

58-2263. Validating certain instruments recorded prior to January 1, 1944. Any sheriff's deed, receiver's deed, administrator's deed, executor's deed, special master's deeds, guardian's deed and conveyance by a trustee in bankruptcy, which was recorded in the office of register of deeds in any county of the state of Kansas prior to January 1, 1944, shall be conclusively presumed to have conveyed the clear and merchantable title to the real estate therein described to the extent of the interest owned by the judgment debtor, defendant, estate or ward, and purported to be conveyed by said deed as against all persons other than those in actual possession of the premises on the effective date of this act, notwithstanding any actual or purported defect in the execution or acknowledgment thereof and notwithstanding any actual or purported defects, mistakes, errors or omissions in the proceedings had or the pleadings, orders or publication notices filed in the court which caused to be held the sale upon which said deed is based: *Provided*, That this act shall not apply to any such deed which has been placed of record in the office of register of deeds in the county in which the land is situated subsequent to January 1, 1944: *Provided further*, That any person desiring to present proof of the invalidity or partial invalidity of any such deed shall have one (1) year after the effective date of this act within which to bring proceedings attaching or seeking to set aside any such deed or questioning the merchantability or extent of the title which is conveyed: *Provided further*, That infancy, incompetency or nonresidence shall not affect the operation of this act.

History: L. 1961, ch. 297, § 1; L. 1963, ch. 326, § 1; L. 1969, ch. 275, § 1; L. 1970, ch. 219, § 1; July 1.