

Spartanburg County Register of Deeds

Recording Requirements and Fees

General Guidelines

The following guidelines may not be applicable in all counties.

- ❖ Must present original document with original signatures and in the order in which they are to be recorded.
- ❖ Names must be typed under signatures.
- ❖ Probate Clause should include the following statement as indicated in SC Code 26-1-120 (E) (4): *The subscribing witness is not a party to or beneficiary of the transaction.*
- ❖ As indicated in SC Code 26-1-90 (B) (2) Notaries should include their printed name along with signature and expiration of commission.
- ❖ Deed affidavits will be required on all deeds that state other good and valuable consideration or are in exemption of deed stamps –Excludes Deeds of Distribution
- ❖ Do not include personal information i.e. SSN's, driver's license, state identification, passport, checking/savings accounts, credit/ debit card numbers, PIN codes or passwords in documents unless expressly required by law.
- ❖ If mailing documents for recording, please provide a self-address stamped envelope for the return of your recorded document.
- ❖ Do not leave blanks within the derivation.
- ❖ Use black or blue ink on all documents.
- ❖ With the exception of plats, all documents should be 8.5 x 11 or 8.5 x 14 inches.
- ❖ Document margins should be no less the 1.5".
- ❖ Forms of payment: **Cash, Check, Credit or Debit**. Make checks payable to: **Spartanburg County Register of Deeds**. **Credit and debit payments** must be made in person and accompanied by a **photo ID** that must match the person listed on the card.
- ❖ Document recording cut-off time is **4:30 p.m.**; please arrive no later than 4:15 p.m. to allow time for document review and recording. **Documents cannot be left after the cut-off time.**
- ❖ Document recording cut-off time for E-filing is **4 p.m.**; **all documents time stamped after 4 p.m.** will be processed on the next business day.

Document Type	Recording Requirements
Deed Documents	
Deed Deed Agreement Deed of Distribution Deed (MSC) Deed (Timber) Deed Waiver Masters Deed/ Foreclosure Quit Claim Deed Death Certificate Bond for Title Contract of Sale Lease Memorandum of Lease Declaration of Covenants Restrictions Modification Restrictions Right of Way Easement Assignment of Leases and Rents	<ul style="list-style-type: none"> • Signature of grantor (seller) • Name and address of grantee (buyer) *Contract for Sale • Derivation clause including grantor name, recorded date and deed book and page (optional) (Excludes Quit Claim Deeds and Deeds of Distribution) • Two witnesses • SC Probate or Acknowledgment • Full legal description of property • Tax map number (Exp. X-XX-XX-XXX.XX) • Affidavit, if necessary • Signature of mortgagor (borrower) • Name and address of mortgagee (lender) • Two witnesses • SC Probate or Acknowledgment • Full legal description
Power of Attorney Resignation of Power of Attorney Revocation of Power of Attorney	<ul style="list-style-type: none"> • Signature of Principal –POA and Revocation of POA • Signature of Agent –Resignation of POA • Name of party being given power of attorney • Two witnesses • SC Probate or Acknowledgment • Book & Page of original POA –Revocation and Resignation
Mortgage Documents	
Mortgage Mortgage Agreement Mortgage Extension Mortgage Miscellaneous Mortgage Waiver	<ul style="list-style-type: none"> • Signature of mortgagor (borrower) • Name and address of Mortgagee (lender) • Derivation Clause • Two witnesses • SC Probate or Acknowledgment • Full legal description
Assignment of Mortgage Modification of Mortgage Subordination of Mortgage Assumptions Agreement	<ul style="list-style-type: none"> • Original mortgage book & Page • Recording date of original mortgage • Name of mortgagor • Name and address of mortgagee/assignee • Signature of applicable party • Two witnesses • SC Probate or Acknowledgment • Full legal description
Rescission of Mortgage Satisfaction	<ul style="list-style-type: none"> • Book & page of Satisfaction • Authorized name of signature of lien holder/mortgagee • Book & page of original mortgage • Rescission Statement • Two witnesses • SC Probate or Acknowledgment

