

Deed Definitions

Bargain and Sale Deed:

A deed by which the grantor “bargains, sells and conveys” real property to the grantee. A bargain and sale deed conveys fee simple title to the grantee and warrants against defects created by the grantor, except for those matters disclosed in the deed.

Quit Claim Deed:

A deed by which the grantor “conveys and quit claims” to the grantee any interest the grantor *might* have, if any, in certain real property. A quit claim deed conveys no warranties of title. A quit claim deed conveys no after-acquired title, unless the deed contains words expressing the intent to do so.

Sheriff’s Deed:

A deed issued by the sheriff following judicial foreclosure of a mortgage in default. The lender: 1) obtains a judgment of foreclosure; and 2) executes on the judgment by obtaining an order of sale, which is delivered to the sheriff’s office. The sheriff: 1) conducts the sale; and 2) files the return of sale with the court clerk. The purchaser at the sheriff’s sale obtains an order confirming sale. Then, the clerk of the court delivers to the purchaser the certificate of sale, which must be recorded. Thereafter, a sheriff’s deed is issued to the purchaser if no one redeems the property during the redemption period. The sheriff’s deed should be recorded to give notice that title has passed to the purchaser at the sheriff’s sale.

Statutory Warranty Deed:

A deed by which the grantor “conveys and warrants” the real property to the grantee. A statutory warranty deed conveys fee simple title to the grantee and warrants against defects asserted by all persons, except for those matters disclosed in the deed.

Special Warranty Deed:

A special warranty deed is not a Washington State statutory deed form. A special warranty deed is similar to a Washington form bargain and sale deed, which conveys fee simple title to the grantee and warrants against defects created by the grantor, except for those matters disclosed in the deed.

Tax Deed:

A deed issued by the county treasurer to the purchaser at a tax sale conducted due to nonpayment of taxes. A tax deed should be recorded to give notice that title has passed to the purchaser at the sale.

Trustee’s Deed:

A deed issued by the trustee of a deed of trust following the non-judicial foreclosure of a deed of trust in default. First, the trustee or beneficiary sends a Notice of Default. Then, the trustee: 1) records a Notice of Trustee’s Sale; 2) holds the trustee’s sale; and 3) issues a trustee’s deed to the highest bidder at the sale. The trustee’s deed should be recorded to give notice that title has passed to the purchaser at the sale.