

TITLE 1: GOVERNMENT
DIVISION 3: JUDICIAL BRANCH

§ 3705. Effect of Failure to Record.

No transfer of or encumbrance upon title to real estate or any interest therein, other than a lease for a term not exceeding one year, shall be valid:

(a) Against any subsequent purchaser or mortgagee of the same real estate or interest, or any part thereof, in good faith for a valuable consideration without notice of such transfer or encumbrance, or against any person claiming under them, if the transfer to the subsequent purchaser or mortgagee is first duly recorded; nor

(b) As against any judgment affecting the title unless the transfer or encumbrance is duly recorded prior to the record of notice of action in which the judgment is rendered.

Source: PL 3-64, § 1; repealed and re-enacted by PL 21-39, § 3 (Jan. 19, 2021).

Commission Comment: [Historical comments removed.]