

Everything you didn't know about the Clerk and Recorder's Office

By Susan Corliss
Kit Carson County Clerk and Recorder

The Clerk and Recorder is responsible for recording documents. What kind of documents you might ask?

Deeds; why would you need to record a deed?

Perhaps you are selling your house, want to add your new spouse or family member as part-owner or need to remove someone from your current deed. Or you might need to disburse property from an estate or trust. All these situations call for a certain type of deed, a legal form that changes ownership on a property's title.

What kind of deed do I need? There are more than 20 different kinds of warranty deeds and quitclaim deeds, each right for a particular situation. The most common deeds are:

Quitclaim Deed: A quitclaim deed is a legal instrument by which the owner of a piece of real property, called the grantor, transfers his interest to a recipient, called the grantee. The owner/grantor terminates ("quits") his right and claim to the property, thereby allowing claim to transfer to the recipient/grantee.

Warranty Deed: A general warranty deed is a type of deed where the grantor (seller) guarantees that he or she holds clear title to a piece of real estate and has a right to sell it to the grantee (buyer). The guarantee is not limited to the time the grantor owned the property; it extends back to the property's origin.

Special Warranty Deed: A Special Warranty Deed only warrants title relative to the time the current owner has owned the property.

Special Purpose Deeds: There are situations that a more specific deed is required, for example, mining deed, mineral deed, confirmation deed, bargain and sale deed, and personal representative deed.

Deed of Trust: A document which pledges real property to secure a loan. The property is deeded by the title holder (owner) to a trustee which holds the title in trust for the beneficiary (the lender of the money). When the loan is fully paid, the lender requests the trustee to return the title by release. If the loan becomes delinquent the beneficiary can file a notice of default and, if the loan is not brought current, can demand that the trustee begin foreclosure on the property so that the beneficiary may either be paid or obtain title.

***Kit Carson County Clerk & Recorder's Office does not offer legal advice. We suggest you contact an Attorney or Title Company for all legal decisions regarding property.**

Please note that the Kit Carson County Clerk and Recorder's does require scheduling for Driver License appointments. There is only one station and it's important to everyone that people do not have to wait in line if at all possible. Currently, Driver License appointments are limited to Kit Carson County and neighboring county residents because of the limited appointments.

The following departments of the Kit Carson County Clerk and Recorder's Office can also be reached by calling (719) 346-8638 and dialing the extension number:

Ext. 242 – Election Department for voter and election questions.

Ext. 236 – Recording Department for information concerning recording legal instruments.

Ext. 301 – Drivers' License & Motor Vehicle Department for license plates/renewals or titling a vehicle.

You can also reach the clerk's office by email at clerkandrecorder@kitcarsoncounty.org.