



## Glossary of Terms

### Greenville County Register of Deeds

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**Abstract of Title:** A written history, synopsis or summary of the recorded documents affecting the title to real property.

**Acknowledgement:** A type of authentication often performed by a notary public establishing the authenticity of the signatures; states that the grantor personally appeared before the notary and acknowledged the execution of the document.

**Affidavit:** A sworn statement in writing made under oath; an affirmation before an authorized official, usually a notary public.

**Affidavit of Consideration:** A specific affidavit declaring exemption or non-exemption of payment for transfer tax/deed stamps.

**Assignment:** The transfer of interest in a debt (bond, mortgage, lease, etc.).

**Assignor:** The party from whom a transfer of interest is made.

**Assignee:** The party to whom a transfer of interest is made.

**Bond for Title:** A document stating a seller's intention to transfer title to a buyer after full payment is made, usually through installments.

**Certified Copy:** A copy of a document that is sealed and signed by the official records authority, affirming that the document is a true copy of the document on record.

**Chain of Title:** The succession of conveyances, from some accepted starting point, whereby the present holder of real property derives his or her title.

**Chattel:** Moveable items considered to be personal property and not real property.

**Clerk of Court:** Responsible for maintaining all court records in both criminal and civil cases for Greenville County. Currently works with five Circuit Court Judges and the Master-in-Equity.

**Consideration:** Money or other value paid in exchange for real property.

**Contract:** An agreement to sell and purchase under which title is withheld from the purchaser until such time as the required payments to the seller have been completed.

**Conveyance:** A general term for any written document which transfers real property or real property interest from one party to another.

**Corrective Document:** Filing a new document for the purpose of correcting or adding information to a previously recorded document.

**Deed:** A document by which the ownership of land is transferred from one party to another (also called Title to Real Estate).

**Deed of Distribution:** A document transferring ownership from an estate to the heirs. After recording with the Register of Deeds, it should be filed with Probate Court as well.

**Deed Stamps:** Amount paid to county and state government based on the consideration amount (see also, Transfer Tax). (A deed stamps calculator is available on [our website](#).)

**Derivation:** A clause declaring how the grantor received his/her interest in the property; states the previous owner's name and recording date of the previous deed.

**Easement:** A right to use the land of another party for a specific purpose, such as for a right-of-way or utilities; an incorporeal interest in land. An easement appurtenant passes with the land when conveyed.

**Expungment:** A court order authorizing the removal of an index and image of a document on record.

**Federal Tax Lien:** A lien attaching to property for nonpayment of a federal tax.

**Financing Statement:** A document giving notice of a security agreement regarding personal property. Fixtures and personal property related to a business may affect interest in real estate associated with the business (see Uniform Commercial Code).

**Foreclosure:** A legal procedure whereby property used as security for a debt is sold to satisfy the debt in the event of default in payment of the mortgage. The foreclosure procedure brings the right of all parties to a conclusion and passes the title of the mortgaged property to either the holder of the mortgage or a third party who may purchase the realty at the foreclosure sale.

**Fiduciary:** A term referencing someone who owes a duty of loyalty to safeguard the interests of another person or entity, such as a trustee of a trust or a guardian of the estate of a minor.

**Foreclosure Deed:** A deed transferring ownership authorized by the Master in Equity due to a foreclosure.

**Grantee:** The party receiving an interest to the property on a deed (buyer).

**Grantor:** The party relinquishing an interest to the property on a deed (seller).

**Indexing:** Provides a system for retrieving all recorded documents; commonly indexed information includes party names, legal description, and any referenced documents.

**Instrument Number:** Provides an identifying and unique number for each recorded document in the indexing system.

**Joint Tenancy:** Ownership of real estate between two or more parties named in one conveyance as joint tenants. Upon the death of a joint tenant, his or her interest passes to the surviving joint tenant(s) by the right of survivorship.

**Judgment:** The formal decision of a court upon the respective rights and claims of the parties to an action or suit. In practice, this is the lien or charge upon the property of a debtor resulting from the Court's award of money to a creditor.

**Legal Description:** A description of a specific parcel of real estate; must list either the metes and bounds of the property, the lot number and subdivision name, or the book and page number of the recorded plat.

**Lease:** A grant of the use of lands for a term of years in consideration of the payment of a monthly or annual rental fee.

