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**HOUSE BILL NO. 1640**

Offered January 14, 2009

Prefiled December 10, 2008

*A BILL to amend and reenact §§ 55-48 and 55-58 of the Code of Virginia, relating to form of deeds and deeds of trust.*

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Patron—Marshall, R.G.

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Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 55-48 and 55-58 of the Code of Virginia are amended and reenacted as follows:**

**§ 55-48. Form of a deed.**

Every deed, corrected or amended deed, deed of release, or memorandum or addendum to any of these instruments, including those with vendor's liens, shall name in the first clause each grantor and each grantee under whose names the instrument is to be indexed as required by § 17.1-249 and may be made in the following form, or to the same effect: "This deed, made the . . . . . day of . . . . ., in the year . . . . ., between (here insert names of parties as grantors or grantees), witnesseth: that in consideration of (here state the consideration), the said . . . . . doth (or do) grant unto the said . . . . ., all (here describe the property, including the name of the city or county in which the property is located, and insert covenants or any other provisions). Witness the following signature and seal (or signatures and seals)."

*The first clause of the deed shall also contain the following information:*

*1. If the grantee is a corporation, the names of the corporation's directors, officers, and registered agent serving at the time the deed was made;*

*2. If the grantee is a limited liability company, the names of the company's members for a member-operated company or the managers for a manager-operated company, and the registered agent serving at the time the deed was made;*

*3. If the grantee is a partnership or limited partnership, the names of the partners or limited partners and the registered agent serving at the time the deed was made; and*

*4. If the grantee is a business trust, the names of the trustees and the registered agent serving at the time the deed was made.*

**§ 55-58. Form of deed of trust to secure debts, etc.**

A deed of trust to secure debts or indemnify sureties may be in the following form, or to the same effect, and shall name in the first clause each (i) grantor, (ii) trustee, and, if applicable, (iii) grantee under whose names the deed of trust is to be indexed as required by § 17.1-249: "This deed, made the . . . . . day of . . . . ., in the year . . . . ., between . . . . . (the grantor), of the one part, and . . . . . (the trustee), of the other part, witnesseth: that the said . . . . . (the grantor) doth (or do) grant unto the said . . . . . (the trustee), the following property (here describe it): In trust to secure (here describe the debts to be secured or the sureties to be indemnified and insert covenants or any other provisions the parties may agree upon). Witness the following signatures and seals (or signature and seal)."

*The first clause of the deed of trust shall also contain the following information:*

*1. If the grantor is a corporation, the names of the corporation's directors, officers, and registered agent serving at the time the deed was made;*

*2. If the grantor is a limited liability company, the names of the company's members for a member-operated company or the managers for a manager-operated company, and the registered agent serving at the time the deed was made;*

*3. If the grantor is a partnership or limited partnership, the names of the partners or limited partners and the registered agent serving at the time the deed was made; and*

*4. If the grantor is a business trust, the names of the trustees and the registered agent serving at the time the deed was made.*

INTRODUCED

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