



KIECKER
LAW OFFICE

Deeds

A deed is a legal document used to transfer real estate from one person or party to another. These documents must be filed with your local county recorder's office.

When drafting a deed or any legal document transferring real estate, it is critical to have a knowledgeable attorney. Documents must be accurately prepared and must be signed by the appropriate parties. I have the knowledge and experience to ensure that your deed is created and executed properly.

There are various types of deeds that accomplish different tasks in different situations. I will work with you to understand your situation and draft any type of deed to suit your specific need and you will have peace of mind knowing your deed was created properly and conforms to all the legal requirements.

Here is a brief description of the different types of deeds you may use:

GENERAL WARRANTY DEED

This is the most common type of deed and is used for a transaction which is a real estate transaction between two people acting independently, according to their own self interest, and not under pressure or duress to make the transaction. It contains guarantees from the seller indicating no other party has an interest in the real estate, with the exception of those parties listed in the deed, and that there are no liens against the property.

LIMITED WARRANTY DEED

With this type of deed, the seller of the property only guarantees that the property is free of liens since the purchase of the property. These types of deeds are most often used by lenders attempting to sell foreclosed property.

QUIT-CLAIM DEED

A quit-claim deed is used most frequently to transfer real estate from one family member to another. These deeds can also be used when property is transferred with payment. This deed does not contain any warranties that would be seen in general or limited warranty deeds.

SURVIVORSHIP DEED

These deeds are used by people who want to ensure that their real estate goes to his or her surviving partner or relatives upon death. Survivorship deeds can specify any number of heirs with the last surviving party getting complete ownership of the property. When one of the parties to a survivorship deed dies, the real estate will pass to the survivor.

TRANSFER ON DEATH DEED

A transfer on death designation affidavit is an affidavit that names the beneficiaries of real estate. This type of document can allow the real estate to transfer to another party without opening a probate estate.