



LEGAL BRIEF

QUIT CLAIM DEEDS

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PREPARED BY

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Quit Claim Deeds

WHAT IS A QUIT CLAIM DEED?

A quit claim deed is one of the most important legal documents in United States real estate. It is primarily used to transfer ownership of real property from one owner to its buyer. This packet contains some basic information about quit claim deeds and a “fill in the blank” form. You may have the document notarized during our “Notary Hours” (Monday – Friday, 0900-1500)

WHAT IS A CONVEYANCE?

A quit claim deed is a form for the conveyance of interest in real property (real property is land and anything permanently fixed on the land, such as a house). A quit claim deed must have a “Grantor” (person conveying the property), a “Grantee” (person receiving the property), be in writing, be signed by the grantor, and must be delivered to and accepted by the grantee. The Grantor’s signature does not have to be notarized to be effective but must be notarized to allow its recordation. Recordation is important to give “constructive knowledge” to the world that the grantee has received title to the property, so that the grantor cannot, for example, sell the same property to more than one person.

A quit claim deed can convey the full right to ownership of the property or a lesser than full right to ownership, such as a lifetime estate to possess the property. This form transfers all of the Grantor’s rights in the property to the Grantee. A quit claim deed gives no warranties regarding the Grantor’s right to, ownership or possession of the property deeded, or even that the Grantor has any right at all in the property. Legally, a quit claim deed says only that “Whatever right I have in this property, if any at all, I am deeding to you”.

WHEN WILL I NEED A QUIT CLAIM DEED?

Despite its strange name, a quit claim deed is a very important legal document, especially when passing property to a family member. When you sell real property, a quit claim deed can be filed with the county recorder in your state to transfer the property from the owner to the buyer, (the new owner). However, because quit claim deeds do not guarantee what, if any, interest the seller has in the property, they are usually only used when property is transferred between family

members or friends. In contrast, when property is sold to a third party, a warranty deed is usually given by the seller to the buyer. A warranty deed states the seller owns the title to the property and they are entitled to pass the title to the buyer. Because the warranty deed offers guarantees to the buyer, third party buyers often require this deed over a quit claim deed.

Quit claim deeds can be very useful in divorce situations. If one person keeps the home, the other person will need to “quit claim” (give up) his or her portion of the home. Also, if you prepare a Living Trust or other estate planning tool (other than a Last Will & Testament), you must transfer ownership of the property; to do so you can use a quit claim deed.

CONTENTS OF A QUIT CLAIM DEED

Attached is a sample of a quit claim deed. Different jurisdictions have different content and formatting guidelines, so check with the jurisdiction where the deed will be recorded for specific requirements.

THE INFORMATION CONTAINED IN THIS PAMPHLET IS OF A GENERAL NATURE AND IS PROVIDED FOR YOUR ASSISTANCE AND CONVENIENCE. IT IS NOT INTENDED AS LEGAL ADVICE AND IS NOT A SUBSTITUTE FOR LEGAL COUNSEL. IF YOU HAVE ANY QUESTIONS AS TO HOW THE LAW IN THIS AREA AFFECTS YOU OR YOUR LEGAL RIGHTS, CONTACT YOUR CIVILIAN ATTORNEY OR THE NELLIS AIR BASE LEGAL OFFICE FOR AN APPOINTMENT WITH A LICENSED ATTORNEY.

QUIT CLAIM DEED

FILED FOR RECORD AT REQUEST OF

WHEN RECORDED RETURN TO:

NAME: _____

ADDRESS: _____

CITY: _____

STATE/ZIP: _____

THIS SPACE FOR RECORDER ONLY

QUIT CLAIM DEED

THE GRANTOR(S), _____ for and in consideration of: _____ conveys and quit claims to the GRANTEE (S), _____ the following described real estate, situated in the County of _____ State of Nevada, together with all after acquired title of the grantor(s) therein (legal description):

DATED _____

DATED _____

Grantor

Grantor

STATE OF NEVADA)

)ss

COUNTY OF CLARK)

On this day personally appeared before me _____ and _____, Grantor(s), to me known to be the individual(s) described in and who executed the foregoing instrument, and acknowledged that s/he signed the same as his/her free and voluntary act and deed for the uses and puposes therein mentioned.

GIVEN under my hand and official seal this _____ day of _____, 20____.

NOTARY PUBLIC in and for the State of Nevada