**QUITCLAIM DEED**

Quitclaim and Warranty Deeds transfer title. Both are acceptable to use; however, I prefer to use a Warranty Deed. In some states it is difficult to get title insurance on a Quitclaim Deed. These deeds are simple to fill out; however, I recommend using a title company or an attorney when using these deeds.

I have been in the business for many years and know these forms like the back of my hand. I use an attorney or title company because of liability reasons. For example, I fill this form out myself; I transpose two numbers in the legal description; the deeds gets filed; because of the mistake, the deed gets sent back to me for corrections; I can’t find the sellers because they have moved away; I now have a deed with a mistake that needs to be fixed; I have to do what is known as a “quiet title” which may cost $3,000 or more; if my title company had done the deed for me, the title insurance would have paid for any mistakes and corrections and I’d be off the hook.

See why I use a professional? I am quite capable of completing this form on my own, but one tiny mistake could cost me thousands, if not my entire deal. This is one place where I believe professionals need to be used.

Quitclaim Deeds are common in divorce situations when one spouse transfers his or her interest in the property to the other spouse. However, if both purchased the property jointly, both will remain liable for the mortgages, if any exist.

It is important to record the deed immediately; for example, if the Grantor (distressed homeowner) transfers his or her interest through five different Quitclaim Deeds, depending on the laws of your state, the first person to record the deed, will receive the Grantor's interest.

\*Deeds may be purchased at office supply stores and are generally legal size. Check with your attorney for validity of each form you intend to use, regardless of where you obtain the form.

**Quitclaim Deed**

This Quitclaim Deed, executed the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_, by\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ first party, to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ second party, whose Post Office address is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

(wherever used herein the terms "first party" and "second party" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors of corporations, wherever the context so admits or requires)

Witnesseth, That the first party, for and in consideration of the sum of $\_\_\_\_\_\_\_\_, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim unto the second party forever, all the right, title, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, to wit:

To Have and to Hold, The same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, the said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Witness Signature Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name Printed Name

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Witness Signature Post Office Address

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Witness Signature Co- Signature, if any

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name Printed Name

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Witness Signature Post Office Address

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name

STATE OF\_\_\_\_\_\_\_\_\_\_ COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I hereby Certify that on this day, before me, an officer duly authorized to admit oaths and take acknowledgments, personally appeared \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ known to me to be the person(s) described in and who executed the foregoing instrument, who acknowledged before me that\_\_\_\_\_\_\_\_\_\_\_\_\_\_ executed the same, and an oath (was) (was not) taken. Said person(s) provided the following type of identification: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public Date

My commission expires: