

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 554

6
7 S.P. 206

In Senate, February 13, 1985

8 On motion of Senator Violette of Aroostook, referred to the Committee
9 on Judiciary. Sent down for concurrence and ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Kany of Kennebec.

11 Cosponsored by Representative Bragg of Sidney, Representative Daggett
of Manchester and Representative Moholland of Princeton.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT to Require Deeds to Contain Mailing
18 Addresses of Grantees.
19

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

22 Sec. 1. 33 MRSA §651-B is enacted to read:

23 §651-B. Mailing address of grantees

24 No instrument executed on or after November 1,
25 1985, may be accepted by a register of deeds for re-
26 recording unless the mailing address of all grantees
27 under the instrument is typed or printed on the in-
28 strument. The mailing address may be typed or
29 printed on the instrument at the registry of deeds by
30 the person bringing the instrument to the registry,
31 provided that the mailing address is typed or printed
32 on the instrument prior to the certification on the
33 instrument under section 653 of the time when the in-
34 strument was received.

1 Sec. 2. 33 MRSA §775, as amended by PL 1981, c.
2 367, §§3 to 11, is repealed and the following enacted
3 in its place:

4 §775. Appendix

5 Statutory short forms of instruments relating to
6 real estate are as follows.

7 1. Warranty Deed.

8 Warranty Deed

9 A.B. of, County,
10, (being unmarried), for consideration
11 paid, grant to C.D. of, County,
12, whose mailing address is, with
13 warranty covenants, the land in
14, County, Maine.

15 (description and encumbrances, if any)

16 E.F., spouse of the grantor, releases all rights
17 in the premises being conveyed.

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

20 2. Quitclaim Deed with Covenant.

21 Quitclaim Deed With Covenant

22 A.B. of, County,
23, (being unmarried) for consideration paid,
24 grant to C.D. of, County,
25, whose mailing address is, with
26 quitclaim covenant the land in,
27 County,

28 (description and encumbrances, if any)

29 E.F., spouse of the grantor, releases all rights
30 in the premises being conveyed.

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

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

3 Deed of Personal Representative, Trustee,
4 Conservator, Receiver, Commissioner, Executor,
5 Administrator, Guardian or Other Specified
6 Authorized Representative

7 A.B., personal representative of the estate of
8 C.D., ("trustee of", "conservator of", "receiver of
9 the estate of", "commissioner", "executor of the will
10 of", "administrator of the estate of", "guardian of",
11 or "other specified authorized representative of") by
12 the power conferred by law, and every other power,
13 for dollars paid, grant to E.F. of County,
14 , whose mailing address is, the land in
15 , County,

16 (description)

17 (with appropriate release of spouse)

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

20 3-A. Deed of Distribution by Personal Represen-
21 tative (Intestate)

22 Deed of Distribution by Personal Representative
23 (Intestate)

24 A.B. of, County,, duly appointed
25 and acting personal representative of the estate of
26 C.D., deceased, as shown by the probate records of
27 County, Maine, by the powers conferred by law,
28 and every other power, (in distribution of the es-
29 tate) grants to E.F. of, County,,
30 whose mailing address is, being the person(s)
31 entitled to distribution, the real property in,
32 County, Maine, described as follows:

33 (description)

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

36 3-B. Deed of Distribution by Personal Represen-
37 tative (Testate).

1 Deed of Distribution by Personal Representative
2 (Testate)

3 A.B. of, County,, duly appointed
4 and acting personal representative of the estate of
5 C.D., deceased, whose will was duly admitted to pro-
6 bate in the Probate Court for County, Maine, by
7 the power conferred by law, and every other power,
8 (in distribution of the estate) grants to E.F. of
9, County,, whose mailing address is
10, being the person(s) entitled to distribution,
11 the real property in, County, Maine, de-
12 scribed as follows:

13 (description)

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

16 3-C. Deed of Sale by Personal Representative
17 (Intestate).

18 Deed of Sale by Personal Representative (Intestate)

19 A.B. of, County,, duly appointed
20 and acting personal representative of the estate of
21 C.D., deceased (intestate), as shown by the probate
22 records of County, Maine, and having given no-
23 tice to each person succeeding to an interest in the
24 real property described below at least ten (10) days
25 prior to the sale, by the power conferred by the Pro-
26 bate Code, and every other power, for consideration
27 paid grants to E.F. of, County,, whose
28 mailing address is, the real property in,
29 County, Maine, described as follows:

30 (description)

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

33 3-D. Deed of Sale by Personal Representative
34 (Testate).

35 Deed of Sale by Personal Representative (Testate)

1 A.B. of, County,, duly appointed
2 and acting personal representative of the estate of
3 C.D., deceased (testate), as shown by the probate
4 records of County, Maine, (and having given no-
5 tice to each person succeeding to an interest in the
6 real property described below at least ten (10) days
7 prior to the sale) (and not having given notice to
8 each person succeeding to an interest in the real
9 property described below at least ten (10) days prior
10 to the sale, such notice not being required under the
11 terms of the decedent's will), by the power conferred
12 by the Probate Code, and every other power, for con-
13 sideration paid grants to E.F. of, County,
14, whose mailing address is, the real proper-
15 ty in, County, Maine, described as follows:

16 (description)

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

19 4. Quitclaim Deed Without Covenant or Release
20 Deed.

