SPECIAL WARRANTY DEED

Leave the top 3 inches of this page blank for the recorder unless your county allows less.

This instrument was prepared by: _____, address _____, phone _____.

After recording, return to: _____, address _____.

Send tax statements to: _____, address _____.

Parcel or tax ID number: _____

1. CONVEYANCE

For the consideration stated below, _____ (check one): [ ] an unmarried person; [ ] a married person; [ ] spouses married to each other; [ ] a company, acting by _____, its _____; [ ] as trustee of the _____; [ ] as personal representative of the Estate of _____, deceased, whose mailing address is _____ (the "Grantor"), grants, sells and conveys to _____, whose mailing address is _____ (the "Grantee"), the real property described below, with all buildings, improvements, rights and appurtenances belonging to it (the "Property"), subject to the Permitted Exceptions and the special warranty stated in this deed.

If there are two Grantees, they take title (check one): [ ] as joint tenants with right of survivorship and not as tenants in common; [ ] as tenants in common, in these shares: _____; [ ] as community property (spouses, in community property states); [ ] other: _____.

2. THE PROPERTY

The Property is in _____ (county, or the town or city in Connecticut, Rhode Island and Vermont), State of _____, and is legally described as follows (copy the description exactly from the current deed, or attach it as Exhibit A): _____ _____ _____

Street address, for reference only: _____. If the street address differs from the legal description, the legal description controls.

Source of title: the same property conveyed to the Grantor by the instrument recorded as _____ in the land records of _____.

3. CONSIDERATION

This conveyance is made for (check one): [ ] $_____; [ ] ten dollars ($10.00) and other good and valuable consideration; [ ] no consideration. The Grantor acknowledges receipt of any consideration stated.

This general template is provided for informational purposes only and does not constitute legal advice. Requirements vary by state and locality; review current law and attach any disclosures or addenda your situation requires before signing. For a guided state-specific document, visit lawvault.org.

Transfer tax exemption claimed, if any: _____.

4. PERMITTED EXCEPTIONS

The conveyance and the special warranty are subject to the following (the "Permitted Exceptions"; check all that apply): [ ] real estate taxes and assessments not yet due and payable; [ ] easements, rights of way, covenants, conditions and restrictions of record; [ ] zoning and land use laws; [ ] the existing mortgage or deed of trust recorded as _____, which the Grantee takes subject to; [ ] other: _____ _____

5. SPECIAL WARRANTY

The Grantor, for the Grantor and the Grantor's heirs, personal representatives, successors and assigns, warrants title to the Property and will defend it against the lawful claims of every person claiming the Property or any part of it by, through or under the Grantor, but not otherwise, subject to the Permitted Exceptions.

This warranty covers only claims and encumbrances that arise from the acts of the Grantor, or of persons claiming through the Grantor, while the Grantor held title. Any covenant the law implies from the words used to convey the Property is limited in the same way. The Grantor makes no other covenant or warranty of title. A trustee or personal representative gives this warranty only in that capacity, binding the trust property or the estate and not the signer personally.

6. JOINDER OF SPOUSE

(Complete only if the Grantor's spouse is not a Grantor but must sign, for example to release homestead, dower, curtesy or community property rights.) _____, spouse of the Grantor, joins in this deed to release and convey to the Grantee any marital interest in the Property, without warranty.

7. GENERAL TERMS

"Grantor" and "Grantee" include every person named in that role. This deed binds and benefits the parties and their heirs, personal representatives, successors and assigns, and is governed by the law of the state where the Property is located. If any part is held invalid, the rest remains in effect.

Signed on _____.

SIGNATURES

Grantor

Signature: _____ Date: _____

Printed Name: _____

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Grantor (second spouse, co-trustee, or signer for a company with title)

Signature: _____ Date: _____

Printed Name: _____

Grantor's spouse (if joining)

Signature: _____ Date: _____

Printed Name: _____

WITNESSES (IF YOUR STATE REQUIRES THEM)

Florida requires two witnesses, and Georgia one unofficial witness plus the notary. Each witness signs, prints a name and gives a mailing address, and should not be a Grantee. Ask the recording office whether your state or county requires witnesses.

Witness 1: _____ Printed name: _____
Address: _____

Witness 2: _____ Printed name: _____
Address: _____

ACKNOWLEDGMENT

State of _____, County of _____

On _____, before me, the undersigned notary public, personally appeared _____, known to me or proved to me through satisfactory evidence of identity to be the person whose name is signed on this deed, who acknowledged signing it voluntarily for the purposes stated in it.

Notary Public: _____ Printed name: _____ My commission expires: _____ (Seal)

California, New York and Florida set their own acknowledgment wording, and each signer needs a certificate. Ask your notary to use the state's form.

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BEFORE YOU RECORD

Some states set their own wording or add requirements: Colorado and Oregon have statutory special warranty deed forms, Oregon requires a land use statement in the deed, Texas requires a confidentiality notice at the top of page one, and California requires the documentary transfer tax on the face of the deed. Many states also require a preparer statement, page margins or transfer tax forms; Iowa and South Dakota want the preparer's phone number, and Kentucky requires a consideration certificate sworn by grantor and grantee before a notary. Check with the recording office (the town clerk in Connecticut, the city or town clerk in Rhode Island and Vermont, the Bureau of Conveyances in Hawaii, the county office elsewhere), or use the LawVault builder, which prints your state's version. This template is not legal advice.

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