

INSTRUCTIONS FOR PLEDGE OF REAL ESTATE FOR SURETY BOND

1. Property owner(s)¹ must have a title search conducted on real estate they wish to post. Search must be conducted by an attorney (member of SC Bar) searching back 62 years from the current date.
2. Property owner(s) must obtain a title of opinion letter from the attorney or a completed Certificate of Value of Real Estate for Bond. Either document must contain the Tax Map #, Legal Description of Property, and any liens, mortgages, judgments, or encumbrances. Either document must be dated the same day that it is being posted at the Clerk's Office.
3. The value of the property **must** be based upon the appraised value by the County Tax Assessor. A certified copy of the assessment roll on property must be provided to the Clerk with this documentation.
4. Property owner(s) must first complete the "Application for Pledge of Real Estate for Surety Bond," initialing the required areas on the application and signing and dating at the bottom of the document. The original signed application must be retained in the Clerk's Office.
5. Property owner(s) must complete "Notice of Pledge of Real Estate." This document and Certificate of Value for Bond/Opinion Letter from attorney must be filed by property owner with the Register of Deed's Office and pay a filing fee of \$10. Property owner(s) must bring clocked copy of documents back to the Clerk of Court for filing and pay a filing fee of \$10.
6. Property owner(s) must present documentation to appropriate judicial official for posting of bond. Property owner(s) must sign the back of "Bond Form II" in the area for surety bondsman.
7. At final disposition of the criminal case and upon proof by property owner(s) of defendant's compliance with the bond, property owner(s) must file a "Release of Pledge of Real Estate" or "Satisfaction of Judgment" with the Register of Deeds, along with a filing fee of \$5.
8. Property posted for this purpose must be located within the County in which the charges are pending. Property located in another County or out of state **are not** appropriate for such a pledge.
9. Each County Clerk may determine whether the property must be free of all encumbrances or simply have sufficient equity in the property to cover the bond.

¹ All property owners must be present with picture ID and all must sign each document.