

**WARRANTY DEED - TECHNICAL
AMENDMENTS**

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Dennis E. Stowell

House Sponsor: DeMar Bud Bowman

LONG TITLE

General Description:

This bill modifies the language related to warranty deeds to update terminology.

Highlighted Provisions:

This bill:

- ▶ makes technical changes to the statute related to the form of a warranty deed such as replacing the term "seised" with a more updated term; and
- ▶ makes related technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

57-1-12, as last amended by Chapter 75, Laws of Utah 2000

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **57-1-12** is amended to read:

57-1-12. Form of warranty deed -- Effect.

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

WARRANTY DEED

____ (here insert name), grantor, of ____ (insert place of residence), hereby conveys

30 and warrants to ____ (insert name), grantee, of ____ (insert place of residence), for the sum of
31 ____ dollars, the following described tract ____ of land in ____ County, Utah, to wit: (here
32 describe the premises).

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

34 (2) A warranty deed when executed as required by law shall have the effect of a
35 conveyance in fee simple to the grantee, [~~his~~] the grantee's heirs, and assigns[;]:

36 (a) of the premises [~~therein~~] named[~~, together with~~] in the warranty deed;

37 (b) of all the appurtenances, rights, and privileges [~~thereunto~~] belonging[;] to the
38 premises named in the warranty deed; and

39 (c) with covenants from the grantor, [~~his~~] the grantor's heirs, and personal
40 representatives, that [~~he is~~]:

41 (i) the grantor lawfully [~~seised of~~] owns fee simple title to and has the right to
42 immediate possession of the premises; [~~that he~~]

43 (ii) the grantor has good right to convey the [~~same~~] premises; [~~that he~~]

44 (iii) the grantor guarantees the grantee, [~~his~~] the grantee's heirs, and assigns in the quiet
45 possession [~~thereof~~] of the premises; [~~that~~]

46 (iv) the premises are free from all encumbrances; and [~~that~~]

47 (v) the grantor, [~~his~~] the grantor's heirs, and personal representatives will forever
48 warrant and defend the title [~~thereof~~] of the premises in the grantee, [~~his~~] the grantee's heirs,
49 and assigns against all lawful claims whatsoever.

50 (3) Any [~~exceptions~~] exception to [~~these~~] the covenants described in Subsection (2)(c)
51 may be briefly inserted in the warranty deed following the description of the land.