

## Conveyance Documents

Page 33 of the Outline

### A. Requirements of a Valid Deed:

1. In Writing
2. Identification of Competent Parties
  - Grantor
  - Grantee

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## Conveyance Documents

### 3. Words of Conveyance

- Conveys, Grants and Warrants
- Convey, Release, Remise and Forever Quit Claim
- Grant, Bargain and Sell
- Bargain and Sell, or Grant and Release

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## Conveyance Documents

### 4. Legal Description

### 5. Consideration

- Good
- Valuable

### 6. Signature of Grantor

### 7. Delivery & Acceptance – Intent to Deliver

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## Conveyance Documents

### B. Major Parts of a Deed:

1. Premises Section
  - Name of Grantor and Grantee
  - Granting Clause (Present Interest Transferred )
  - Consideration
  - Legal Description
2. Habendum Clause
  - Description of Estate to be Taken (Fee Simple, etc.)
  - Conditions Affecting the Grant
  - Covenants of Title

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## Conveyance Documents

### 3. The Execution Clause (Testimonium)

- Date
- Signature of Grantor
- Seal (Corporate Seals Not Required in Idaho)
- Signature of Witnesses (If Required)

### 4. The Acknowledgment

- Notary for Recording
- Constructive Notice and Actual Notice

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Premises  
Section

Habendum  
Clause

Execution

Acknowledgment

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## Conveyance Documents

### C. Classification of Deeds

- Deed Covenants
  - Present Covenants
    - Covenant of Seisin - *an old feudal term for having both possession and title of real property. The word is found in some old deeds, meaning ownership in fee simple (full title to real property).*
    - Covenant of Right to Convey
    - Covenant Against Encumbrances.....

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## Conveyance Documents

### • Classification of Deeds

- Deed Covenants
  - Future Covenants
    - Covenant of Further Assurance – *make the title good*
    - Covenant of Quiet Enjoyment – *protect the title*
    - Covenant of Warranty – *reimbursement for title lost*

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## Conveyance Documents

### 1. Warranty Deeds

#### A. General Warranty Deeds

- A deed in which the grantor fully warrants good clear title to the premises. Used in most real estate deed transfers, a general warranty deed offers the greatest protection of any deed.

#### B. Special Warranty Deeds

- Warranty that the Grantor received the title and that the property was unencumbered by the Grantor except those noted.

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## Conveyance Documents

### 2. Bargain and Sale Deeds

- A deed that carries with it no warranties against liens or other encumbrances but that does imply that the grantor has the right to convey title. The grantor may add warranties to the deed at his or her discretion.

### 3. Quit Claim Deeds or Special Types of Deeds

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