

Opinion No. 44-4434

January 5, 1944

BY: EDWARD P. CHASE, Attorney General

TO: Mr. C. R. Sebastian, State Comptroller, Santa Fe, New Mexico

I have your letter of January 4, 1944, wherein you request our opinion concerning whether the fee to be charged for the release of a mortgage applies to each recorded mortgage, or whether it can include several mortgages that are released by the same mortgagee on one release.

Section 13-110 of the N.M. 1941 Compilation provides:

"* * * for release of each recorded mortgage . . . \$ 1.00."

You will note that the fee is based on each recorded mortgage, and not on the number of mortgages contained in a particular release.

Hoping that the above fully answers your inquiry, I remain

By HARRY L. BIGBEE,

Assistant Attorney General