

By: Uresti

S.B. No. 584

A BILL TO BE ENTITLED

AN ACT

relating to the indexing of correction instruments in a county index to real property records.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 193.003, Local Government Code, is amended by amending Subsections (a) and (b) and adding Subsection (d) to read as follows:

(a) The county clerk shall maintain an ~~[a well-bound]~~ alphabetical index to all recorded deeds, powers of attorney, mortgages, correction instruments, and other instruments relating to real property. The index must state the specific location in the records at which the instruments are recorded.

(b) The index must be a cross-index that contains the names of the grantors and grantees in alphabetical order. If a deed is made by a sheriff, the index entry must contain the name of the sheriff and the defendant in execution. If a deed is made by an executor, administrator, or guardian, the index entry must contain the name of that person and the name of the person's testator, intestate, or ward. If a deed is made by an attorney, the index entry must contain the name of the attorney and the attorney's constituents. If a deed is made by a commissioner or trustee, the index entry must contain the name of the commissioner or trustee and the name of the person whose estate is conveyed. The index entry for a correction instrument must contain the names of the grantors

1 and grantees as stated in the correction instrument.

2 (d) In this section, "correction instrument" means an
3 instrument correcting an ambiguity or error in a recorded original
4 instrument of conveyance to transfer real property or an interest
5 in real property as described by Section 5.028 or 5.029, Property
6 Code.

7 SECTION 2. This Act takes effect September 1, 2015.