

signs, unless limited by express words contained in such deed.

1909, April 1, P.L. 91, § 3. Amended 1925, April 30, P.L. 404, § 3.

§ 5. "Warrant generally" construed

A covenant or agreement by the grantor or grantors, in any deed or instrument in writing for conveying or releasing land that he, they, or it "will warrant generally the property hereby conveyed," shall have the same effect as if the grantor or grantors had covenanted that he or they, his or their heirs and personal representatives or successors, will forever warrant and defend the said property, and every part thereof, unto the grantee, his heirs, personal representatives and assigns, against the lawful claims and demands of all persons whomsoever.

1909, April 1, P.L. 91, § 4. Amended 1925, April 30, P.L. 404, § 4.

§ 6. "Warrant specially" construed

A covenant or agreement by the grantor or grantors in any deed or instrument in writing for conveying or releasing land that, he, they, or it "will warrant specially the property hereby conveyed," shall have the same effect as if the grantor or grantors had covenanted that he or they, his or their heirs and personal representatives or successors, will forever warrant and defend the said property, and every part thereof, unto the said grantee, his heirs, personal representatives and assigns, against the lawful claims and demands of the grantor or grantors, and all persons claiming or to claim by, through, or under him or them.

1909, April 1, P.L. 91, § 5. Amended 1925, April 30, P.L. 404, § 5.

§ 7. "Release and quitclaim" construed

Whenever, in any deed or instrument in writing for conveying or releasing land, there shall be used the words "release and quit claim," such deed or instrument in writing or conveying or releasing land shall be construed as if it set forth that the grantor or grantors hath or have remised, released, and quit-claimed, and by these presents doth or do remise, release, and forever quit-claim, unto the grantee, his heirs and assigns, all right, title, interest, property, claim, and demand whatsoever, both in law and in equity, in or to the lands or premises released, or intended so to be, so that neither the grantor or grantors, nor his or their personal representatives, his or their heirs or assigns, shall, at any time thereafter, have, claim, challenge, or demand the said lands and premises, or any part thereof, in any manner whatever.

1909, April 1, P.L. 91, § 6. Amended 1925, April 30, P.L. 404, § 6.

§ 8. Force and effect of words "grant, bargain," etc.

All deeds to be recorded in pursuance of this act, whereby any estate of inheritance in fee simple shall

hereafter be limited to the grantee and his heirs, the words grant, bargain, sell, shall be adjudged an express covenant to the grantee, his heirs and assigns, to-wit: That the grantor was seized of an indefeasible estate in fee simple, freed from incumbrances done or suffered from the grantor (excepting the rents and services due to the lord of the fee), as also for quiet enjoyment against the grantor, his heirs and assigns, unless limited by express words contained in such deeds, and that the grantee, his heirs, executors, administrators and assigns, may in any action assign breaches, as if such covenants were expressly inserted: Provided always, That this act shall not extend to leases at rack-rent, or to leases not exceeding one and twenty years, where the actual possession goes with the lease.

1715, May 28, 1 Sm.L. 94, § 6.

Repealed in Part

The act of May 28, 1715, 1 Sm.L. 94, and the act of March 18, 1775, 1 Sm.L. 422, are repealed by act of 1955, Aug. 4, P.L. 303, § 3, in so far as they are inconsistent with the latter act. Sections 1 and 2 of the 1955 act, regulating the recording of instruments by the commissioner of records in the city of Philadelphia, appear as 21 P.S. §§ 329, 330.

The act of May 28, 1715, 1 Sm.L. 94, is repealed insofar as inconsistent with 2002, Dec. 9, P.L. 1530, No. 197, effective in 60 days, pursuant to § 11 of said act.

§ 9. Repealed. 1947, April 24, P.L. 100, No. 39, § 20

§ 10. Deeds effective without seal

All deeds or instruments in writing for conveying or releasing lands made by any natural person, either in his individual capacity or as a fiduciary, duly signed by the grantors in the manner now provided by law, but with no seal affixed thereto, shall be deemed to be executed with the same force and effect in all respects as though a seal was affixed to the signature, and all such instruments in writing, signed by the grantors, but with no seal affixed thereto, shall be deeds for all purposes within the purview of all acts or parts of acts of Assembly relating to or concerning deeds for the conveyance or releasing of lands.

1909, April 1, P.L. 91, § 9, added 1925, April 30, P.L. 404, § 9.

