

**Opinion No. 47-5016**

May 1, 1947

**BY:** C. C. McCULLOH, Attorney General

**TO:** Mr. Fred J. Federici, District Attorney, Raton, New Mexico.

{\*40} This is in response to your letter of April 29, 1947 in which you request the opinion of this office as to the fee that county clerks should charge for recording a tax deed issued by the county treasurer to third parties, other than the State of New Mexico.

Section 76-717, New Mexico 1941 Compilation, sets out the form of tax deed to be issued by county treasurers.

Section 13-109, 1941 Comp., sets out the fees to be charged by the county clerks for recording instruments. Under this section, the fee {\*41} for recording a standard form deed is \$ 1.25.

A tax deed issued by the county treasurer to third parties. other than the State of New Mexico, which deed is in the form prescribed in Sec. 76-717, 1941 Compilation, is considered a "standard form of deed" and the recording fee would be \$ 1.25.

Trusting the above sufficiently answers your inquiry, I remain

By ROBT. V. WOLLARD,

Asst. Atty. General