

CHAPTER 1069**REAL ESTATE TITLE ACTIONS — CERTAIN OLDER CLAIMS***H.F. 2254*

AN ACT relating to actions on certain older claims to real estate.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 614.19, Code 1999, is amended to read as follows:

614.19 INAPPLICABILITY OF PROVISION REGARDING MINORS AND PERSONS WITH MENTAL ILLNESS.

The provisions of section 614.8 as to the rights of minors and persons with mental illness shall not be applicable against the provisions of sections 614.17, 614.17A, 614.18, and 614.20.

Sec. 2. Section 614.22, Code 1999, is amended to read as follows:

614.22 ACTION AFFECTING ANCIENT DEEDS.

1. An action shall not be maintained to set aside, cancel, annul, declare void or invalid, or to redeem from a tax deed, guardian's deed, executor's deed, administrator's deed, receiver's deed, referee's deed, assignee's deed or sheriff's deed which has been recorded in the office of the recorder of the county or counties in this state in which the land described in the deed is situated prior to January 1, 1980, unless the action is commenced prior to January 1, 1992, and if an action to set aside, cancel, annul, declare void or invalid, or to redeem from the deed is not commenced prior to January 1, 1992, then the deed and all the proceedings upon which the deed is based are valid and unimpeachable and effective to convey title as stated in the deed, without exception for infancy, mental illness, absence from the state, or other disability or cause; provided that this ~~section~~ subsection and section 614.23 do not apply to real property described in a deed which is not ~~on July 1, 1991~~, in the possession of those claiming title under the deed.

2. On and after January 1, 1992, an action shall not be maintained to set aside, cancel, annul, ~~or declare void or invalid, or to redeem from a tax deed, and an action shall not be maintained to redeem from such~~ guardian's deed, executor's deed, administrator's deed, receiver's deed, referee's deed, assignee's deed, or sheriff's deed, if the deed has been recorded in the office of the recorder for more than ten years. The deed must be recorded in the office of the recorder of the county or counties in which the land described in the deed is situated. If an action under this subsection is not commenced within ten years of the recording of the deed, then the deed and all proceedings upon which the deed is based are valid and unimpeachable and effective to convey title as stated in the deed, without exception for infancy, mental illness, absence from the state, or other disability or cause. ~~As used in this subsection "deed" means a tax deed, guardian's deed, executor's deed, administrator's deed, receiver's deed, referee's deed, assignee's deed, or sheriff's deed.~~

However, this subsection and section 614.23 do not apply to real property described in ~~any~~ a deed which is ~~for more than ten years~~ not in the possession of ~~a person~~ those claiming title under the deed.

Approved April 7, 2000