

57-1-12.5 Form of special warranty deed -- Effect.

(1) Conveyances of land may be substantially in the following form:

SPECIAL WARRANTY DEED

____ (here insert name), grantor, of ____ (insert place of residence), hereby conveys and warrants against all who claim by, through, or under the grantor to ____ (insert name), grantee, of ____ (insert place of residence), for the sum of ____ dollars, the following described tract ____ of land in ____ County, Utah, to wit: (here describe the property).

Witness the hand of said grantor this _____(month\day\year).

(2) A special warranty deed when executed as required by law shall have the effect of:

(a) a conveyance in fee simple to the grantee, the grantee's heirs, and assigns, of the property named in the special warranty deed, together with all the appurtenances, rights, and privileges belonging to the property; and

(b) a covenant from the grantor, the grantor's heirs, and personal representatives, that:

(i) the granted property is free from all encumbrances made by that grantor; and

(ii) the grantor, the grantor's heirs, and personal representatives will forever warrant and defend the title of the property in the grantee, the grantee's heirs, and assigns against any lawful claim and demand of the grantor and any person claiming or to claim by, through, or under the grantor.

(3) Any exceptions to a covenant described in Subsection (2)(b) may be briefly inserted in the deed following the description of the land.

Enacted by Chapter 213, 2005 General Session