

Title Minute

Homestead Title and Escrow



DEEDS COMMONLY USED IN COLORADO

General Warranty Deed

The general warranty deed is a legal document used in real estate transactions to transfer title from the Seller (Grantor) to Buyer (Grantee). It provides the highest level of protection for the buyer because it guarantees clear and marketable title to the property and that there are no undisclosed encumbrances or claims against the title to the property. These warranties cover not only the seller's period of ownership, but also any previous owners.

Special Warranty Deed

The Special Warranty Deed is a legal document used to transfer title from Seller (Grantor) to Buyer (Grantee) with a limited set of warranties. The seller guarantees that during their ownership, they have not personally caused any title defects or encumbrances. Compared to a General Warranty Deed, a Special Warranty Deed places a narrower scope of responsibility on the seller.

Quit Claim Deed

A Quit Claim Deed is a legal document used to transfer interest or ownership from a Grantor to a Grantee. A Quit Claim Deed does not provide any warranties or guarantees to the title or ownership of the property. It transfers whatever interest the Grantor has without making any assurances or guarantees about the title's validity. Quit Claim Deeds are often used in situations where there is an existing level of trust or knowledge between the parties since it does not provide the same levels of protection as the General Warranty Deed or Special Warranty Deed.

Beneficiary Deed

Beneficiary Deed is a legal instrument used to transfer real estate upon the owner's death without the need for probate. It allows the owner (Grantor) to designate a Beneficiary(s)(Grantees) without the need of a will or probate. This deed is revocable during the grantor's lifetime and can be modified at any time. The designation of the Beneficiary (or beneficiaries) does not vest the party in title until the owner/ grantor passes and a death certificate is recorded. There are typically title company restrictions on the time the company is willing to insure this type of transaction. It's important to verify with the title company their underwriting requirements in relation to marketable title.

Title Minute

Homestead Title and Escrow



WHEN CHOOSING TO CONVEY PROPERTY BY ANY TYPE OF DEED, THERE ARE LEGAL CONSEQUENCES AND IT IS ADVISABLE FOR A GRANTOR AND GRANTEE TO CONDUCT A THOROUGH TITLE SEARCH AND OBTAIN TITLE INSURANCE FOR SUCH TRANSFERS.