

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL**No. 248** Session of
2005

INTRODUCED BY GORDNER, GREENLEAF, COSTA, EARLL, LEMMOND, ORIE,
PICCOLA, RAFFERTY, PILEGGI, THOMPSON, KITCHEN AND WONDERLING,
FEBRUARY 10, 2005

AS AMENDED ON THIRD CONSIDERATION, APRIL 18, 2005

AN ACT

1 Amending the act of August 11, 1967 (P.L.205, No.69), entitled
2 "An act to validate conveyances and other instruments which
3 have been defectively acknowledged," extending the date for
4 validation of certain conveyances and other instruments.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 1 of the act of August 11, 1967 (P.L.205,
8 No.69), entitled "An act to validate conveyances and other
9 instruments which have been defectively acknowledged," amended
10 November 26, 1997 (P.L.528, No.56), is amended to read:

11 Section 1. No grant, bargain and sale, feoffment, deed of
12 conveyance, release, assignment, mortgage or other assurance of
13 lands, tenements and hereditaments, whatsoever, bearing date
14 prior to the year [one thousand nine hundred ninety-six] two
15 thousand five, made, executed and delivered by husband and wife,
16 or by any person or trustee or attorney in fact for any other
17 person or persons, to a bona fide purchaser or purchasers for a
18 valuable consideration, and acknowledged before any officer duly

1 authorized by law to take such acknowledgment, shall be deemed,
2 held or adjudged invalid or defective or insufficient in law by
3 reason of any informality or defect in such acknowledgment as
4 not being made according to law, or because the date of the
5 acknowledgment predates the date of the instrument, or by reason
6 of the acknowledgment thereto having been made by any trustee or
7 attorney in fact in his individual capacity instead of as such
8 trustee or attorney in fact; but all and every such grant,
9 bargain and sale, feoffment, deed of conveyance, release,
10 assignment, mortgage or other assurance, so made, executed and
11 acknowledged, as aforesaid, shall be as good, valid and
12 effectual in law for transferring, passing and conveying the
13 estate, right, title and interest of such husband and wife of,
14 in and to the lands, tenements and hereditaments mentioned in
15 the same, as if all the requisites and particulars of such
16 acknowledgment had been made according to law, and as if such
17 trustee or attorney in fact had made the acknowledgment thereto
18 in such capacity; and the record of the same duly made in the
19 proper office for recording of deeds in this Commonwealth, and
20 exemplifications of the same duly certified, shall be legal
21 evidence in all cases in which the original would be competent
22 evidence.

23 SECTION 2. THIS ACT SHALL NOT APPLY TO LAWSUITS NOW PENDING <—
24 AND UNDETERMINED.

25 Section ~~2~~ 3. This act shall take effect in 60 days. <—