

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 737

H. P. 556

House of Representatives, February 11, 1969

Referred to Committee on Judiciary. Sent up for concurrence and 1,000 ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Brennan of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Revising the Short Form Deeds Act.

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

Sec. 1. R. S., T. 33, § 772, amended. The first sentence of section 772 of Title 33 of the Revised Statutes, as enacted by chapter 377 of the public laws of 1967, is amended to read as follows:

In a conveyance or reservation of real estate the terms "heirs", "successors", "assigns", "forever" or other technical words of inheritance, or an habendum, shall not be necessary to convey or reserve an estate in fee.

Sec. 2. R. S., T. 33, § 774, repealed and replaced. Section 774 of Title 33 of the Revised Statutes, as enacted by chapter 377 of the public laws of 1967, is repealed and the following enacted in place thereof:

§ 774. Seals not required

All deeds and other instruments, including powers of attorney, for the conveyances of real property in this State or any interest therein, and otherwise valid except that the same omitted to state any consideration therefor or that the same were not sealed by the grantors or any of them, shall be valid.

Sec. 3. R. S., T. 33, § 775, amended. The first 10 forms of section 775 of Title 33 of the Revised Statutes, as enacted by chapter 377 of the public laws of 1967, are amended to read as follows:

1 Warranty Deed

A. B. of County,
(Being unmarried), for consideration paid, grant to C. D. of

..... County,, with Warranty Covenants,
..... the land in, County,
Maine.

(description and encumbrances, if any)

E. F. wife of said grantor, joins as grantor and releases all rights by descent and all other rights.

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

2 Quitclaim Deed With Covenant

A. B. of, County,,
(being unmarried) for consideration paid, grant to C. D. of,
..... County,, with quitclaim covenant the
land in, County,

(description and encumbrances, if any)

E. F. wife of said grantor, joins as grantor, and releases all rights by descent and all other rights.

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

3 Deed of Executor, Administrator, Trustee,
Guardian, Conservator, Receiver or Commissioner

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

..... County,,
(description)

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

4 Quitclaim Deed Without Covenant or Release Deed

A. B. of, County,,
(being unmarried) for consideration paid, release to C. D. of,
..... County,, the land in,
..... County,

(description)

E. F., wife of said grantor, joins as grantor, and releases all rights by descent and all other rights.

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

5 Mortgage Deed

A. B. of, County,,
(being unmarried) for consideration paid, grant to C. D. of

..... County,, with mortgage covenants, to secure the payment of dollars in years with per cent interest per annum, payable in installments, as provided in note of even date, the land in, County,

(description and encumbrances, if any)

This mortgage is upon the statutory condition, for any breach of which the mortgagee shall have the remedies provided by law.

E. F., wife of said grantor, joins as grantor, and releases all rights by descent and all other rights.

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

6 Partial Release of Mortgage

C. D., the holder of a mortgage by A. B. to C. D. dated, recorded in the County Registry of Deeds, Book, Page, for consideration paid, release to A. B. all interest acquired under said mortgage in the following described portion of the mortgaged premises:

(description)

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

7 Assignment of Mortgage

C. D., holder of a mortgage from A. B. to C. D. dated, recorded in the County Registry of Deeds, Book, Page, assign said mortgage and the note and claim secured thereby to E. F.

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

8 Discharge of Mortgage

C. D., holder of a mortgage from A. B. to C. D. dated, recorded in the County Registry of Deeds, Book, Page, acknowledge satisfaction of the same.

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

9 Deed from Individual to Himself and Another as Joint Tenants

A. B. of, County,, (being unmarrid) for consideration paid, grant to said A. B. and C. D. of, County,, with war-

warranty covenants (or "quitclaim covenant") as joint tenants, the land in County,
(description and encumbrances, if any)

E. F., wife of said grantor, joins as grantor and releases all rights by descent and all other rights.

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

10 Deed From Joint Tenants or Two Grantors
to Joint Tenants

A. B. and C. D., (both) of County,
(joint tenants,) for consideration paid, grant to E. F. of County, and G. H. of County, with warranty covenants (or with "quitclaim covenant") as joint tenants, the land in County,
(description and encumbrances, if any)

A. B. and C. D., husband and wife, both join as grantors, and both release all rights by descent and all other rights. (or I. J., wife of A. B. and K. L., wife of C. D., both join as grantors, and both release all rights by descent and all other rights.)

Witness our hands and seals this day of
(here add acknowledgment)