21 Quitclaim Deed Without Covenant or Release Deed

22 A.B. of,, County,
23, (being unmarried) for consideration paid,
24 release to C.D. of,, County,
25, whose mailing address is, the
26 land in,, County,

27 (description)

28 E.F., spouse of the grantor, releases all rights
29 in the premises being conveyed.

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

32 5. Mortgage Deed.

33 Mortgage Deed

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

1 , whose mailing address is ,with
2 mortgage covenants, to secure the payment of
3 dollars in years
4 with per cent interest per annum, payable
5 in installments, as provided in
6 note of even date, the land in ,
7 County,

8 (description and encumbrances, if any)

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

12 E.F., spouse of the grantor, releases all rights
13 in the premises being conveyed.

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

16 6. Partial Release of Mortgage.

17 Partial Release of Mortgage

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

24 (description)

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

27 7. Assignment of Mortgage.

28 Assignment of Mortgage

29 C.D., holder of a mortgage from A.B. to C.D.,
30 dated, recorded in the
31 County Registry of Deeds, Book, Page
32, assign the mortgage and the note and claim se-
33 cured thereby to E.F.

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

1 8. Discharge of Mortgage.

2 Discharge of Mortgage

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

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

9 9. Deed from Individual to Himself and Another
10 as Joint Tenants.

11 Deed from Individual to Himself and
12 Another as Joint Tenants

13 A.B. of, County,
14 , whose mailing address is, (be-
15 ing unmarried) for consideration paid, grant to said
16 A.B. and C.D. of, County,
17 , whose mailing address is,,
18 with warranty covenants (or "quitclaim covenant") as
19 joint tenants, the land in,
20 County,

21 (description and encumbrances, if any)

22 E.F., spouse of the grantor, releases all rights
23 in the premises being conveyed.

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

26 10. Deed from Multiple Grantors to Joint Ten-
27 ants.

28 Deed from Multiple Grantors to Joint Tenants

29 A.B. and C.D. (and E.F.), of,
30 County,, for consideration
31 paid, grant to W.X. of, Count-
32 ty,, whose mailing address is,
33 and Y.Z. of, County,
34 , whose mailing address is, with
35 warranty covenants (or with "quitclaim covenant") as

1 joint tenants, the land in, County
2

3 (description and encumbrances, if any)

4 A.B. and C.D., husband and wife, (and E.F., and
5 M.N., spouse of E.F.) (both) release all rights in
6 the premises being conveyed (or I.J., spouse of A.B.
7 and K.L., spouse of C.D., both release all rights in
8 the premises being conveyed).

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

11 11. Municipal Quitclaim Deed.

12 Municipal Quitclaim Deed

13 The inhabitants of the municipality of
14, a body corporate, located at,
15 County,, for consideration
16 paid, release to of
17 County,, whose mailing address is
18, the land in, Coun-
19 ty,

20 (description and encumbrances, if any)

21 The inhabitants of the municipality of
22 have caused this instrument to be signed in its cor-
23 porate name by, its, duly au-
24 thorized, this day of (here add acknowl-
25 edgment)

26 12. Acknowledgment of Individual Acting in His
27 Own Right.

28 Acknowledgment of Individual Acting
29 in His Own Right

30 State of
31 County of, ss (Date)

32 Then personally appeared the above named A. (and
33 B.) and (severally) acknowledged the foregoing in-
34 strument to be his (or their) free act and deed.

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Before me,

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Notary Public

13. Acknowledgment of an Attorney.

Acknowledgment of an Attorney

State of
County of, ss (Date)

Then the above named, who signed the foregoing instrument as the attorney of the above named (grantor), personally appeared and acknowledged the same to be his free act and deed.

Before me,

.....
Notary Public

14. Acknowledgment of an Officer of a Corporation.

Acknowledgment of an Officer of a Corporation

State of
County of, ss (Date)

Then personally appeared the above named (name of the officer who signed the deed, with his title), and acknowledged the foregoing instrument to be his free act and deed in his capacity and the free act and deed of the corporation.

Before me,

.....
Notary Public

15. Acknowledgment of an Executor, Administrator, Trustee, Guardian, Conservator, Receiver or Commissioner.

Acknowledgment of an Executor, Administrator, Trustee, Guardian, Conservator, Receiver or Commissioner

State of

1 County of, ss (Date)

2 Then personally appeared the above named A. (and
3 B.) in his (their) capacity and (severally) acknowl-
4 edged the foregoing instrument to be his (their) free
5 act and deed.

6 Before me,

7
8 Notary Public

9 STATEMENT OF FACT

10 The purpose of this bill is to require all in-
11 struments conveying land to include the mailing ad-
12 dress of grantees. An instrument that does not in-
13 clude a grantee's mailing address will not be able to
14 be recorded in the registry of deeds.

15 Section 1 of this bill enacts the provision re-
16 quiring an instrument to contain the grantee's mail-
17 ing address. The mailing address may be added to the
18 instrument at the registry of deeds by the person
19 bringing the instrument in to be recorded, but the
20 instrument will not be noted as recorded by the reg-
21 ister until the mailing address is printed or typed
22 on it.

23 Section 2 of the bill simply amends the Short
24 Form Deeds Act, which provides in statute model in-
25 struments for transferring interests in land, by add-
26 ing a place on each relevant model form for the in-
27 sersion of a grantee's mailing address.

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