TYPES OF DEEDS

Five principal types in Colorado

CHICAGO TITLE OF COLORADO

1. SPECIAL WARRANTY DEED

In a Special Warranty Deed the seller (grantor) says, in effect, to the buyer (grantee), "I only warrant (guarantee) that I have done nothing to make the title bad or defective or encumbered while I have owned it; that I have good, right and lawful authority to sign and deliver this deed; that the title which this deed conveys is good and is clear insofar as my actions are concerned."

2. GENERAL WARRANTY DEED

In a Warranty Deed, the seller (grantor) who signs the deed says, in effect, to the buyer (grantee), "I warrant (guarantee) that I have good title to the land, that there are not material defects in my title and no outstanding interestes held by third parties; that there are no mortgages, unpaid taxes or other liens or encumbrances outstanding on the land; that I have good, right and lawful authority to sign and deliver this deed; and that this deed conveys to the purchaser good, indefeasible title to the land."

3. BARGAIN AND SALE DEED

In a Bargain and Sale Deed which is sometimes called a fee simple deed, there is an implication that the grantor owns the real estate. In such a deed the seller (grantor) says, in effect, to the buyer, "I bargain, sell, transer and convey to you the real estate described in this deed. I make no representations or warranties with respect to title or anything else."

4. QUIT CLAIM DEED

In a Quit Claim Deed there are no warranties or representations or even an implication that the grantor owns or holds title to the land or to any particular interest in it. In such a deed the grantor simply states to the grantee, "I surrender to you and quit claim and abandon all claims and interests, if any, which I may have in the land described herein." While Quit Claim Deeds are seldom used to convey titles, in most such deeds, like Bargain and Sale Deeds, will pass title to the grantee if the grantor owns the land.

5. PERSONAL REPRESENTATIVE DEED

These are deeds executed by a court appointed fiduciary and must be backed by Letters of Appointment. These only convey the interest in the property which the estate controls and lack the same warranties as stated in the Bargain and Sale Deed above. It is best practice to have a Personal Representative Deed discussed and prepared by a local Estate attorney.

The above information is for informational purposes only. This material should not be construed as legal advice.

CHICAGO TITLE

BEST **PEOPLE**. BEST **SERVICE**. BEST **EXPERIENCE**.