

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1707

By: Bonny

AS INTRODUCED

An Act relating to probate procedure; amending 58

O.S. 1991, Section 711, which relates to recording of decrees affecting land; modifying filing requirements of certain judgment or decree; providing for notice to be recorded; providing that notice be in lieu of filing certain judgment or decree; providing for certain information to be contained in notice; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 58 O.S. 1991, Section 711, is amended to read as follows:

Section 711. When a judgment or decree is made, setting apart and defining the homestead, confirming a sale, making distribution of real property, or determining any other matter affecting the title to real property, a certified copy of the ~~same must~~ judgment or decree shall be recorded in the office of the ~~register of deeds~~ county clerk of the county ~~in which the real property is situated.~~ ~~Provided, that a certified copy of any such judgment or decree may be made by the court clerk as to real property in any one county~~

~~without including therein the description of lands located in any other county, such certificate reciting that the same is a true copy of such instrument insofar as the same relates to real property in such county where the probate proceeding was filed and the judgment or decree issued. In lieu of filing the judgment or decree in any other county where real property described in the judgment or decree is located, a notice of the judgment or decree shall be filed in the office of the county clerk of any county where real property described in the judgment or decree is located. The notice shall provide the names of the parties in the probate proceeding, the case number, the book, page number, and county where the judgment or decree is filed and the date, a legal description of the real property located in the county where the notice is to be filed without including the description of real property located in any other county, and the name and address of the party or parties holding title to such real property as set forth in the judgment or decree.~~

SECTION 2. This act shall become effective November 1, 1997.

46-1-5085

JAF