

## **SPECIFICATIONS FOR LEGAL PAPERS: INCREASED FEES**

### **(Local Government Code Section 191.007)**

- (a) A legal paper presented to a county clerk for filing or for recording must meet the requirements prescribed by Subsections (b) through (g).
- (b) a page is considered to be one side of a sheet of paper. A page must:
  - (1) be no wider than 8 1/2 inches and no longer than 14 inches;
  - (2) have a sufficient weight and substance so that printing, typing, or handwriting on it will not smear or bleed through; and
  - (3) be printed in type not smaller than eight-point type and be suitable otherwise for reproducing from it a readable record by a photocopy or photostatic or microphotographic process used in the office of the county clerk.
- (c) A clearly identifying heading, similar to the headings on most commercially supplied printed forms, must be placed at the top of the first page to identify the type or kind of legal paper.
- (d) Printing, typing, and handwriting must be clearly legible.
- (e) Names must be legibly typed or printed immediately under each signature.
- (f) All photostats, photocopies, and other types of reproduction must have black printing, typing, or handwriting on white background, commonly known as positive prints.
- (g) Riders and attachments must comply with the size requirement prescribed by Subsection (b) and shall not be larger than the size of the page. Only one rider or attachment may be included in or attached to a page.
- (h) The filing fee or recording fee for each page of a legal paper that is presented for filing or recording to a county clerk and fails to meet one or more of the requirements prescribed by Subsections (b) through (g) is equal to twice the regular filing fee or recording fee provided by statute for that page. However, the failure of a page to meet the requirement prescribed by Subsection (b)(3) relating to type size does not result in a fee increase under this subsection.
- (i) If a page of a legal paper has more riders or attachments than one, the filing fee or recording fee for each rider or attachment in excess of one is twice the regular filing fee or recording fee provided by statute.
- (j) If a page of a legal paper has one or more riders or attachments larger than the permitted size, the filing fee or recording fee for each oversized rider or attachment is twice the regular filing fee or recording fee provided by statute for the rider or attachment.
- (k) This section does not authorize a county clerk to refuse to record a legal paper for the reason that it fails to meet one or more of the requirements prescribed by Subsections (b) through (g). Failure to comply with these requirements shall not in any manner alter, amend, impair, or invalidate any document or legal instrument of any type or character and upon recordation by the county clerk the document or legal instrument shall be deemed and considered as fully complying with the provisions of law dealing with the recordation of documents or legal instruments of every type and character.

## **GRANTEE'S ADDRESS**

(Property Code Section 11.003)

(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.

(b) The validity of a conveyance as between the parties is not affected by the failure to include an address of each grantee in the instrument or an attached writing.

(c) Payment of a filing fee and acceptance of the instrument by the county clerk for recording creates a conclusive presumption that the requirements of this section have been met.

## **ADDRESS REQUIREMENT FOR RECORDING ABSTRACT**

(Property Code Section 52.004 1)

(a) A judgment abstracted after September 1, 1993, may not be recorded unless:

(1) a mailing address for each plaintiff or judgment creditor appears on the abstract of judgment; or

(2) a penalty filing fee equal to the greater of \$25 or twice the statutory recording fee for the abstract is paid.

(b) The validity of an abstracted judgment as between the parties is not affected by a failure to include an address for each plaintiff or judgment creditor in the abstracted judgment.

(c) Payment of a filing fee and acceptance of the abstract of judgment by a county clerk for recording creates a conclusive presumption that the requirements of this section have been met.