

January 10, 2005

Written testimony to be submitted to the Senate Natural Resource Committee with regard to SB 98, providing an increase in the cost of recording all recorded documents to fund cadastral mapping.

Mr. Chairman and Members of the committee:

I am president of Helena Abstract and Title Company. We are a land title insurance agency located in Helena serving Lewis and Clark County. I am a past president of the Montana Land Title Association. Helena Abstract and Title was founded in 1935 and my family has owned and operated it since 1977. I personally have been in the business since 1958.

I am opposed to the method of funding for this bill. The people that will bear the burden of funding this bill are purchasers of real property, especially first time homebuyers. The cost of recording in Montana counties is \$6.00 per page, \$5.00 for recording and \$1.00 for preservation of the records. Montana is one of the highest recording cost states in the country and second only to Alaska in the western United States. The individuals and businesses that will pay this additional cost will get little, if any, benefit from the information. The funding should be fee based so those individuals and businesses that use and benefit from the service, pay for it.

I have compiled information on recording fees from 22 states including Montana and found that while other states may charge more for the first page of a document, they charge considerably less for subsequent pages. This information was compiled in the summer of 2004 through members of the American Land Title Association having members in each of the 50 states and deal with recording real estate related documents on a daily basis.

Documents in a typical residential recording include a Deed, Deed of Trust and an Assignment of Deed of Trust averaging 18 pages. Cost of recording in: Alaska \$135.00; Arizona \$48.00; California \$66.00; Colorado \$93.00; Florida \$157.50;

Hawaii \$25.00; Idaho \$54.00; Michigan \$87.00; Montana \$108.00; Nebraska \$90.00; Nevada \$57.00; New Hampshire \$60.00; New Mexico \$57.00; New York \$129.00; North Dakota \$75.00; Oregon \$90.00; Texas \$57.00; Utah \$60.00; Vermont \$126.00; Washington \$72.00; Wisconsin \$63.00; Wyoming \$69.00.
Individual breakdown of cost of first page and additional pages by state can be supplied through the MLTA.

A handwritten signature in black ink, appearing to read 'W. F. Gowen', followed by a large, stylized circular flourish.

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