

382.335 Certain information to be included in instruments in order for them to be recorded.

- (1) No county clerk shall receive or permit the recording of any instrument by which the title to real estate or personal property, or any interest therein or lien thereon, is conveyed, granted, encumbered, assigned, or otherwise disposed of; nor receive any instrument or permit any instrument, provided by law, to be recorded as evidence of title to real estate, unless the instrument has endorsed on it, a printed, typewritten, or stamped statement showing the name and address of the individual who prepared the instrument, and the statement is signed by the individual. The person who prepared the instrument may execute his or her signature by affixing a facsimile of his or her signature on the instrument. This subsection shall not apply to any instrument executed or acknowledged prior to July 1, 1962.
- (2) No county clerk shall receive or permit the recording of any instrument by which the title to real estate or any interest therein is conveyed, granted, assigned, or otherwise disposed of unless the instrument contains the mailing address of the grantee or assignee. This subsection shall not apply to any instrument executed or acknowledged prior to July 1, 1970.
- (3) This section shall not apply to wills or to statutory liens in favor of the Commonwealth.
- (4) No county clerk shall receive, or permit the recording of, any instrument by which real estate, or any interest therein, is conveyed, granted, assigned, transferred, or otherwise disposed of unless the instrument complies with the official indexing system of the county. The indexing system shall have been in place for at least twenty-four (24) months prior to July 15, 1994 or shall be implemented for the purpose of allowing computerized searching for the instruments of record of the county clerk. If a county clerk requires a parcel identification number on an instrument before recording, the clerk shall provide a computer terminal, at no charge to the public, for use in finding the parcel identification number. The county clerk may make reasonable rules about the use of the computer terminal, requests for a parcel identification number, or both.
- (5) The receipt for record and recording of any instrument by the county clerk without compliance with the provisions of this section shall not prevent the record of filing of the instrument from becoming notice as otherwise provided by law, nor impair the admissibility of the record as evidence.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 133, sec. 72, effective July 15, 2010; and amended ch. 151, sec. 113, effective January 1, 2011. -- Amended 1994 Ky. Acts ch. 293, sec. 1, effective July 15, 1994. -- Amended 1990 Ky. Acts ch. 164, sec. 3, effective July 13, 1990. -- Amended 1972 Ky. Acts ch. 134, sec. 1. -- Amended 1970 Ky. Acts ch. 164, sec. 1. -- Created 1962 Ky. Acts ch. 23, sec. 1.

Legislative Research Commission Note (1/1/2011). This section was amended by 2010 Ky. Acts chs. 133 and 151, which are virtually identical and have been codified together.