

UCC FEES
SDCL 57A-9-525 &
7-9-15(1)

Initial Financing Statement, Continuation, Assignments & Amendment Statements. (If recorded against the real estate, then an additional \$30.00 recording fee applies.)	\$25 per Statement plus \$5 for add'l pages plus \$3 for each add'l debtor after the first one.
Termination Statement Rules: 5:04:04:05 (If recorded against the real estate, then a \$30 recording fee applies) SDCL 7-9-15 (1)	No Fee for filing

Vital Record Fees

Rules 44:09:06:02 &
SDCL 7-9-15(2)

Certified copy of a: Birth Certificate	\$15 per copy
Death Certificate	
Marriage Certificate	
Marriage License SDCL 25-1-10	\$40 per License
Informational Copy of a: Birth Certificate	\$15 per copy
Death Certificate	
Marriage Certificate	
Uncertified copies of Burial Permits SDCL 7-9-15(2)	\$1 per page
Certified copy of a Burial Permit SDCL 7-9-15(2)	\$5 for 1st pg & \$1 for ea. add'l pg.

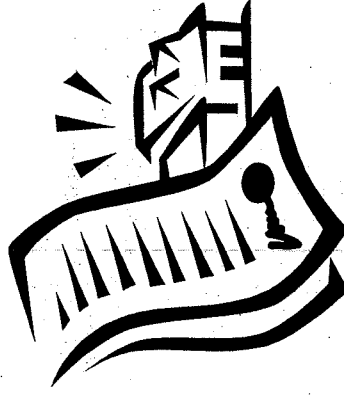
Copy Fees for Recorded and Filed Documents

Applies to hard, electronic, microfilm and facsimile copies
(There may be other charges that apply per county resolution or per statute)

Certified copies of recorded, or filed documents inclusive of UCC filings. SDCL 7-9-15(2)	\$5 for the 1st page and \$1. for each add'l page.
Uncertified copies of recorded or filed documents to include UCC filed documents. SDCL 7-9-15(2) & 57A-9-525	\$1 per page

**SOUTH DAKOTA
REGISTER OF DEEDS'
FEES**

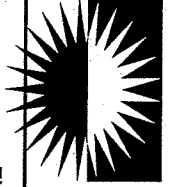
Register of Deeds' fees are set by SD Codified Law. This brochure lists fees & state law for each.



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Statutorily set search fees for certain instruments

Uniform Commercial Code (UCC) Searches. (Searches in the ROD office only communicated in writing.) SDCL 57A-9-525)	\$20 per name searched.
Federal Tax Lien Search If communicated in writing SDCL 44-7-8.2	\$20 per name searched
Federal Tax Lien Search If the record is communicated by another method or medium SDCL 44-7-8.2	\$15 per name searched



SD STATEWIDE REGISTER OF DEEDS FEES

Effective July 1, 2012

REAL ESTATE

Document Standards Still Apply
SDCL 43-28-23

Deeds, Mortgages, Assignments, Satisfactions, Easements, Contracts, Covenants, Resolutions, Surveys, Lis pendens, Leases, etc SDCL 7-9-15(1)	\$30 Per Document For the first 50 pages*
Transfer Fee for Deeds (This fee applies to a deed if there is consideration) SDCL 43-4-21	\$.50 per \$500 of Value
Mortgage Assignments (no more than one assignment listed per document) SDCL 44-8-13	\$30 per Assignment for the first 50 pgs *
Plats SDCL 11-3-11	\$60 per Plat
Master Deeds and Master Leases SDCL 43-15A-9	\$75 per Document for the first 50 pages *
Corner Records SDCL 43-20-10	\$10 Document
Notice of Levy and Release of Levy SDCL 15-18-23 & 43-30S-12-4, 7-9-15(1)	\$30 per document for the first 50 pages*

LIENS

Mechanic's Liens & Assignments SDCL 44-9-19 & 7-9-15(3)	\$30 per Document for the first 50 Pages *
Mechanic Lien Satisfactions SDCL 44-9-19 & 7-9-15(3)	No Fee
Notice of Project Commencement (Mechanic's Lien) SDCL 44-9-50 & 7-9-15(3)	\$30 per Notice for the first 50 pages*
Undertaking to Release Property (Mechanic's Lien) SDCL 44-4-4 & 7-9-15(3)	\$30 per Undertaking for the first 50 pages *
Seed & Thresher's Liens Bill of Sale & add'l filings SDCL 38-17 & 7-9-15(3) & 7-9-15(1)	\$30 per-lien or filing for the first 50 pages*
Seed & Thresher's Lien Satisfactions SDCL 7-9-15(3)	No Fee
Federal Tax Liens, U.S. Justice Liens & Releases SDCL 44-7-8.1	\$20 per Lien or Release
Hospital Lien SDCL 44-12-5 & 7-9-15(3)	\$30 per Lien for first 50 pgs. *
Hospital Lien Release SDCL 7-9-15(3)	No Fee

