

COUNTY OF KENDALL, ILLINOIS
ORDINANCE # 2018-24

ORDINANCE TO ADOPT AND IMPLEMENT THE PREDICTABLE
RECORDING FEE SCHEDULE

WHEREAS, Pursuant to Public Act 100-0271, and as set forth in 55 ILCS 5/3-5018.1, Kendall County, Illinois is required to adopt and implement a predictable fee schedule that eliminates surcharges or fees based on the individual attributes of a standard document to be recorded; and

WHEREAS, the predictable fee schedule providing a single, all inclusive, county and State-imposed aggregate fee charged for each identified standard document classification must be adopted by January 1, 2019; and

WHEREAS, 55 ILCS 5/3-5018.1(c), identifies the following five classifications of standard documents: (1) Deeds, (2) Leases, (3) Mortgages, (4) Easements not otherwise part of another classification, and (5) Miscellaneous; and

WHEREAS, a cost study analysis authorized by the County Board in September of 2016 , shows the minimum statutory fee identified in 55 ILCS 5/3-5018.1(c) is insufficient to cover the costs of recording the standard documents, and

WHEREAS, the County Clerk and Recorder has, in accordance with 55 ILCS 5/3-5018.1(d) calculated the average fee for filing all standard documents from the date of the cost study analysis, and determined the average, aggregate fee, rounded to the nearest dollar, for all standard documents to be \$53.00; and

WHEREAS, Kendall County, Illinois must formally adopt the statutorily required predictable fee schedule for the recording fees imposed to record standard or nonstandard documents, including the flat fee amounts for standard documents, which exceed the statutorily-identified fees; and

WHEREAS, the Recorder, in compliance with 55 ILCS 5/3-5018.1(b) posted notice of this ordinance in the Office of the Recorder at least 2 weeks prior, but not more than 4 weeks prior to the December 4, 2018, meeting of the Kendall County Board.

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby approves and adopts the following:

1. The predictable fee schedule for standard and nonstandard documents in compliance with 55 ILCS 5/3-5018.1, attached hereto, as Exhibit A, and incorporated by reference herein (“Predictable Fee Schedule”).
2. The Predictable Fee Schedule is effective 60 days after the adoption of this Ordinance.

3. The Recorder is directed to implement the Predictable Fee Schedule in the manner prescribed by statute.
4. The Predictable Fee Schedule may be revised in accordance with and in the manner set out in 55 ILCS 5/3-5018.1(e), and any other relevant and applicable law.
5. Any prior ordinances or resolutions inconsistent herewith, are hereby repealed.

IN WITNESS OF, this Ordinance has been approved by a majority vote of the Kendall County Board members present for said vote on this 4 day of December, 2018.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman

Kendall County Recorder
111 W Fox St, Yorkville IL 60560
Phone 630-553-4112 Fax 630-553-5283

FEE SCHEDULE

Effective 02/02/2019 per 55 ILCS 5/3-5018.1

PRESENT AND ACCEPT ONLY ORIGINALS OR CERTIFIED COPIES FOR RECORDING

STANDARD DOCUMENTS (any document other than nonstandard) **\$53.00**

- (1) Deeds. Inclusion of language in the deed as to any restriction; covenant; lien; oil, gas, or other mineral interest; easement; lease; or a mortgage shall not alter the classification of a document as a deed.
- (2) Leases, lease amendments, and similar transfer of interest documents.
- (3) Mortgages, including assignments, extensions, amendments, subordinations, and mortgage releases
- (4) Easements not otherwise part of another classification, including assignments, extensions, amendments, and easement releases not filed by a State agency, unit of local government, or school district
- (5) Miscellaneous documents not otherwise falling within classifications set forth in paragraphs (1) through (4) and are not nonstandard documents. Nothing in this subsection shall preclude an alternate predictable fee schedule for electronic recording within each of the classifications set forth in this subsection (c). If the Rental Housing Support Program State surcharge is amended and the surcharge is increased or lowered, the aggregate amount of the document flat fee attributable to the surcharge in the document may be changed accordingly.

NONSTANDARD DOCUMENTS

- (1) a document that creates a division of a then active existing tax parcel identification number;
- (2) a document recorded pursuant to the Uniform Commercial Code
- (3) a document which is non-conforming, as described in paragraphs (1) through (5) of Section 3-5018;
- (4) a State lien or a federal lien
- (5) a document making specific reference to more than 5 tax parcel identification numbers in the county in which it is presented for recording
- (6) a document making specific reference to more than 5 other document numbers recorded in the county in which it is presented for recording

Plat (Subdivisions, Townhouse, etc.) (Maximum 24" x 36") Submit original & 3 copies.	87.00 ea
Additional plat pages	1.00 ea
Plat (Condominium) (maximum 24" x 36") Submit original & 3 copies	87.00 ea
Additional plat pages	1.00 ea
Plat of Annexations (maximum 24" x 36") Submit original & 4 copies	87.00 ea
Additional plat pages	1.00 ea

Uniform Commercial Code (UCC)

(Standard forms approved by Illinois Secretary of State include UCC-1, UCC-2, & UCC-3)

Financing Statement	51.00 ea
Continuation or Amendment	51.00 ea
Termination Statement (810 ILCS 5/9-404.5)	5.00 ea
UCC Copy per page	.50 ea

Certified Copy	27.00 ea
Additional pages after the first four pages	1.00 ea

Photo Copies per Page	.50 ea
------------------------------	--------

Plat Copies per Page	5.00 ea
-----------------------------	---------

Military Discharge
 Recordation No Charge
 Certified Copies No Charge to Veteran or Immediate Family

STANDARD REQUIREMENTS FOR DOCUMENTS

Public Act 87-1197 Amended by Public Act 89-0160

- The document shall be legibly printed in **BLACK** ink, by hand, type or computer generated in at least 10-point type. Signatures and dates may be in **black** or **blue** ink.
- The document shall be on white paper measuring 8 ½ x 11” not permanently bound and not a continuous form, of not less than 20-pound weight and shall have a clean margin of at least ½ inch on the top, bottom, and sides. Margins may be used for non-essential notations which may be, be not limited to, form number, page number, and customer notations.
- The first page shall contain a blank space, measuring at least 3”x 5”, in the upper right corner.
- The document shall not have any attachments stapled or otherwise affixed to any page.

A SELF-ADDRESSED STAMPED ENVELOPE IS REQUIRED TO RETURN YOUR DOCUMENTS TO YOU. INCLUDE 2 IF YOU ARE REQUESTING COPIES.

Fees to “Re-record” are the original fees less the \$10.00 RHSP fee.

The law allows the Recorder’s Office to double recording charges if not conforming to 1995 regulations



The Recorder’s Office provides **NO LEGAL ADVICE**. Please contact an attorney with any legal questions.

The Recorder’s Office provides **NO DOCUMENT SEARCH SERVICES**. Please contact a title search company if you are unable to search our records that are open to the Public.