

## 2023 Kansas Statutes

**58-3402. Definitions.** As used in this act:

- (a) "Muniments" means the records of title transactions in the chain of title of a person purporting to create the interest in land claimed by the person and upon which the person relies as a basis for the marketability of the person's title, commencing with the root of title and including all subsequent transactions.
- (b) "Person" means an individual, partnership, corporation, organization or other association.
- (c) "Person dealing with land" includes a purchaser of any estate or interest therein, a mortgagee, a levying or attaching creditor, a land contract vendee or any other person seeking to acquire an estate or interest therein, or impose a lien thereon.
- (d) "Recording," when applied to the official public records of any office or court, includes filing.
- (e) "Records" includes probate and other official public records, as well as records in the office of the register of deeds.
- (f) "Root of title" means that conveyance or other title transaction in the chain of title of a person, purporting to create the interest claimed by the person, upon which the person relies as a basis for the marketability of the person's title and which was the most recent to be recorded as of a date 25 years prior to the time when marketability is being determined. The effective date of the root of title is the date on which it is recorded.
- (g) "Title transaction" means any transaction affecting title to any interest in land, including title by will, descent, tax deed, mineral deed, lease or reservation; by trustee's, referee's, guardian's, conservator's, executor's, administrator's, master in chancery's or sheriff's deed; by decree of any court; or by warranty deed, quitclaim deed or mortgage.

**History:** L. 1973, ch. 227, § 2; L. 1984, ch. 206, § 1; July 1.