

614.29 Definitions.

As used in [this chapter](#):

1. “*Marketable record title*” means a title of record, as indicated in [section 614.31](#), which operates to extinguish such interests and claims, existing prior to the effective date of the root of title, as are stated in [section 614.33](#).

2. “*Records*” includes probate and other official public records, as well as records in the office of the county recorder.

3. “*Recording*”, when applied to the official public records of a probate or other court, includes filing.

4. “*Person dealing with the 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, corporation, or entity seeking to acquire an estate or interest therein, or impose a lien thereon.

5. “*Root of title*” means that conveyance or other title transaction or other link in the chain of title of a person, purporting to create the interest claimed by such 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 or established as of a date forty 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.

6. “*Title transaction*” means any transaction affecting title to any interest in land, including title by will or descent, title by tax deed, or deed by trustee, referee, guardian, executor, administrator, master in chancery, sheriff, or any other form of deed or decree of any court, as well as warranty deed, quitclaim deed, mortgage, or transfer or conveyance of any kind.

[C71, 73, 75, 77, 79, 81, §614.29]

[2004 Acts, ch 1052, §5](#)