

# FAQ on Deeds & Liens

## **What is a deed?**

A deed is a document that transfers the ownership of real estate. There are many forms of deeds. Warranty deeds and quit claim deeds are among two of the most common forms used. A warranty deed is a guarantee from the buyer to the seller that he has a good, clear title, and guarantees that previous owners or heirs have no interest in the property. A quit claim deed is used to release the name of a person who may have interest in or claim to the property.

## **Can I make out my own deed?**

Yes, but the Register of Deeds and staff always recommend that you retain an attorney or title company. The Register of Deeds office is a recording agency and cannot prepare deeds or answer questions that pertain to legal matters.

## **Does the Register of Deeds only record real estate records?**

Besides deeds, mortgages, etc., the Register of Deeds also records powers of attorney, corporation records, affidavits, and UCC's to name a few. The Register of Deeds also has custody of some of the public school records. The Register of Deeds also records military discharge papers for safekeeping. The recording and any certified copies needed of your discharge papers are always provided with no fee.

## **Can the Register of Deeds do a title search and tell me if I have clear title to my property?**

No. Professional title examiners or abstractors search records in our office and other places such as district court, probate court, and federal courts to determine if your title is free of encumbrances.

## **What is a lien?**

As a property owner, you may owe money to various creditors. A lien is filed by creditors to prevent property from being sold or mortgaged until the lien is satisfied. There are many types of liens such as for non-payment of taxes and mechanics liens. Mechanics liens for construction or labor are filed in the District Court's Office. Mechanics liens on personal property are filed in the Register of Deeds office as a UCC.

**You can go to the [Kansas Register of Deeds Homepage](#) to download any forms you need**