

_____ moved to amend as follows:

- In line 2 of the title, after "317.13" insert ", 317.32" 1
- In line 3 of the title, delete the first "and"; after "2303.12" 2
insert ", and 5301.255" 3
- In line 6 of the title, after "State" insert "and to make changes to 4
county recorder fees" 5
- In line 8, after "317.13" insert ", 317.32"; delete "and"; after 6
"2303.12" insert ", and 5301.255" 7
- After line 1522, insert: 8
- "Sec. 317.32. The county recorder shall charge and 9
collect the following fees, to include, except as otherwise 10
provided in division (A) (2) of this section, base fees for the 11
recorder's services and housing trust fund fees collected 12
pursuant to section 317.36 of the Revised Code: 13
- (A) (1) Except as otherwise provided in division (A) (2) of 14
this section, for recording and indexing an instrument if the 15
photocopy or any similar process is employed, a base fee of 16
seventeen dollars for the first two pages and a housing trust 17



fund fee of seventeen dollars, and a base fee of four dollars 18
and a housing trust fund fee of four dollars for each subsequent 19
page, size eight and one-half inches by fourteen inches, or 20
fraction of a page, including the caption page, of such 21
instrument; 22

(2) For recording and indexing an instrument described in 23
division (D) of section 317.08 of the Revised Code if the 24
photocopy or any similar process is employed, a fee of twenty- 25
eight dollars for the first two pages to be deposited as 26
specified elsewhere in this division, and a fee of eight dollars 27
to be deposited in the same manner for each subsequent page, 28
size eight and one-half inches by fourteen inches, or fraction 29
of a page, including the caption page, of that instrument. If 30
the county recorder's technology fund has been established under 31
section 317.321 of the Revised Code, of the twenty-eight 32
dollars, fourteen dollars shall be deposited into the county 33
treasury to the credit of the county recorder's technology fund 34
and fourteen dollars shall be deposited into the county treasury 35
to the credit of the county general fund. If the county 36
recorder's technology fund has not been established, the twenty- 37
eight dollars shall be deposited into the county treasury to the 38
credit of the county general fund. 39

(B) For certifying a ~~photocopy~~ copy or electronic record 40
from the record previously recorded, a base fee of one dollar 41
and a housing trust fund fee of one dollar per page, size eight 42
and one-half inches by fourteen inches, or fraction of a page; 43
for each certification if the recorder's seal is required, 44
except as to instruments issued by the armed forces of the 45
United States, a base fee of fifty cents and a housing trust 46
fund fee of fifty cents; 47

(C) For entering or indexing any ~~marginal~~-reference by separate recorded instrument, a base fee of two dollars and a housing trust fund fee of two dollars for each ~~marginal~~-reference set out in that instrument, in addition to the fees set forth in division (A) (1) of this section;

(D) For indexing in the real estate mortgage records, pursuant to section 1309.519 of the Revised Code, financing statements covering crops growing or to be grown, timber to be cut, minerals or the like, including oil and gas, accounts subject to section 1309.301 of the Revised Code, or fixture filings made pursuant to section 1309.334 of the Revised Code, a base fee of two dollars and a housing trust fund fee of two dollars for each name indexed;

(E) For filing zoning resolutions, including text and maps, in the office of the recorder as required under sections 303.11 and 519.11 of the Revised Code, a base fee of twenty-five dollars and a housing trust fund fee of twenty-five dollars, regardless of the size or length of the resolutions;

(F) For filing zoning amendments, including text and maps, in the office of the recorder as required under sections 303.12 and 519.12 of the Revised Code, a base fee of ten dollars and a housing trust fund fee of ten dollars regardless of the size or length of the amendments;

(G) For photocopying a document, other than at the time of recording and indexing as provided for in division (A) (1) or (2) of this section, a base fee of one dollar and a housing trust fund fee of one dollar per page, size eight and one-half inches by fourteen inches, or fraction thereof;

(H) For local facsimile transmission of a document, a base

fee of one dollar and a housing trust fund fee of one dollar per 77
page, size eight and one-half inches by fourteen inches, or 78
fraction thereof; for long distance facsimile transmission of a 79
document, a base fee of two dollars and a housing trust fund fee 80
of two dollars per page, size eight and one-half inches by 81
fourteen inches, or fraction thereof; 82

