

DEEDS, INDEXES OF

Act of Mar. 18, 1875, P.L. 32, No. 36

Cl. 16

AN ACT

Requiring recorders of deeds to prepare and keep in their respective offices general, direct and ad sectum indexes of deeds and mortgages recorded therein, prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons.

Section 1. Be it enacted, &c., That in the addition to the indexes which the recorder of deeds in each county of this commonwealth is required to keep, the said recorder shall carefully and accurately prepare and keep in his office two general indexes of all deeds recorded therein, in one of which, to be known as the direct index, he shall enter in their order the name of the grantor, the name of the grantee, the volume and page wherein the deed is recorded, and in the other, to be known as the ad sectum index, he shall enter in their order the name of the grantee, the name of the grantor, the volume and page wherein the deed is recorded. He shall in like manner also prepare and keep two general indexes, one direct and the other ad sectum, of all mortgages recorded in his office. In counties of the second class, he shall hereafter enter in both said indexes of deeds and in both the indexes of mortgages, the date of recording and the name of the city or borough or township and the number of the ward thereof, if any, in which the property affected is stated in the recorded instrument to be located, and the primary as well as the permanent indexes shall contain the foregoing entries as to date of recording and locality of each property affected: Provided, That where an instrument affects property in more than one ward, city, borough, town or township and the space on the index is insufficient to permit the writing of the locality of each property affected, the name of the county alone shall be full compliance with this act. Said indexes shall be arranged alphabetically and in such a way as to afford an easy and ready reference to said deeds and mortgages respectively, and shall be written in a plain and legible hand: Provided however, That in any county where such indexes have already been prepared and in use, or where any special law relating to any of said indexes is now in force, they shall be adopted and kept as if made in pursuance of this act. Nothing herein contained shall prohibit the recorder of deeds from combining the general indexes for deeds with the general indexes for mortgages into one general index.

(1 amended Oct. 16, 1980, P.L.986, No.170)

Section 2. To index every deed and mortgage

As soon as said indexes are prepared it shall be the duty of the recorder to index in its appropriate place and manner every deed and mortgage thereafter recorded in his office, at the time the same is recorded, and in case he neglects to do so he and his sureties shall be liable in damages to any person aggrieved by such neglect. 1875, March 18, P.L. 32, Sec. 2.

Section 3. Index to be notice

The entry of recorded deeds and mortgages in said indexes, respectively, shall be notice to all persons of recording of the same. 1875, March 18, P.L. 32, Sec. 3.

Section 4. Costs of indexing

In counties where no such indexes have been kept the recorders thereof are hereby authorized and required to prepare the same, the costs thereof to be paid by the county; but after said work has been done the costs of continuing the same

according to the provisions of this act shall be paid by the respective recorders. 1875, March 18, P.L. 32, Sec. 4.

Section 5. In counties requiring, by ordinance of their governing body, with the written recommendation of their recorder of deeds or commissioner of records, the endorsement or inclusion of the uniform parcel identifier of the property affected in each deed or other transfer of real estate or interest in real estate as indicated on the county tax map recorded under statutory provisions on parcel identification, the recorder of deeds or commissioner of records shall enter in both general indexes for deeds and both general indexes for mortgages the date of recording and the name of the city, borough, town or township in which the property affected is stated in the recorded instrument to be located and the uniform parcel identifier of such property as indicated in the recorded instrument. The primary as well as the permanent indexes shall contain the foregoing entries as to date of recording, locality of each property affected and uniform parcel identifier of each such property.

(5 added Jan. 15, 1988, P.L.4, No.2)

Section 6. During the four-year period beginning with the day of the first such entry in accordance with an ordinance adopted under section 1.1 of the act of April 22, 1929 (P.L.620, No.258), entitled "An act directing the recorder of deeds of each county of the Commonwealth to refuse for record all deeds or other transfers of real estate, or interest in real estate, unless a certificate is attached to said instruments giving the precise residence of the grantee or grantees named therein; and requiring a list thereof to be delivered to the proper board of revision of taxes, or other officials charged with the assessment of real estate," the recorder of deeds or commissioner of records shall continue to arrange such indexes alphabetically; but the recorder or commissioner shall also maintain an additional separate set of indexes of deeds, mortgages and other instruments affecting real estate or interest in real estate arranged by the uniform parcel identifiers to facilitate easy reference to such instruments. During such four-year period, this separate set of indexes arranged by uniform parcel identifiers shall be merely for the convenience of the public and shall not constitute notice or the lack thereof. At the end of the four-year period or such later period as may be established by such ordinance and thereafter, both the alphabetical indexes and the indexes arranged by the uniform parcel identifiers shall constitute notice or the lack thereof for all deeds, mortgages or other instruments affecting real estate left for record with the recorder of deeds or commissioner of records on or after the date such indexes were originally established.

(6 added Jan. 15, 1988, P.L.4, No.2)