

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 295

AN ACT to amend the Indiana Code concerning property.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 32-21-4-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) This section applies when a deed:

- (1) purports to contain an absolute conveyance of any estate in land; and
- (2) is made or intended to be made defeasible by:
 - (A) a deed of defeasance;
 - (B) a bond; or
 - (C) another instrument.

(b) The original conveyance is not defeated or affected against any person other than ~~(1)~~ the maker of the defeasance, ~~(2)~~ the heirs or devisees of the maker of the defeasance, or ~~(3)~~ persons having actual notice of the defeasance unless the instrument of defeasance is:

- (1) a deed of defeasance or bond that is recorded in the manner provided by law within ninety (90) days after the date of the deed; or**
- (2) another instrument that:**
 - (A) is in a form required by the deed;**
 - (B) contains an accurate legal description of the estate in land;**
 - (C) is dated;**
 - (D) has been acknowledged before a notary public;**



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(E) has been made for consideration; and
(F) is recorded in the manner provided by law within ninety
(90) days after the date of the deed.

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Approved: _____

Governor of the State of Indiana

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