Mineral Records


Oil, gas & mineral leases & other docs relating to mineral or oil & gas lease exploration & development. SDCL 7-9-15(4)	\$30 per Document for the first 50 pages *
Location Certificate SDCL 45-4-7, & 7-9-15 (1)	\$30 per Document for the first 50 pages*
Affidavit of Labor & Notice of Intent to Hold SDCL 45-4-23 & 7-9-15(1) & (2) plus .25 per claim.	\$30 per Document for the first 50 pages*

Miscellaneous

Fictitious or Business Name Filing or Amendments SDCL 37-11-1 & 37-11-2	\$10 per Filing Per County
Dry Draw Location Notices SDCL 46-4-3 & 7-9-15(1)	\$30 per Document for the first 50 pages*
Military Discharge Records (DD-214) & Certified Copies SDCL 33A-2-8	No Fee to file or for certified copies

* Documents over 50 pgs require the recording fee plus \$2.00 per each add'l page. Example: A 52 page document, the fee would be \$34.00. (Data on the front & back of a page is considered 2 pages.) No more than one mortgage may be satisfied, continued or assigned in one document.

Prepared by:
Name of Preparer
Complete Address of preparer
Phone number of preparer


3" 

(above space for Register of Deeds)

NAME OF DOCUMENT



1"

 1"

43-28-23. Format standards for real estate documents recorded with the register of deeds. Any real estate document recorded with the register of deeds, except for plats, shall:

(1) Consist of one or more individual sheets measuring no larger than 8.5 inches by 14 inches and no smaller than 8.5 inches by 11 inches. No sheet may be attached or affixed to a page that covers up any information or printed material on the document. Any continuous document or any document sheets that are stapled, glued, or bound together are subject to the additional fee established pursuant to subdivision 7-9-15(1);

(2) Be printed, typewritten, or computer generated in black ink and the print type of the document may not be smaller than 10-point type. However, dates, notarial acknowledgments, signatures, and other items may be completed in black or blue ink if the document is predominantly completed in black ink and if the items that are completed in blue ink are sufficiently dark to meet the requirements of subdivision (6);

(3) Be on white paper of not less than twenty pound weight;

(4) Contain a blank space at the top measuring no less than three inches as measured from the top of the first page. The right half shall be used by the register of deeds for recording information and the left half shall be used by the document preparer as required pursuant to § 7-9-1 and may include other document information. All other margins shall be a minimum of one inch;

(5) Have a title prominently displayed at the top of the first page below the blank space referred to in subdivision (4) of this section;

(6) Be sufficiently legible to reproduce a readable copy using the register of deed's current method of reproduction; and

(7) Conform to the standards provided in this section or be subject to the increased fees as provided in § 7-9-15.

However, the register of deeds may not charge an increased fee for any document that has any portion of a notary or corporate seal or stamp, a page number, an initial, or a partial signature in a margin. Any affidavit of publication, corner record, survey, certified court or governmental document, and UCC form recorded against real estate is exempt from the provisions of this section. Any plat or survey and certified vital record attached to documents is also exempt from the provisions of this section.

The provisions of this section do not apply to any real estate document prepared and executed prior to July 1, 2002.

Source: SL 2001, ch 240, § 1; SL 2003, ch 228, § 1; SL 2006, ch 64, § 2; SL 2008, ch 225, § 1; SL 2010, ch 214, § 7.

7-9-7. Names, addresses, and descriptions required in recorded instruments. No register of deeds may accept for record in the office of the register of deeds:

- (1) Any deed, affidavit terminating joint tenancy or life estate interests, or oil, gas, or other mineral lease that does not include the names of the grantor and the grantee or the lessor and the lessee, the names of the joint tenant, the post office address of the grantee or lessee, and a legal description of the property conveyed or leased;
- (2) Any mortgage that does not include the names of the mortgagor and the mortgagee, the post office address of the mortgagee, a legal description of the property, and the amount of the mortgage and when it is due;
- (3) Any assignment of mortgage or oil, gas, or other mineral lease that does not include the names of the assignor and the assignee, the post office address of the assignee, and a legal description of the property; or
- (4) Any deed or contract for deed dated after July 1, 1988, used in the purchase, exchange, transfer, or assignment of interest in real property that is not accompanied by a certificate of value containing the name and address of the buyer and seller, the legal description of the real property, the actual consideration exchanged for the real property, the relationship of the seller and buyer, if any, and the terms of payment if other than payment in full at the time of sale.

Source: SL 1911, ch 257, § 6; RC 1919, § 5916; SDC 1939, § 12.0708; SL 1943, ch 25; SL 1972, ch 41; SL 1983, ch 43; SL 1987, ch 69; SL 1988, ch 68; SL 1991, ch 61, § 1; SL 2006, ch 32, § 1.

