

CHAPTER 37
EFFECT OF RECORDING OR OF THE WANT THEREOF

- § 37101. Record of Conveyances.
- § 37102. Nonrecorded Void.
- § 37103. Conveyance.
- § 37104. Revocation, Power of Attorney.
- § 37105. Unrecorded Validation.

§ 37101. Record of Conveyances.

Every conveyance of real property acknowledged or proved and certified and recorded as prescribed by law from the time it is filed with the Director of Land Management is constructive notice of the contents thereof to subsequent purchasers and mortgagees.

SOURCE: CC §1213.

§ 37102. Nonrecorded Void.

Every conveyance of real property, other than a lease for a term not exceeding one (1) year, is void as against any subsequent purchaser or mortgagee of the same property, or any part thereof, in good faith and for a valuable consideration, whose conveyance is first duly recorded, and as against any judgment affecting the title, unless such conveyance shall have been duly recorded prior to the record of notice of action.

SOURCE: CC §1214.

§ 37103. Conveyance.

The term *conveyance* as used in § 37101 and § 37102, embraces every instrument in writing by which any estate or interest in real property is created, alienated, mortgaged, or encumbered, or by which the title to any real property may be affected, except wills.

SOURCE: CC §1215.

§ 37104. Revocation, Power of Attorney.

No instrument containing a power to convey or execute instruments affecting real property, which has been recorded, is revoked by an act of the party by whom it was executed, unless the instrument containing such revocation is also acknowledged or proved, certified, and recorded, in the same office in which the instrument containing the power was recorded.

SOURCE: CC §1216.

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§ 37105. Unrecorded Validation.

An unrecorded instrument is valid as between the parties thereto and those who have notice thereof.

SOURCE: CC §1217.
