

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 181

S. P. 84

In Senate, January 12, 1981

Referred to the Committee on Judiciary. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary of the Senate

Presented by Senator Devoe of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Amend the Short Form Deeds Act.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 33 MRSA § 772-A is enacted to read:

§ 772-A. Effect of release

A recital of release of all rights by a spouse in a conveyance or transfer of real estate has the effect of a joinder in and an assent and consent to the conveyance and a release and waiver of all rights in the premises being conveyed.

Sec. 2. 33 MRSA § 775, first form, 3rd ¶, as amended by PL 1969, c. 344, § 3, is further amended to read:

E.F., wife spouse of said grantor, joins as grantor and releases all rights by descent and all other rights in the above-described premises.

Sec. 3. 33 MRSA § 775, 2nd form, 3rd ¶, as amended by PL 1969, c. 344, § 3, is further amended to read:

E.F., wife spouse of said grantor, joins as grantor, and releases all rights by descent and all other rights in the above-described premises.

Sec. 4. 33 MRSA § 775, 3rd form, as amended by PL 1969, c. 344, § 3, is repealed and the following enacted in its place:

3 Deed of Personal Representative, Trustee, Conservator, Receiver, Commissioner, Executor, Administrator, Guardian or other specified authorized Representative

A. B., personal representative of the will of C. D., (or “personal representative of the estate of”, “trustee of”, “conservator of”, “receiver of the estate of”, “commissioner”, “executor of the will of”, “administrator of the estate of”, “guardian of”, (“other specified authorized representative of”)) by the power conferred by law, and every other power, for dollars paid, grant to E.F. of County,....., the land in, County,

(description)

(with appropriate release of spouse)

Witness hand and seal this day of (here add acknowledgment)

Sec. 5. 33 MRSA § 775, 4th form, 3rd ¶, as amended by PL 1969, c. 344, § 3, is further amended to read:

E.F., wife spouse of said grantor, ~~joins as grantor, and~~ releases all rights by descent and all other rights in the above-described premises.

Sec. 6. 33 MRSA § 775, 5th form, 4th ¶, as amended by PL 1969, c. 344, § 3, is further amended to read:

E.F., wife spouse of said grantor, ~~joins as grantor, and~~ releases all rights by descent and all other rights in the above-described premises.

Sec. 7. 33 MRSA § 775, 9th form, 3rd ¶, as amended by PL 1969, c. 344, § 3, is further amended to read:

E.F., wife spouse of said grantor, ~~joins as grantor and~~ releases all rights by descent and all other rights in the above-described premises.

Sec. 8. 33 MRSA § 775, 10th form, 3rd ¶, as repealed and replaced by PL 1975, c. 104, § 2, is amended to read:

A. B. and C. D., husband and wife, (and E. F., and M. N., wife spouse of E. F.) (both) ~~join as grantors and~~ (both) release all rights by descent and all other rights in the above-described premises (or I. J., wife spouse of A. B. and K. L., wife spouse of C. D., ~~both join as grantors and~~ both release all rights by descent and all other rights in the above-described premises).

STATEMENT OF FACT

The purpose of this bill is to amend the provisions of the Short Form Deed Act dealing with release of spousal rights.