(I) For recording a declaration executed pursuant to 83
section 2133.02 of the Revised Code or a durable power of 84
attorney for health care executed pursuant to section 1337.12 of 85
the Revised Code, or both a declaration and a durable power of 86
attorney for health care, a base fee of at least fourteen 87
dollars but not more than twenty dollars and a housing trust 88
fund fee of at least fourteen dollars but not more than twenty 89
dollars. 90

In any county in which the recorder employs the 91
photostatic or any similar process for recording maps, plats, or 92
prints the recorder shall determine, charge, and collect for the 93
recording or rerecording of any map, plat, or print, a base fee 94
of five cents and a housing trust fund fee of five cents per 95
square inch, for each square inch of the map, plat, or print 96
filed for that recording or rerecording, with a minimum base fee 97
of twenty dollars and a minimum housing trust fund fee of twenty 98
dollars; for certifying a copy from the record, a base fee of 99
two cents and a housing trust fund fee of two cents per square 100
inch of the record, with a minimum base fee of two dollars and a 101
minimum housing trust fund fee of two dollars. 102

The fees provided in this section shall be paid upon the 103
presentation of the instruments for record or upon the 104
application for any certified copy of the record, except that 105
the payment of fees for providing copies of instruments 106

conveying or extinguishing agricultural easements to the office 107
of farmland preservation in the department of agriculture under 108
division (H) of section 5301.691 of the Revised Code shall be 109
governed by that division, and payment of fees for electronic 110
recording may be made by electronic funds transfer, automated 111
clearing house, or other electronic means after presentation. 112

The fees provided for in this section shall not apply to 113
the recording, indexing, or making of a certified copy or to the 114
filing of any instrument by a county land reutilization 115
corporation, ~~its~~. 116

The fees provided for in this section shall not apply to 117
the recording, indexing, or making of a certified copy or to the 118
filing of any instrument by a county land reutilization 119
corporation's wholly owned subsidiary, or any other electing 120
subdivision as defined in section 5722.01 of the Revised Code if 121
the wholly owned subsidiary or the electing subdivision is 122
acting in capacity consistent with the purpose of the land 123
reutilization program." 124

After line 1620, insert: 125

"Sec. 5301.255. (A) A memorandum of trust that satisfies 126
both of the following may be presented for recordation in the 127
office of the county recorder of any county in which real 128
property that is subject to the trust is located: 129

(1) The memorandum shall be executed by the trustee of the 130
trust and acknowledged by the trustee of the trust in accordance 131
with section 5301.01 of the Revised Code. 132

(2) The memorandum shall state all of the following: 133

(a) The name and address of the trustee of the trust; 134

(b) The date of execution of the trust;	135
(c) The powers specified in the trust relative to the acquisition, sale, or encumbering of real property by the trustee or the conveyance of real property by the trustee, and any restrictions upon those powers.	136 137 138 139
(B) A memorandum of trust that satisfies divisions (A) (1) and (2) of this section also may set forth the substance or actual text of provisions of the trust that are not described in those divisions.	140 141 142 143
(C) A memorandum of trust that satisfies divisions (A) (1) and (2) of this section shall constitute notice only of the information contained in it.	144 145 146
(D) Upon the presentation for recordation of a memorandum of trust that satisfies divisions (A) (1) and (2) of this section and the payment of the requisite fee prescribed in section 317.32 of the Revised Code, a county recorder shall record the memorandum of trust in the official records described in division (A) (18) <u>(17)</u> of section 317.08 of the Revised Code, if the memorandum of trust describes specific real property, or in the official records described in division (A) (24) <u>(23)</u> of that section, if the memorandum of trust does not describe specific real property."	147 148 149 150 151 152 153 154 155 156
In line 1622, after "317.13" insert ", 317.32"; delete "and"	157
In line 1623, after "2303.12" insert ", and 5301.255"	158

The motion was _____ agreed to.

<u>SYNOPSIS</u>	159
County recorder fees	160
R.C. 317.32 and 5301.255	161
Updates the fee county recorders charge for certifying photocopies of recorded documents to apply to both copies and electronic records of recorded documents.	162 163 164
Updates the fee county recorders charge for entering marginal references by separate recorded instrument to apply to entering or indexing any reference by separate recorded instrument.	165 166 167 168
Establishes that fees county recorders charge for recording electronic documents may be paid by electronic fund transfer, automated clearing house, or other electronic means.	169 170 171
Limits a recording fee exemption for municipalities that act as subsidiaries of land banks to instances where the documents being recorded pertain to the land bank's operations.	172 173 174
Makes technical changes to update cross references as needed.	175 176