**Lessee:** The party to whom property is rented under a lease (a tenant).

**Lessor:** The party who rents property to another under a lease (a landlord).

**Lien:** An official claim against property to secure payment of a debt.

**Life Estate:** A grant or reservation of the right to use and occupy property for the life of an individual; the property cannot be sold unless the life estate is terminated or the individual has died.

**Lis Pendens:** A notice recorded in the official records of a county to indicate that an action affecting a particular property has been filed in either a state or a federal court.

**Lot:** A measured parcel of land having fixed boundaries.

**Manufactured Home:** A manufactured home is defined by the regulations of the Department of Housing and Urban Development (HUD) as housing that is essentially ready for occupancy upon leaving the factory and being transported to a building site.

**Mechanic's Lien:** A lien allowed by statute to contractors, laborers and material-men on buildings or other structures upon which work has been performed or materials supplied.

**Metes and bounds:** A description of land by courses and distances.

**Modification:** A document that alters, adds to, or cancels some of the terms or stipulations but leaves the general purposes or effect of the document intact.

**Mortgage:** A written instrument that creates a lien upon real estate as a security for the payment of a specified debt.

**Mortgage Release:** An agreement by the lender to release property from the lien while the rest of the loan agreement remains in effect.

**Mortgagee:** The party lending on a mortgage (lender)

**Mortgagor:** The party borrowing on a mortgage (borrower).

**Notary Public:** A person authorized to authenticate deeds and other documents.

**Notice of Pledge of Real Estate:** Document creating a lien on a property in order to bond a person out of jail.

**Order:** An oral or written directive by a court or judge

**Plat:** A map showing the location and boundaries of one or more parcels of land.

**Power of Attorney:** A written instrument authorized by one party (principal) enabling another party (attorney in fact) to act for him/her to the extent indicated in the instrument.

**Probate Statement:** A type of authentication often performed by a notary public establishing the authenticity of the signatures on a document; states that one of the witnesses appeared before the notary swearing that he/she witnessed the execution of the document by the grantor.

**Probating an Estate:** A legal process by which an estate is settled; handled by the Greenville County Probate Court.

**Quit-Claim Deed:** A deed in which the grantor relinquishes his/her claim to any interest in a parcel of real estate, without warranties or obligations.

**Real Estate/Real Property:** Land, including all things permanently attached thereto, whether by nature or by a person; any and every interest in land.

**Recording:** Filing documents for public record with an official recording office. Documents are recorded to protect the interests of parties involved and to provide constructive notice of rights and interests in land. Documents accepted for recording are stamped with a date, time and unique identification number, scanned, and indexed.

**Recording Fee:** The amount paid to the recording office in order to make a document a matter of public record.

**Recording Office:** The official county office where documents are filed for public record.

**Re-Recording:** Filing a previously-recorded document again for the purpose of correcting or adding information to the document.

**Register of Deeds:** A recording office for legal documents pertaining to real estate ownership.

**Restrictive Covenants:** A limitation on the use of real property, generally originated by the owner, subdivider, or homeowners' association.

**Revocation of Power of Attorney:** A document cancelling the authority of a power of attorney to act for the principal.

**Right of Way:** The right which one party has to pass across the lands of another.

**Satisfaction:** A document acknowledging the payment in full of a debt such as a mortgage or other lien.

**State Tax Lien:** A lien attaching to property for nonpayment of a state tax.

**Subdivision:** A tract of land divided by the owner (subdivider) into blocks, building lots, and streets according to a recorded subdivision plat, which must comply with state and local regulations.

**Subordination Agreement:** An agreement between two parties to make one party inferior to a claim in favor of another.

**Survey:** The process by which boundaries are measured and land areas are determined; usually performed by a land surveyor (see also, Plat).

**Tenants in Common:** A form of co-ownership by which each owner holds an undivided interest in real property as if he or she were sole owner. Unlike joint tenants, tenants in common have right of inheritance.

**Title:** The right to or ownership of land or the evidence of ownership of land (also called Deed).

**Transfer Tax:** Amount paid to county and state government based on the consideration amount (see also, Deed Stamps). (A deed stamps calculator is available on [our website](#).)

**Trust:** An agreement created for the financial benefit of one or more designated beneficiaries.

**Uniform Commercial Code:** A codification of commercial law that attempts to standardize all laws relating to commercial transactions. To give notice of security interests in personal property, a financing statement must be recorded.

**Warranty Deed:** A deed in which the grantor fully warrants good clear title to the property. Used in most real estate deed transfers, a warranty deed offers the greatest protection of any deed.