

The State of South Carolina



Office of the Attorney General

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ATTORNEY GENERAL

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June 15, 1987

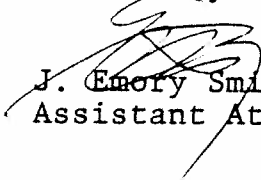
The Honorable Edith R. Harris
Clerk of Court, McCormick County
P. O. Box 86
McCormick, South Carolina 29835

Dear Ms. Harris:

You have requested the advice of this Office as to the fee for recording a document releasing a portion of mortgaged premises, which you have noted is commonly called a mortgage release. The fee for this filing would appear to be \$4.00 under §8-21-310 (3) of the Code of Laws of South Carolina, 1976 which provides for this fee "[f]or recording an instrument which assigns, transfers, or affects a single real estate mortgage or other instrument affecting title to real property or lien for the payment of money unless it is a part of the original instrument when initially filed..." (Emphasis added). See also §8-21-310 (9). You have distinguished the document that you have described from a satisfaction of a mortgage for which the fee is \$2.00 under §8-21-310 (5).

If you have any questions or if I may be of other assistance, please let me know.

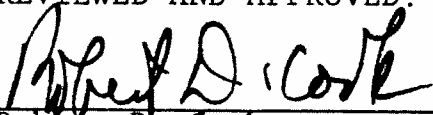
Yours very truly,


J. Emory Smith, Jr.
Assistant Attorney General

JESjr/srcj

cc: The Honorable Edith C. Padget, Clerk of Court, Saluda County

REVIEWED AND APPROVED:



Robert D. Cook
Executive Assistant for Opinions



Frank K. Sloan
Chief Deputy Attorney General

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Samson P. J. 7-1
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