

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-114
HOUSE BILL 204

AN ACT TO RAISE THE FORECLOSURE FILING FEES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-308(a) reads as rewritten:

"(a) The following miscellaneous fees and commissions shall be collected by the clerk of superior court and remitted to the State for the support of the General Court of Justice:

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|-----|--|----------------|
| (1) | Foreclosure under power of sale in deed of trust or mortgage | \$25.00 |
| | | <u>\$30.00</u> |

~~Plus if the property is sold pursuant to the power of sale, an additional sum of thirty cents (30¢) per one hundred dollars (\$100.00), or major fraction thereof, of the final sale price shall be collected. In no case shall the additional sum exceed two hundred dollars (\$200.00). If the property is sold under the power of sale, an additional amount will be charged, determined by the following formula: thirty cents (30¢) per one hundred dollars (\$100.00), or major fraction thereof, of the final sale price. If the amount determined by the formula is less than ten dollars (\$10.00), a minimum ten dollar (\$10.00) fee will be collected. If the amount determined by the formula is more than two hundred dollars (\$200.00), a maximum two hundred dollar (\$200.00) fee will be collected.~~

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| (2) | Proceeding supplemental to execution | 20.00 |
| (3) | Confession of judgment | 15.00 |
| (4) | Taking a deposition | 5.00 |
| (5) | Execution | 15.00 |
| (6) | Notice of resumption of former name | 5.00 |
| (7) | Taking an acknowledgment or administering an oath, or both, with or without seal, each certificate (except that oaths of office shall be administered to public officials without charge) | 1.00 |
| (8) | Bond, taking justification or approving | 5.00 |
| (9) | Certificate, under seal | 2.00 |
| (10) | Exemplification of records | 5.00 |

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| (11) | Recording or docketing (including indexing) any document | |
| | – first page | 4.00 |
| | – each additional page or fraction thereof | .25 |
| (12) | Preparation of copies | |
| | – first page | 1.00 |
| | – each additional page or fraction thereof | .25 |
| (13) | Preparation and docketing of transcript of judgment | 5.00 |
| (14) | Substitution of trustee in deed of trust | 5.00 |
| (15) | Execution of passport application – the amount allowed by federal law | |
| (16) | Repealed by Session Laws 1989, c. 783, s. 2. | |
| (17) | Criminal record search except if search is requested by an agency of the State or any of its political subdivisions or by an agency of the United States or by a petitioner in a proceeding under Article 2 of General Statutes Chapter 20 | 5.00 |
| (18) | Filing the affirmations, acknowledgments, agreements and resulting orders entered into under the provisions of G.S. 110-132 and G.S. 110-133 | 4.00 |
| (19) | Repealed by Session Laws 1989, c. 783, s. 3." Section 2. This act becomes effective October 1, 1997. | |

In the General Assembly read three times and ratified this the 19th day of May, 1997.

s/ Dennis A. Wicker
President of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 4:33 p.m. this 29th day of May, 1997