

382.110 Recording of deeds and mortgages -- Place of recording -- Use of certified copies of original records -- Contents of deed -- Filing of deed in lieu of foreclosure -- Time for filing deed -- Petition by municipal government to compel filing of a deed.

- (1) All deeds, mortgages, and other instruments required by law to be recorded to be effectual against purchasers without notice, or creditors, shall be recorded in the county clerk's office of the county in which the property conveyed, or the greater part of the property conveyed, is located.
- (2) A county clerk or deputy county clerk shall not admit to record any deed of conveyance of any interest in real property equal to or greater than a life estate unless the deed plainly specifies and refers to the immediate source from which the grantor derived title to the property or the interest conveyed in the deed.
- (3)
 - (a) An authentic photocopy of any original record may be certified as a true, complete, unaltered copy of the original record on file by the official public custodian of the record.
 - (b) A certified copy of a document may be submitted for filing in any other filing officer's jurisdiction as though it were the original record. However, a county clerk or deputy county clerk shall not accept for filing any original document or certified copy of any document unless the original document and its certified copy conform to all statutory requirements for filing the document under KRS Chapter 382.
 - (c) This subsection shall apply only to a record generated and filed in Kentucky, and only if the certified copy of the record is to be utilized in Kentucky. If the record is a foreign record or a Kentucky record to be filed or utilized in a foreign jurisdiction, then this subsection shall not apply and applicable federal, Kentucky, or foreign law shall apply.
- (4) If the source of title is a deed or other recorded writing, the deed offered for record shall refer to the former deed or writing, and give the office, book, and page where recorded, and the date of recording. If the property or interest in the property is obtained by inheritance or in any other way than by recorded instrument of writing, the deed offered for record shall state clearly and accurately how and from whom the title to the property or interest was obtained by the grantor.
- (5) If the title to the property or interest conveyed is obtained from two (2) or more sources, the deed offered for record shall plainly specify and refer to each of the sources in the manner provided in subsections (2) and (4) of this section, and shall show which part of the property, or interest in the property, was obtained from each of the sources.
- (6) A grantor shall not lodge for record, and a county clerk or deputy shall not receive and permit to be lodged for record, any deed that does not comply with this section.
- (7) A clerk or deputy clerk shall not be liable for the fine imposed by KRS 382.990(1) because of any erroneous or false references in any deed, nor because of the omission of a reference required by law where it does not appear on the face of the deed that the title to the property or interest conveyed was obtained from more than one (1) source.

- (8) This section does not apply to deeds made by any court commissioner, sheriff, or by any court officer in pursuance of his or her duty as a court officer, nor to any deed or instrument made and acknowledged before March 20, 1928. A deed shall not be invalid because it is lodged contrary to this section.
- (9) A mortgage holder shall file a deed in lieu of foreclosure in the county clerk's office of the county in which the property conveyed, or the greater part of the property conveyed, is located, no later than forty-five (45) days after the date the deed in lieu of foreclosure is executed.
- (10) (a) A deed filed pursuant to KRS 426.577 shall be filed by the grantee within five (5) business days of receipt of the deed from the commissioner appointed by a court to convey the property.
 - (b) If the property is located within the boundaries of a municipal government and the grantee has not filed the deed from the commissioner within thirty (30) business days of its receipt, the municipal government may file a petition in the Circuit Court of the county where the property is located requesting the court to enter an order:
 - 1. Compelling the filing of the deed by the grantee; and
 - 2. Awarding court costs and attorney's fees incurred in bringing the petition.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 113, sec. 2, effective July 15, 2026. -- Amended 2016 Ky. Acts ch. 11, sec. 2, effective July 15, 2016. -- Amended 2012 Ky. Acts ch. 44, sec. 1, effective July 12, 2012. -- Amended 2005 Ky. Acts ch. 69, sec. 2, effective June 20, 2005. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 495.