Releases/Satisfactions	
Partial Release of Mortgage Partial Release of Mechanics Lien	<ul style="list-style-type: none"> • Book & page of original document • Name of parties • Signature of party releasing • Property (with title if signing for company) • Full legal description of property being released • Two witnesses • SC Probate or Acknowledgment
Satisfaction of Mortgage Lost Mortgage Satisfaction Form	<ul style="list-style-type: none"> • Marked "Paid in Full" and date • Signature of authorized representative • Title of authorized representative • Two witnesses • Acknowledgment • Reference of the original mortgagor and mortgagee -Lost Mortgage Form
Satisfaction of Mechanics Lien	<ul style="list-style-type: none"> • Affidavit by attorney or party claiming lien • Signature of party satisfying the lien • Book & page of original mechanic's lien • Names of all parties from original lien • Date of satisfaction
Release of Assignment of Leases And Rents Release of Contract of Sale Release of Restrictions	<ul style="list-style-type: none"> • Book & page of original document • Names of parties • Signature of Party releasing property (with title if signing for company) • Full legal description of property being released • Two witnesses • SC Probate or Acknowledgment
Satisfaction of Bond for Title Satisfaction of Contract for Deed	<ul style="list-style-type: none"> • Two witnesses • Date of satisfaction • Original deed book & page number • Signature & title of authorized representative • SC Probate or Acknowledgment
Termination of Lease	<ul style="list-style-type: none"> • Book & page of original document • Names of parties • Signature of party releasing property (with title if signing for company) • Full legal description of property being released • Two witnesses • SC Probate or Acknowledgment

Mechanics Liens & Other Liens	
Mechanics Lien	<ul style="list-style-type: none"> • Signature of attorney or party claiming lien • Full legal description • Statement of account • Notary signature • Affidavit of Service • SC Contractors license number
Notice of Project Commencement Contractors Lien	<ul style="list-style-type: none"> • Contractor's signature • Notary signature • Location of project • Description of improvements(s) being made
Plats	
Sizes 8 x 11 up to 24 x 36	<ul style="list-style-type: none"> • Two original surveys • Surveyors raised seal and signature • Prepared for name • Tax map number • Plat approval stamps from appropriate planning office prior to recording • Subdivision plats or plats containing 3 or more lots may be subject to review by the GIS / Addressing Department
Manufactured Homes	
Manufactured Home Affidavit Manufactured Home Lien Affidavit	<ul style="list-style-type: none"> • Completed Affidavit form • Full legal description or copy of deed • Original Certificate of Compliance from the Assessor's Office –Manufacture Home Affidavit for Retirement of Title • Book and Page reference of Manufactured Home Affidavit for Retirement of Title –Manufactured Home Lien
UCC Financing Statements	
UCC1	<ul style="list-style-type: none"> • Must be for real estate • Must check box for fixture filing • Full legal description • Addendum page • Debtor names & address • Secured party name
UCC3 Amendment Continuation Release Termination	<ul style="list-style-type: none"> • Debtor name & address • Secured party name • Original UCC file # • Date or original UCC • Check appropriate box for UCC3

Miscellaneous Documents	
Appointment of Trustee Bankruptcy Notice Certificate of Appointment	<ul style="list-style-type: none"> • Signatures of applicable parties • Two witnesses • SC Probate or Acknowledgment
Disclosure Statement	<ul style="list-style-type: none"> • Completed form from City / County Building Codes Department • Signed by current owner
Abstract of Judgment Affidavit of Name Change Aircraft Lien Articles of Dissolution Charter Partnership Formation/ Dissolution	<ul style="list-style-type: none"> • Signature of applicable parties • Two witnesses • SC Probate or Acknowledgment
Court Order	<ul style="list-style-type: none"> • Certified copy from Clerk of Court
Death Certificate	<ul style="list-style-type: none"> • Original certificate from SC Department of Vital records or other out of state jurisdiction