

Types of Deeds

The four primary types of deeds used in Texas real estate transactions vary significantly in the warranties and protections they provide to buyers.

General Warranty Deed

General Warranty Deeds are the strongest deeds.

- This deed covers the property's entire history, providing buyers the greatest security as the Grantor assumes responsibility for any title problems, regardless of origin.
- Offers maximum buyer protection.
- Standard in Texas residential transactions.
- The Grantor guarantees they own the property with a transferable title.
- No undisclosed encumbrances exist.

Special Warranty Deed

A Special Warranty Deed provides intermediate protection and limits the warranty “by, through or under the Grantor but not otherwise.”

- These deeds are often used when the conveyance is from an executor, administrator, trustee, guardian, etc., and in commercial transactions and sales by banks, trusts, or estates.
- The Grantor warrants property ownership, right to transfer, absence of undisclosed encumbrances, and defense against claims arising only during their ownership period.
- It must be certain that the Grantor is not aware of any unacknowledged defects in the chain of title.

Quitclaim Deed

The Quitclaim Deed provides minimal protection and does not contain “grant & convey” language, which gives implied warranties under the Property Code.

- The Grantor relinquishes any potential claim without promising actual ownership, a clear title, or the absence of third-party claims.
- The deed transfers whatever interest the Grantor may have.
- Quitclaim Deeds are not acceptable in the direct chain of title and are normally used only for curative matters.
 - An example would be where a Divorce Decree properly divests one spouse’s interest in the property to the other - a Quitclaim Deed may then be used to satisfy disposal of the spouse’s interest in the real property records.

Deed Without Warranty

This deed transfers whatever interest the Grantor may have without guarantees regarding title.

- The Grantor doesn't promise actual ownership or a clear title. If the seller has any ownership interest, it transfers to the buyer.
- These deeds are used when title status is uncertain, between family members, for gifts, or when minimizing seller liability.
- Buyers should purchase title insurance and conduct thorough title searches.



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