

382.440 Memorandum of actions affecting real property to be filed.

- (1) No action, cross-action, counterclaim, or any other proceeding, except actions for forcible detainer or forcible entry or detainer, commenced or filed in any court of this state, in which the title to, or the possession or use of, or any lien, tax, assessment or charge on real property, or any interest therein, is in any manner affected or involved, nor any order nor judgment therein, nor any sale or other proceeding, nor any proceeding in, nor judgment or decree rendered, in a district court of the United States, shall in any manner affect the right, title or interest of any subsequent purchaser, lessee, or encumbrancer of such real property, or interest for value and without notice thereof, except from the time there is filed, in the office of the county clerk of the county in which such real property or the greater part thereof lies, a memorandum stating:
 - (a) The number of the action, if it is numbered, and the style of such action or proceeding and the court in which it is commenced, or is pending;
 - (b) The name of the person whose right, title, interest in, or claim to, real property is involved or affected; and
 - (c) A description of the real property in the county thereby affected.
- (2) Such notice may be filed by any party in interest. No notice shall extend to the interest of any person not designated therein, nor to any real property or interest except that described therein, and when any amendment is made in the action or proceeding changing the description of the real property, or interest involved or affected, or extending the claim against the property, the party filing such notice shall file a new notice.
- (3) Where the real property so affected consists of tracts lying in different counties, a separate notice shall be filed in each county as to the tract lying in that county.

History: Amended 1944 Ky. Acts ch. 21, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2358a-1.