

382.240 Delivery of recorded instruments -- Destruction of unclaimed instruments.

Each instrument that is recorded shall be delivered to the party entitled thereto. The county clerk shall require prepayment of postage for delivery of said instruments at the time they are left for record in his office. If the county clerk is unable to locate the parties entitled thereto, he shall retain the instruments for at least two (2) years. The clerk may then destroy the instruments provided that he shall first make the following announcement by public notice in the newspaper of the largest circulation in the county: "Legal instruments which have been filed for record in the (name of county) county clerk's office and which have been in the custody of the clerk for over two (2) years must be claimed by the persons entitled thereto within thirty (30) days, or they shall be destroyed." The date of the notice and the name of the clerk shall be appended to the notice. Thirty (30) days after the appearance of the public notice, the county clerk may destroy the instruments.

Effective: July 15, 1982

History: Amended 1982 Ky. Acts ch. 323, sec. 1, effective July 15, 1982. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 519.