

REAL PROPERTY, WRITTEN AGREEMENT PERTAINING TO
Act of Apr. 24, 1931, P.L. 48, No. 40
AN ACT

CL. 68

Requiring the recording of certain written agreements pertaining to real property, and prescribing the effect thereof as to subsequent purchasers, mortgagees, and judgment creditors of the parties thereto.

Section 1. Be it enacted, &c., That all agreements in writing relating to real property situate in this Commonwealth by the terms whereof the parties executing the same do grant, bargain, sell, or convey any rights or privileges of a permanent nature pertaining to such real property, or do release the grantee or vendee thereunder against damages which may be inflicted upon such real property at some future time, shall be acknowledged according to law by the parties thereto or proved in the manner provided by law, and shall be recorded in the office for the recording of deeds in the county or counties wherein such real property is situate.

Section 2. The legal effect of the recording of such agreements shall be to give constructive notice to subsequent purchasers, mortgagees, and/or judgment creditors of the parties to said agreements of the fact of the granting of such rights or privileges and/or of the execution of said releases, and the rights of the subsequent purchasers, mortgagees, and/or judgment creditors of the parties to said agreements shall be limited thereby with the same force and effect as if said subsequent purchasers, mortgagees, and/or judgment creditors had actually joined in the execution of the agreement or agreements aforesaid.

Section 3. In order for a document presented for record to the office of a recorder of deeds of a county to be constructive notice for the purpose of this act or the act of May 12, 1925 (P.L.613, No.327), entitled "An act regulating the recording of certain deeds, conveyances, and other instruments of writing, and fixing the effect thereof as to subsequent purchasers, mortgagees, and judgment creditors," or otherwise, the document shall be recorded, and one of the following conditions shall be satisfied:

(1) In counties where the act of January 15, 1988 (P.L.1, No.1), known as the "Uniform Parcel Identifier Law," applies, the uniform parcel identifier is endorsed or included on the document, and it is indexed properly in an index arranged by uniform parcel identifiers.

(2) The document is indexed properly as to the party in all alphabetical indices. In the case of a document affecting title to trust property, the document need not be indexed to the beneficiary in order to give constructive notice of the trust. To the extent this section conflicts with 42 Pa.C.S. § 8141(1) (relating to time from which liens have priority), 42 Pa.C.S. § 8141(1) controls. For purposes of this section, the term "document" means a document that is eligible to be recorded in

the office of the recorder of deeds, including, but not limited to, deeds, mortgages, quitclaim deeds, memoranda of lease and easements, and includes documents presented for record in person, by mail, electronically or in any other manner.

(3 added July 7, 2006, P.L.596, No.86)

Section 4. Nothing contained in this act shall impose liability on any recording officer or any political subdivision for any mistake, error or inaccuracy in any index.

(4 added July 7, 2006, P.L.596, No.86)