

382.297 Amendment of recorded mortgage by affidavit of amendment.

A recorded mortgage may be amended by an affidavit of amendment prepared by an attorney to correct clerical errors or omitted information. An affidavit of amendment may not change any term, dollar amount, or interest rate in the mortgage, unless signed by the mortgagor and secured party. An affidavit of amendment may not change the parties or the collateral of a recorded mortgage, but may be used to correct a manifest clerical or typographical error such as spelling, punctuation, or numbering mistakes in typing or printing. The attorney preparing the affidavit shall certify in the affidavit that notice of filing the amendment has been given to the mortgagor by mailing a copy of the amendment to the mortgagor at the address shown on the original mortgage. A subsequent release of the mortgage releases any amendments to the original mortgage.

Effective: July 15, 2016

History: Amended 2016 Ky. Acts ch. 11, sec. 4, effective July 15, 2016. -- Amended 2015 Ky. Acts ch. 65, sec. 2, effective June 24, 2015. -- Created 2006 Ky. Acts ch. 183, sec. 19, effective July 12, 2006.