

## **Necessary Steps to Record a Deed in Herkimer County**

### **Step 1**

An original deed from the current owner(s) to the new owner(s) must be prepared, signed and acknowledged with the proper acknowledgment. (Since it is a legal document, we suggest that you consult an attorney.)

The cost of recording a deed is \$40.00 base rate plus \$5.00 for our computer generated cover page, plus \$5.00 each additional page. (A two sided document is considered two pages.)

\*Per Real Property Law 291, there will be a \$10 fee added to all residential deeds with a property classification of 200-299, 411-C and 411-D.

### **Step 2**

A TP-584 Tax Affidavit must be completed, signed and presented with the \$5.00 filing fee at the time of recording the deed. Access to this form is found at the New York State Department of Taxation and Finance website and at the County Clerk's Office.

Transfer Tax is computed based on selling price, and is calculated at \$4.00 for each \$1,000.00 of selling price, this tax is also due at the time of recording.

### **Step 3**

An RP-5217 form must be completed, signed and presented with the deed at time of recording. This form is available at the New York State Department of Taxation and Finance website as well as the County Clerk's Office. Both the seller and the purchaser must execute this form where indicated.

The RP-5217 filing fee, which is due at recording, is based upon the classification of property at the time of sale and is calculated as follows:

1. If item 18 is 100-199, 200-299 or 411-C, the fee for this form is \$125.00.
2. Fee is \$250.00 for all other property classifications.

### **Step 4**

If the grantor(s) is (are) a non-resident(s) of NY State, you must also submit an IT-2663.

This form is available at the Herkimer County Clerk's Office and on the New York State Department of Taxation and Finance website.

Per Section 309-a. Uniform forms of certificates of acknowledgment or proof. The certificate of acknowledgment, within this state, of a conveyance or other instrument in respect to real property situated in this state, by a person, must conform substantially with the following form, the blanks being properly filled.

**SAMPLE NOTARY CLAUSE FOR DEEDS**

STATE OF NEW YORK     )

COUNTY OF HERKIMER   ) SS.:

On the ..... day of ..... in the year ..... before me, the undersigned, personally appeared ....., personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

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Notary Public