

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Approves and adopts a Resolution amending Article)
XIII, Section 3 of the Monterey County Master Fee)
Resolution relating to the County Recorder to set a base)
recording fee of eight dollars effective January 1, 2013,)
as set forth in the attached Exhibit A.)
)
)

THE MONTEREY COUNTY BOARD OF SUPERVISORS FINDS:

- A. Section 1.40.010 of Chapter 1.40 of Monterey County Code provides that all fees, penalties, refunds, reimbursements and charges of any kind by the County may be specified in the Monterey County Fee Resolution.
- B. The County Recorder has service fees, specifically those related to the direct cost of recording of every instrument, paper, or notice required or permitted by law to be recorded, as set forth in California Government Code section 27361(a), which are appropriate to specify in the Monterey County Master Fee Resolution, Article XIII, section 3 effective January 1, 2013.
- C. Any and all adjustments to charges for these services reflect no more than the actual cost of the service or benefit received by the payor, and do not exceed the maximums permitted pursuant to applicable law (California Government Code section 27361(a)).
- D. By definition, these charges are not a 'tax' and are exempt from voter approval pursuant to California Constitution Code Article XIIC, section 1, paragraph(e)(1)[charge for specific benefit conferred]/(2)[charge for specific service provided] (Prop. 26).

THE MONTEREY COUNTY BOARD OF SUPERVISORS RESOLVES:

- I. Article XIII, Section 3 of the Monterey County Fee Resolution is amended effective January 1, 2013, and all schedules, tables, fees, taxes, penalties, and charges contained therein are hereby adopted as described in the attachment to this Resolution.
- II. All prior resolutions regarding such fees are hereby repealed.

PASSED AND ADOPTED on this _____ day of _____ by the following vote, to wit:
AYES:
NOES:
ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book ___ for the meeting on _____.

Dated: _____ Gail Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
, Deputy