



DEEDS & TITLE

<p><u>INFORMATION SHEET ON DEEDS & TITLE</u></p> <ul style="list-style-type: none">• Types of Deeds• Deed Covenants of Title• Remedies for Breach• Quality of Title• Doctrine of Merger	<p>--- STATUTES ---</p> <p><u>STATUTES ON DEEDS, TITLE AND INTERESTS</u></p> <p>CRS 38-30-101- 38-30-173</p>	<p><u>JOINT TENANCY</u></p> <p>JOINT TENANCY WITH RIGHT OF SURVIVORSHIP <i>When one joint tenant dies, survivor takes all</i></p> <p>TENANTS IN COMMON <i>When one joint tenant dies, decedent's heirs take decedent's share, <u>not</u> the other joint tenant</i></p>	<p>DEED COVENANTS OF TITLE</p> <p>Present Covenants of Title:</p> <ol style="list-style-type: none">1) Covenant of Seisin with Right to Convey2) Free of Encumbrances <p>Future Covenants of Title:</p> <ol style="list-style-type: none">3) Warranty & Quiet Possession4) Further Assurances <p>CRS 38-30-113</p>	<p>“MARKETABLE TITLE”</p> <p><i>“Title that is free of any clouds sufficient to give a reasonable person pause”</i></p> <p>Generally: If title is a mess, then it's <u>not</u> marketable title</p>
<p><u>WARRANTY DEED TEMPLATE</u></p> <p>No defects at all Conveys with all the deed covenants of title Special words: CRS 38-30-113: “grants, conveys and warrants” or “warrants title to same”</p>	<p><u>SPECIAL WARRANTY DEED TEMPLATE</u></p> <p>Only warrants against defects due to seller Special words: CRS 38-30-113: “bargains, sells and conveys” or “warrants title against all persons claiming under me”</p>	<p><u>BARGAIN AND SALE DEED TEMPLATE</u></p> <p>Only warrants seller as legal titleholder, but otherwise, land is conveyed <u>without</u> warranties of title CRS 38-30-113</p>	<p><u>QUITCLAIM DEED TEMPLATE</u></p> <p>No warranty at all “Whatever I've got, I convey to you” If Seller actually holds no interests, then QCD conveys no interests. Special words: CRS 38-30-113: Uses the term “quitclaims”</p>	
<p><u>PERSONAL REPRESENTATIVE'S DEED TEMPLATE</u></p>	<p><u>TRUSTEE'S DEED TEMPLATE</u></p>	<p><u>BENEFICIARY DEED TEMPLATE</u></p> <p><u>PLUSES AND MINUSES OF A BENEFICIARY DEED</u></p>		
<p>DISCLAIMER: PROVISION OF THESE FREE TEMPLATES OR ANY OTHER INFO INCLUDED HERE IS NOT LEGAL ADVICE. ALL PARTIES ARE ADVISED TO CONSULT WITH AN ATTORNEY REGARDING REAL ESTATE CONVEYANCES OR ESTATE PLANNING.</p>				