Register of Deed's Checklist:

1. **All documents must comply with the document standards law(See document standards attachment for specific details)**
2. **Legal Descriptions must be on all Documents.**
3. All documents recorded must have a typed or printed the words **“Prepared by:” followed by the name of the preparer, the complete address and the phone number.**
4. Post Office Address of Grantee – **The complete Post Office address (including Zip Code) must be listed for the Purchasers.**
5. **Certificate of Real Estate Value – ALL Deeds, Contract for Deeds, and Assignment of Contracts for Deeds shall have a Certificate of Real Estate Value attached as required by the Department of Revenue. This Certificate of Value must be filled out completely, signed & dated. This form may be obtained from our website.**
6. **Mortgages – Must contain the Legal description, Address of Mortgagee, Amount of the Mortgage & the Due date.**
7. **Seals – Notaries & Corporations.** Instruments must be acknowledged in front of a notary. Notaries **MUST** also have their notary expiration date. Corporate seals should be affixed to the document. **ALL** banking institutions and municipalities **MUST** have their corporate seal on all documents. If there is no seal, please state so on the document as **(NO SEAL)**. **If no such seal is attached, the documents will be rejected.**
8. **Transfer Fee Exemptions – Transfer fee exemptions MUST be typed or written on the face of the deed if the transfer is exempt.** SD Law states the words **“Exempt from Transfer Fee Pursuant to SDCL 4-4-22()** (subdivision must be put in parenthesis) Transfer Fee Exemptions can be obtained from this website.
9. Satisfaction of Mortgages – **MUST** have a Legal Description; **MUST** have Book & Page of the Mortgage to be satisfied; Date Mortgage was recorded; Names of Mortgagors & Mortgagees; Needs to be notarized & Notary **MUST** have seal on document; Corporate Seal must also be affixed. (If no Corporate Seal – state such on document)
10. Assignment of Mortgage – **MUST** have a Legal Description; **MUST** have Book & Page & Recording information of Mortgage being Assigned; Name & Address of Mortgagee; Needs to be notarized & Notary **MUST** have seal & expiration date on document; Corporate Seal must also be affixed. (If no Corporate Seal – state such on document)

43-4-22. Exemptions from real estate transfer fee. The fee imposed by § 43-4-21 does not apply to any transfer of title:

- (1) Recorded before July 1, 1968;
- (2) By or to the United States of America, this state, or any instrumentality, agency, or political subdivision of either;
- (3) Solely in order to provide for or to release security for a debt or obligation;
- (4) Which confirms or corrects a deed previously executed and recorded;
- (5) Between husband and wife, or parent and child with only nominal actual consideration therefor;
- (6) On sale for delinquent taxes or assessments, sheriffs' deeds, other deeds issued in foreclosure actions or proceedings or deeds issued in lieu of foreclosure actions or proceedings;
- (7) On partition;
- (8) Pursuant to any mergers or consolidations of corporations or limited liability companies or plans of reorganization by which substantially all of the assets of corporations or limited liability companies are transferred;
- (9) By a subsidiary corporation to its parent corporation for no consideration, nominal consideration, or in sole consideration of the cancellation or surrender of the subsidiary's stock;
- (10) Pursuant to decrees of distribution entered in any decedent's estate;
- (11) Between an individual grantor, or grantors, and a corporation, where the grantor or grantors and the owner of the majority of the capital stock of the corporation are the same person;
- (12) Between any corporation and its stockholders or creditors, or between any limited liability company and its members or creditors, if to effectuate a dissolution of the corporation or limited liability company it is necessary to transfer the title of real property from the corporate entity to the stockholders or creditors;
- (13) On cemetery lots and grave sites;
- (14) Between an individual grantor, or grantors, and a limited or general partnership if the grantor or grantors and the owner of the majority interest in the limited or general partnership are the same person;
- (15) Between a fiduciary and a beneficiary of the fiduciary or between a fiduciary and a third party, if the transfer or conveyance is to accommodate the fiduciary relationship;
- (16) Between individuals, regardless of the relationship, if the conveyance is an absolute gift without consideration of any kind in return for the conveyance;
- (17) Pursuant to a decree of divorce, annulment, or separate maintenance or pursuant to a settlement agreement approved or adopted by a decree of divorce, annulment, or separate maintenance;
- (18) For which no consideration was given;
- (19) Between any limited liability company and its members.

Source: SL 1968, ch 27, § 6; SL 1969, ch 26, §§ 2, 3; SL 1972, ch 232, § 1; SL 1978, ch 304; SL 1980, ch 292; SL 1985, ch 335; SL 1989, ch 376; SL 1990, ch 346; SL 1994, ch 351, § 168.