\$5.00
Courthouse Security Fee	L.G.C. § 291.008(d)	\$1.00
	TOTAL:	\$16.00
Each additional name and signature	B.C.C. § 36.15	+ \$0.50

ABANDONMENT OF ASSUMED NAME

Fee	Reference	Amount
Recording Fee	B.C.C. § 36.15	\$5.00
Record Management & Preservation Fee	L.G.C. § 118.011(b)(2)	\$5.00
Record Archive Fee	L.G.C. § 118.011(f)	\$5.00
Courthouse Security Fee	L.G.C. § 291.008(d)	\$1.00
	TOTAL:	\$16.00
Each additional name and signature	B.C.C. § 36.15	+ \$0.50

UCC

STANDARD FORM UCC

Fee	Reference	Amount
Recording Fee	B.C.C. § 9.525(a)(1)	\$15.00
Record Management & Preservation Fee	L.G.C. § 118.011(b)(2)	\$5.00
Record Archive Fee	L.G.C. § 118.011(f)	\$5.00
Courthouse Security Fee	L.G.C. § 291.008(d)	\$1.00
	TOTAL:	\$26.00
Each additional attachment	B.C.C. § 9.525	+ \$2.00

NON-STANDARD FORM UCC

Fee	Reference	Amount
Recording Fee	B.C.C. § 9.525(a)(2)	\$30.00
Record Management & Preservation Fee	L.G.C. § 118.011(b)(2)	\$5.00
Record Archive Fee	L.G.C. § 118.011(f)	\$5.00
Courthouse Security Fee	L.G.C. § 291.008(d)	\$1.00
	TOTAL:	\$41.00
Each additional attachment	B.C.C. § 9.525	+ \$2.00

Certified / Non-Certified Copies

CERTIFIED COPIES

Fee	Reference	Amount
Clerk's Certification	L.G.C. § 118.011(a)(3)	\$15.00
Each page	L.G.C. § 118.011(a)(3)	+ \$1.00

NON-CERTIFIED COPIES

Fee	Reference	Amount
Each page	L.G.C. § 118.011(a)(4)	+ \$1.00

VETERAN'S DISCHARGE (DD-214)

Fee	Reference	Amount
No charge	L.G.C. § 119.002(b)	\$0.00

FEDERAL TAX LIEN

Fee	Reference	Amount
Each copy	P.C. § 14.004(d)	\$1.50

PLAT

Fee	Reference	Amount
8½ x 11	L.G.C. § 118.011(c)	\$6.00
8½ x 14	L.G.C. § 118.011(c)	\$12.00
11 x 17	L.G.C. § 118.011(c)	\$18.00

Public Notices

STANDARD PUBLIC NOTICE

Fee	Reference	Amount
File Stamping & Posting		\$6.00

Miscellaneous Fees

RECORD SEARCH

Fee	Reference	Amount
Search fee per name / date	L.G.C. § 118.011(c)	\$5.00

RETURNED CHECK

Fee	Reference	Amount
Returned Check fee	L.G.C. § 118.011(b)(1)	\$30.00

DEPOSIT OF WILL

Fee	Reference	Amount
Deposit for safekeeping	L.G.C. § 118.052(3)(E)	\$5.00

§ TEXAS AGRICULTURE CODE

Section 144.110 FEES.

- (b) A person whose registered tattoo mark is recorded with the county clerk shall pay the clerk a filing fee of 25 cents.

§ LOCAL GOVERNMENT CODE

Section 118.011 FEE SCHEDULE.

- (a) A county clerk shall collect the following fees for services rendered to any person:
 - (1) Personal Property Records Filing (§ 118.012):
 - for the first page \$ 5.00
 - for each additional page or part of a page on which there are visible marks of any kind \$ 4.00
 - (2) Real Property Records Filing (§ 118.013):
 - for the first page \$ 5.00
 - for each additional page or part of a page on which there are visible marks of any kind \$ 4.00
 - for all or part of each 8-1/2" X 14" attachment or rider \$ 4.00
 - for each name in excess of five names that has to be indexed in all records in which the document must be indexed \$ 0.25
 - (3) Certified Papers (§ 118.014):
 - for the clerk's certificate \$ 5.00
 - plus a fee for each page or part of a page \$ 1.00
 - (4) Noncertified Papers (§ 118.0145):
 - for each page or part of a page \$ 1.00
 - (7) Marriage License (§ 118.018) \$60.00
 - (8) Declaration of Informal Marriage (§ 118.019) \$25.00
 - (9) Brand Registration (§ 118.020) \$ 5.00
- (b) The county clerk may set and collect the following fee from any person:
 - (1) Returned Check (§ 118.0215) not less than \$15 or more than \$30
 - (2) Records Management and Preservation Fee (§ 118.0216) not more than \$5
- (c) The clerk shall charge reasonable fees for performing other duties prescribed or authorized by statute for which a fee is not prescribed by this subchapter.
- (f) The county clerk of a county shall, if the commissioners court of the county adopts the fee as part of the county's annual budget, collect the following fee from any person:
 - Records Archive Fee (§ 118.025) not more than \$5

Section 118.018 MARRIAGE LICENSE.

- (b-1) The county clerk shall issue a marriage license without collecting a marriage license fee from an applicant who:
 - (1) completes a premarital education course described by Section 2.013, Family Code; and
 - (2) provides to the county clerk a premarital education course completion certificate indicating completion of the premarital education course not more than one year before the date the marriage license application is filed with the clerk.

Section 118.052 FEE SCHEDULE.