§ 10.1. Uniform parcel identifier; conveyances, mortgages, releases, and other instruments

(a) In counties adopting a uniform parcel identifier system under statutory provisions on parcel identification, all conveyances, mortgages or releases or other instruments affecting real estate included in the system may be made by reference to the uniform parcel identifier of the real estate being conveyed, mortgaged, released or otherwise affected as indicated on the recorded county tax maps. The first conveyance, mortgage, release or

other instrument affecting real estate recorded after the adoption of an ordinance under the statutory provisions on parcel identification shall contain the uniform parcel identifier assigned to the parcel or parcels affected by such instrument. Thereafter, the first conveyance after a change of size and description of real estate represented by a uniform parcel identifier shall contain, in addition to the uniform parcel identifier assigned to the parcel, or parcels affected by the instrument, either:

(1) A metes and bounds description based on a precise survey; or

(2) A lot number and reference to a recorded subdivision plan which plan on its face shows metes and bounds prepared by a professional land surveyor as required by the act of May 23, 1945 (P.L. 913, No. 367), known as the "Professional Engineers Registration Law."¹ Any subdivision plan which was prepared prior to the effective date of the aforesaid "Professional Engineers Registration Law," which contains metes and bounds, shall be acceptable for compliance with these provisions, except that no requirement for metes and bounds description by survey or subdivision plan shall be necessary for any conveyance, transfer, mortgage, release or other purpose involving a right-of-way, surface or subsurface easement or oil, gas or mineral lease or other interest or any subsurface estate. Further, as to any mortgages recorded which seek to grant an interest in real estate which real estate has not obtained a parcel identifier, the failure to refer to the uniform parcel identifier for each such interest or the failure to include a deed reference for each such interest shall not affect the lien of such mortgage.

(b) Any subsequent conveyance, mortgage, release or other instrument affecting real estate so made by reference to the uniform parcel identifier and the record location where the metes and bounds description or first number and reference to a recorded plot plan last appears shall be as effective to pass title or affect title to the real estate so described as it would be if the premises had been described by the metes and bounds description used in the first instrument so recorded or appearing in the recorded subdivision plan.

(c) The uniform parcel identifier, the recorded tax map or record thereof or the recorded subdivision plan shall be received in evidence and in all courts and places as describing the real estate therein designated as though the same were set forth in full as appearing in the first conveyance, mortgage, release or other instrument or as shown on the recorded subdivision plan.

1988, Jan. 15, P.L. 6, No. 3, § 1, effective in 60 days.

¹ 63 P.S. § 148 et seq.

§§ 11, 12. Repealed. 1947, April 24, P.L. 100, No. 39, § 20

§ 13. Conveyance of estate tail by deed of bargain and sale

From and after the passing of this act, any person or persons seized of any estate tail in possession, reversion

or remainder, shall have full power to grant, bargain, sell and convey any lands, tenements or hereditaments, whereof he, she or they shall be so seized, by such manner and form of conveyance of assurance, as any person seized of an estate in fee simple may be the laws of this state grant, bargain, sell and convey any lands, tenements or hereditaments, whereof such person is seized of an estate in fee simple; and all and every such grants, bargains, sales and conveyances of any person or persons, so seized in tail, shall be good and available, to all intents and purposes, against all and every person and persons whom the grantor, bargainor or vendor, might or could debar by any mode of common recovery, or by any way or means whatever, any law or usage to the contrary notwithstanding.

1799, Jan. 16, 3 Sm.L. 338, § 1.

§ 14. Repealed. 1978, April 28, P.L. 202, No. 53, § 2(a)[38], effective June 27, 1980

§ 15. Title to party wall to pass with ground

In all conveyances of houses and buildings, the right to, and compensation for, the party wall built therewith, shall be taken to have passed to the purchaser, unless otherwise expressed; and the owner of the house for the time being shall have all the remedies in respect to such party wall as he might have in relation to the house to which this attached; and so much of any previous law as is inconsistent with the provisions of this section is hereby repealed.

1849, April 10, P.L. 600, § 4.

EXECUTION, PROBATE AND ACKNOWLEDGMENT

GENERAL PROVISIONS

§ 41. Deeds made out of the province are valid

All deeds and conveyances made and granted out of this province, and brought hither and recorded in the county where the lands lie (the execution whereof being first proved by the oath or solemn affirmation of one or more of the witnesses thereunto, before one of more of the justices of the peace of this province, or before any mayor or chief magistrate or officer, of the cities, towns or places, where such deeds or conveyances are or shall be made or executed, and accordingly certified under the common or public seal of the cities, towns or places, where such deeds or conveyances are so proved respectively), shall be as valid as if the same had been made, acknowledged or proved, in the proper county where the lands lie in this province.

1715, May 28, 1 Sm.L. 94, § 4.

Repealed in Part

The act of May 28, 1715, 1 Sm.L. 94, and the act of March 18, 1775, 1 Sm.L. 422, are repealed by act of 1955, Aug. 4, P.L. 303, § 3, in so far as they are inconsistent with the latter act. Sections 1 and 2 of the 1955 act, regulating the