

DEED TEMPLATES AVAILABLE AT THE CLERK OF THE CIRCUIT COURT & COMPTROLLER'S OFFICE



- WARRANTY DEED:** A Warranty Deed offers the most protection of any Florida deed to the person receiving the property (grantee). The person conveying the property (grantor) promises that they have valid legal title to the property, that they have the right to convey the property, that title is not defective, and that there are no undisclosed or invisible encumbrances on the title. Encumbrances are things that may make a title defective, or may limit or restrict ownership, such as: liens, restrictions on use of the property, or restrictions on the ability to sell the property. If there are any defects to the title, the grantee can sue the grantor and receive damages. This type of deed is most commonly used in real estate contracts for the sale of a home.

- QUIT-CLAIM DEED:** A Quit-Claim Deed is a fast way to convey property, because it has minimal legal requirements; however, it makes no promises or guarantees about the validity of the title. The grantor does not guarantee that they fully own the property or that they have the right to convey it. The grantee would not be able to sue the grantor if there is a defect in the title of the property. For this reason, this type of deed is most commonly used for individuals who know and trust each other, such as in transfers between family members; a transfer as part of a divorce settlement; or a change to the deed to add a co-owner.

- ENHANCED LIFE ESTATE DEED:** In an Enhanced Life Estate Deed (also known as a “Lady Bird Deed”), the grantor keeps complete ownership of and control over the property during his/her lifetime. The deed conveys the property to the grantee, called the grantee beneficiary, at the time of the grantor’s death. While the grantor is alive, they can sell, mortgage, or give away the property without the consent of the grantee beneficiary. Because the property transfers by deed upon the death of the grantor, it does not require probate and does not become part of the grantor’s probate estate.

- ❖ **PLEASE NOTE:** there are other types of deeds that may be used to transfer title to real property in Florida for which our office does not have templates. If you are unsure as to which type of deed is best for your particular situation, you should consult with an attorney regarding your options. The Clerk of the Circuit Court & Comptroller’s Office cannot give any legal advice.



Components of a Deed

DEFINITIONS OF COMMON TERMS FOUND IN DIFFERENT TYPES OF DEEDS*

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| <input type="checkbox"/> Acknowledgments
To “acknowledge” is to admit, affirm, declare, testify, avow, confess, or own as genuine. Typically associated with a notary’s seal & signature and signatures of two witnesses. | <input type="checkbox"/> Grantor
A transferor of real property. Anyone who gives a deed. |
| <input type="checkbox"/> Consideration
Anything of value given to induce entering into a contract; it may be money, personal services, etc. | <input type="checkbox"/> Legal Description
The legally acceptable identification of Real Estate by one of the following: the government rectangular survey; metes & bounds; recorded Plat. In Palm Beach County, it can be found on the Property Appraiser’s website. |
| <input type="checkbox"/> Convey
To deed or transfer title to another. | <input type="checkbox"/> Parcel Control Number (PCN)
Another way to identify a piece of property in Palm Beach County. This unique 17-digit number can be found on the Property Appraiser’s website. |
| <input type="checkbox"/> Conveyance
The transfer of the title of real estate from one to another; the means or medium by which title of real estate is transferred. | <input type="checkbox"/> Title
Legal recognition of the ownership of property, perhaps evidenced by a document having legal force. |
| <input type="checkbox"/> Covenant
Promise written into deeds agreeing to performance or nonperformance of certain acts, or requiring or preventing certain uses of the property. | <input type="checkbox"/> Trust
An arrangement whereby property is transferred to a trusted 3 rd party (trustee) by a grantor (trustor). The trustee holds the property for the benefit of another (beneficiary). |
| <input type="checkbox"/> Grantee
The party to whom the title to real property is conveyed/given. | <input type="checkbox"/> Trustee
One who holds property in trust for another to secure performance of an obligation; the neutral party in a Trust Deed transaction. |

DEED REQUIREMENTS:

- Names of all parties executing the deed, legibly written/typed. (FL §695.26)
- The Grantor(s) and Grantee(s) names and addresses, legibly written/typed (FL §695.26)
- The full legal description of the property. (FL §695.22)
- Two witnesses-name & address typed/written legibly, along with a signature for each witness. (FL §689.01; §695.26)
- Legible notary stamp and signature with a full notary acknowledgment. (FL §695.26)
- A 3-inch by 3-inch blank space at the top right-hand corner which is reserved for the Recording Stamp. (FL §695.26)

Clerk of the Circuit Court & Comptroller, Palm Beach County

*If you are still unsure which components of your deed are required, please seek the advice of an attorney