Each clerk of a county court shall collect the following fees for services rendered to any person:

- (1) CIVIL COURT ACTIONS
 - (C) Services Rendered After Judgment in Original Action (§ 118.0545):
 - (i) Abstract of judgment . . . \$ 5.00
- (3) OTHER FEES
 - (E) Safekeeping of Wills (§ 118.062) . . . \$ 5.00

Section 192.002 MILITARY DISCHARGE RECORDS.

- (b) The county clerk may not charge a fee for the recording and keeping of a military discharge record.

Section 232.0021 PLAT APPLICATION FEE.

- (a) The commissioners court may impose an application fee to cover the cost of the county's review of a subdivision plat and inspection of street, road, and drainage improvements described by the plat.

Section 291.008 FEE FOR SECURITY.

- (a) The commissioners court may set a fee not to exceed \$5 to be collected at the time of filing in each civil case filed in a county court, county court at law, or district court which shall be taxed as other costs. The county is not liable for the costs.
- (b) In any civil case brought by the state or a political subdivision of the state in a county court, county court at law, or district court in a county in which the commissioners court has adopted a fee under Subsection (a) of this section in which the state or political subdivision is the prevailing party, the amount of that fee shall be taxed and collected as a cost of court against each nonprevailing party.
- (c) The clerks of the respective courts shall collect the costs established by Subsections (a) and (b) of this section.
- (d) If a commissioners court sets a security fee under Subsection (a) of this section, the county and district clerks shall collect a fee of \$1 for filing any document not subject to the security fee. The county is not liable for the costs. The county or district clerk, as appropriate, shall collect this fee.

§ TEXAS HEALTH & SAFETY CODE**Section 191.0045 FEES.**

- (h) In addition to other fees collected under this section, a local registrar or county clerk may collect a fee not to exceed \$1 for the preservation of vital statistics records maintained by the registrar or county clerk, including birth, death, fetal death, marriage, divorce, and annulment records. A fee under this section shall be collected by the registrar or county clerk on the issuance of a vital statistics record, including a record issued through a Remote Birth Access site.

§ TEXAS PROPERTY CODE**Section 11.003 GRANTEE'S ADDRESS.**

- (a) An instrument executed after December 31, 1981, conveying an interest in real property may not be recorded unless:
- (1) a mailing address of each grantee appears in the instrument or in a separate writing signed by the grantor or grantee and attached to the instrument; or
 - (2) a penalty filing fee equal to the greater of \$25 or twice the statutory recording fee for the instrument is paid.

Section 12.002 SUBDIVISION PLAT; PENALTY.

- (e) A person may not file for record or have recorded in the county clerk's office a plat or replat of a subdivision of real property unless the plat or replat has attached to it an original tax certificate from each taxing unit with jurisdiction of the real property indicating that no delinquent ad valorem taxes are owed on the real property. If the plat or replat is filed after September 1 of a year, the plat or replat must also have attached to it a tax receipt issued by the collector for each taxing unit with jurisdiction of the property indicating that the taxes imposed by the taxing unit for the current year have been paid or, if the taxes for the current year have not been calculated, a statement from the collector for the taxing unit indicating that the taxes to be imposed by that taxing unit for the current year have not been calculated. If the tax certificate for a taxing unit does not cover the preceding year, the plat or replat must also have attached to it a tax receipt issued by the collector for the taxing unit indicating that the taxes imposed by the taxing unit for the preceding year have been paid. This subsection does not apply if:
- (1) more than one person acquired the real property from a decedent under a will or by inheritance and those persons owning an undivided interest in the property obtained approval to subdivide the property to provide each person with a divided interest and a separate title to the property; or
 - (2) a taxing unit acquired the real property for public use through eminent domain proceedings or voluntary sale.

Section 14.004 DUTIES OF FILING OFFICER.

- (d) Upon request of any person, the filing officer shall issue his certificate showing whether there is on file, on the date and hour stated therein, any notice of lien or certificate or notice affecting any lien filed under this chapter or filed under the Uniform Federal Tax Lien Registration Act (Subchapter C, Chapter 113, Tax Code) on or after January 1, 1972, naming a particular person, and if a notice or certificate is on file, giving the date and hour of filing of each notice or certificate. The fee for a certificate is \$10. Upon request, the filing officer shall furnish a copy of any notice of federal lien, or notice or certificate affecting a federal lien, for a fee of \$1.50 per page.

Section 14.005 FEE.

The fee for filing and indexing each notice of lien or certificate or notice affecting the lien is \$10. The filing of the same notice of lien or certificate or notice affecting a lien in both real property records and personal property files is two filings.

§ TEXAS BUSINESS & COMMERCE CODE**Section 9.525 FEES.**

- (a) Except as otherwise provided in Subsections (e) and (f), the fee for filing and indexing a record under this subchapter, other than an initial financing statement of the kind described in Subsection (b), is:
- (1) \$15 if the record is communicated in writing and consists of one or two pages;
 - (2) \$30 if the record is communicated in writing and consists of more than two pages; and
 - (3) \$5 if the record is communicated by another medium authorized by filing-office rule.

Section 36.15 INDEX OF CERTIFICATES; FILING FEES.

Each county clerk and the Secretary of State shall keep an alphabetical index of all assumed names which have been filed in his office pursuant to the provisions of this chapter and of the persons filing the same. The county clerk shall receive a fee of \$2 for filing each certificate or statement required or permitted to be filed pursuant to this chapter, plus a fee of 50 cents for each name to be indexed. The Secretary of State shall collect for the use of the state a fee of \$25 for indexing and filing each certificate or statement required or permitted to be filed pursuant to this chapter. The Secretary of State shall collect for the use of the state a fee of \$10 for filing each abandonment of use of assumed name. A copy of such certificate or statement duly certified to by the county clerk in whose office the same was filed or by the Secretary of State shall be presumptive evidence in all courts in this state of the facts therein contained.