

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 2806

4
5 By: Representative Lamoureux
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For An Act To Be Entitled

8
9 AN ACT CONCERNING DEEDS OF ADMINISTRATORS,
10 EXECUTORS, GUARDIANS, COMMISSIONERS, AND
11 SHERIFFS; AND FOR OTHER PURPOSES.
12

Subtitle

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14 AN ACT CONCERNING DEEDS OF
15 ADMINISTRATORS, EXECUTORS, GUARDIANS,
16 COMMISSIONERS, AND SHERIFFS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 18-12-605 is amended to read as follows:

22 18-12-605. Deeds of administrators, executors, guardians,
23 commissioners, and sheriffs.

24 (a)(1) All deeds of conveyance made by administrators, executors,
25 guardians, and commissioners, ~~and~~ deeds made and executed by sheriffs of real
26 estate sold under executions, and deeds made and executed by trustees or
27 attorneys pursuant to a foreclosure of a deed of trust or mortgage, duly made
28 and executed, acknowledged, and recorded, as now required by law and
29 purporting to convey real estate, shall vest in the grantee, and his, or her,
30 heirs and assigns a good and valid title, both in law and in equity.

31 (2)(A) ~~Those~~ The deeds shall be evidence of the facts therein
32 recited and of the legality and regularity of the sale of the lands so
33 conveyed, ~~until the contrary is made to appear.~~

34 (B) However, the deeds do not warrant title to a
35 subsequent grantee and any subsequent grantee may not assert or claim any
36 warranty of title deriving from the deeds.



1 (b) Nothing in this section shall prohibit a deed made under
2 subdivision (a)(1) of this section from warranting title by express use of
3 warranty language.

4 ~~(b)(c)~~ Every deed so made, executed, acknowledged, and recorded, or a
5 certified copy of a deed, under the seal of the recorder of the proper county
6 shall be received in evidence in any court in this state without further
7 proof of its execution.

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