

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

28
29 _____ (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.

Legislative Review Note
as of 11-27-06 11:49 AM

Office of Legislative Research and General Counsel

Interim Committee Note
as of 12-18-06 11:45 AM

The Business and Labor Interim Committee recommended this bill.

S.B. 25 - Warranty Deed - Technical Amendments

Fiscal Note

2007 General Session
State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

12/22/2006, 8:36:47 AM, Lead Analyst: Eckersley, S.

Office of the Legislative Fiscal Analyst