



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4698

by Rep. LaShawn K. Ford

SYNOPSIS AS INTRODUCED:

55 ILCS 5/3-5046
765 ILCS 5/10

from Ch. 30, par. 9

Amends the Counties Code. Provides that when a quitclaim deed is recorded or filed on any property (instead of on any property within a county with a population of 3,000,000 or more), the recorder of deeds must send by certified or registered mail, return receipt requested, a notice (instead of mail a notification postcard) to any party with an interest of record in the property (instead of to the previous owner of record) at the most current address listed for the party on the property record in the recorder's office (instead of the address listed for the party on the property record in the recorder's office) or as listed on the most current tax bill of property taxes for the property. The notice (instead of postcard) must state that a newly recorded quitclaim deed has been filed on the property, and must state the date of the new recording, the address of the recorder's office, and any other information deemed necessary by the recorder. Provides that the recorder must notify all parties with an interest in property if there is recorded or filed a quitclaim deed to a parcel of property. Amends the Conveyances Act. Provides that the grantor, the grantee, or any person who possesses an executed quitclaim deed must record the deed in the office of the recorder within 7 days after the deed is executed and the person who records the deed shall pay all fees charged by the recorder for sending certified notices to all parties with an interest of record in the property.

LRB095 15596 AJ0 45002 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Counties Code is amended by changing Section
5 3-5046 as follows:

6 (55 ILCS 5/3-5046)

7 Sec. 3-5046. Quitclaim deed notification. Upon the
8 recording or filing of a quitclaim deed ~~on any property within~~
9 ~~a county with a population of 3,000,000 or more,~~ the recorder
10 of deeds must send by certified or registered mail, return
11 receipt requested, a notice to any party with an interest of
12 record in the property ~~mail a notification postcard to the~~
13 ~~previous owner of record~~ at the most current address listed for
14 the party on the property record in the recorder's office or as
15 stated on the most current tax bill of property taxes for the
16 property.

17 The notice ~~postcard~~ must state that a newly recorded
18 quitclaim deed has been filed on the property, and must state
19 the date of the new recording, the address of the recorder's
20 office, and any other information deemed necessary by the
21 recorder.

22 No county, including a home rule county, may act in a
23 manner inconsistent with this Section. This Section is a denial

1 and limitation of home rule powers under subsection (i) of
2 Section 6 of Article VII of the Illinois Constitution.

3 (Source: P.A. 94-823, eff. 1-1-07.)

4 Section 10. The Conveyances Act is amended by changing
5 Section 10 as follows:

6 (765 ILCS 5/10) (from Ch. 30, par. 9)

7 Sec. 10. Quitclaim deeds may be, in substance, in the
8 following form:

9 The grantor (here insert grantor's name or names and place
10 of residence), for the consideration of (here insert
11 consideration), convey and quit claim to (here insert grantee's
12 name or names) all interest in the following described real
13 estate (here insert description), situated in the County of
14, in the State of Illinois.

15 Dated (insert date).

16 (signature of grantor or grantors)

17 The names of the parties shall be typed or printed below
18 the signatures. Such form shall have a blank space of 3 1/2
19 inches by 3 1/2 inches for use by the recorder. However, the
20 failure to comply with the requirement that the names of the
21 parties be typed or printed below the signatures and that the
22 form have a blank space of 3 1/2 inches by 3 1/2 inches for use
23 by the recorder shall not affect the validity and effect of

1 such form.

2 Every deed in substance in the form described in this
3 Section, when otherwise duly executed, shall be deemed and held
4 a good and sufficient conveyance, release and quit claim to the
5 grantee, his heirs and assigns, in fee of all the then existing
6 legal or equitable rights of the grantor, in the premises
7 therein described, but shall not extend to after acquired title
8 unless words are added expressing such intention.

9 Every deed in substance in the form described in this
10 Section shall be recorded by the grantor, the grantee, or any
11 party who has possession of the executed deed within 7 days
12 after it was duly executed and the person who records the deed
13 shall pay all fees charged by the recorder for sending
14 certified notices under Section 3-5046 of the Counties Code.

15 (Source: P.A. 91-357, eff. 7-29-99.)