

382.270 Instruments not valid against purchasers or creditors unless acknowledged or proved -- Exemption for instruments otherwise lodged for record.

- (1) Except as otherwise provided in KRS 382.285, no deed or deed of trust or mortgage conveying a legal or equitable title to real property shall be lodged for record and, thus, valid against a purchaser for a valuable consideration, without notice thereof, or against creditors, until such deed or mortgage is acknowledged or proved according to law. However, if a deed or deed of trust or mortgage conveying a legal or equitable title to real property is not so acknowledged or proved according to law, but is or has been otherwise lodged for record, such deed or deed of trust or mortgage conveying a legal or equitable title to real property or creating a mortgage lien on real property shall be deemed to be validly lodged for record for purposes of KRS Chapter 382, and all interested parties shall be on constructive notice of the contents thereof.
- (2) As used in this section, "creditors" includes all creditors irrespective of whether or not they have acquired a lien by legal or equitable proceedings or by voluntary conveyance.

Effective: July 14, 2022

History: Amended 2022 Ky. Acts ch. 167, sec. 1, effective July 14, 2022. -- Amended 2010 Ky. Acts ch. 155, sec. 2, effective July 15, 2010. -- Amended 2006 Ky. Acts ch. 183, sec. 16, effective July 12, 2006. -- Amended 1962 Ky. Acts ch. 83, sec. 16. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 496.