

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 141 Session of 1997

INTRODUCED BY MASLAND, GORDNER, TRELLO, TIGUE, HENNESSEY, CLARK,
WAUGH, NICKOL, ROHRER, TULLI, SEMMEL, BOSCOLA, CORPORA,
ITKIN, CLYMER, LYNCH, PETTIT, FARGO, HERMAN, BELFANTI AND
SAYLOR, JANUARY 29, 1997

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 29, 1997

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," changing a certain date.

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

6 Section 1. Section 1 of the act of August 11, 1967 (P.L.205,
7 No.69), entitled "An act to validate conveyances and other
8 instruments which have been defectively acknowledged," amended
9 December 22, 1989 (P.L.704, No.94), is amended to read:

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

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

23 Section 2. This act shall take effect immediately.