

Specifications for Filing and Recording of Legal Papers

(Sec 191.007 Local Government Code)

Section 1.

(a) A legal paper presented to a county clerk for filing or for recording must meet the following requirements.

(b) A page is considered to be one side of a sheet of paper. A page must:

(1) be no wider than 8-1/2 inches and no longer than 14 inches;

(2) have a sufficient weight and substance so that printing, typing, or handwriting on it will not smear or bleed-through; and

(3) be printed in type not smaller than eight-point type and be suitable otherwise for reproducing from it a readable record by a photocopy or photo static or micro photographic process used in the office of the county clerk.

(c) A clearly identifying heading, similar to the headings on most commercially supplied printed forms, shall be placed at the top of the first page to identify the type or kind of legal paper.

(d) Printing and typing and handwriting shall be clearly legible.

(e) Names shall be legibly typed or printed immediately under each signature.

(f) All Photostats, photocopies, and other types of reproduction shall have black printing, typing or handwriting on a white background, commonly known as positive prints.

(g) Riders and attachments shall not be larger than the size of the page as defined in this article. Not more than one rider or attachment shall be included in or attached to a page.

(h) The filing fee or recording fee for each page of a legal paper that is presented for filing or recording to a county clerk and fails to meet one or more of the requirements prescribed by Subsections (b) through (g) is equal to twice the regular filing fee or recording fee provided by statute for that page. However, the failure of a page to meet the requirement prescribed by Subsection (b)(3) relating to type size does not result in a fee increase under this subsection.

(i) When a page or a legal paper has more riders or attachments than one, the filing fee or recording fee for each attachment in excess of one is twice the regular filing fee or recording fee provided by statute.

(j) When a page of a legal paper has one or more riders or attachments larger than the permitted size, a filing fee or recording fee for each oversized attachment is twice the regular filing fee or recording fee provided by statute for the attachment.

(k) This section does not authorize a county clerk to refuse to record a legal paper for the reason that it fails to meet one or more of the requirements prescribed by Subsection (b) through (g). Failure to comply with these requirements shall not in any manner alter, amend, impair, or invalidate any document or legal instrument of any type or character and upon recordation by the county clerk the document or legal instrument shall be deemed and considered as fully complying with the provisions of law dealing with the recordation of documents or legal instruments of every type and character.