How to Correct a Deed in California, Tip Sheet by Deed and Record

*Mistakes are made on deeds in California. Tip Sheet by Deed and Record how to rectify mistakes with either a re-recording, a correction deed or an “affidavit of minor corrections.”*

HUNTINGTON BEACH, Calif. (PRWEB) May 23, 2019 -- One cannot assume because a deed for California real property has been recorded and accepted by the recorder’s office that it is error free. If the deed meets the formatting and content requirements it may still contain errors. This Tip Sheet explains how mistakes on recorded deeds are corrected by either re-recording the deed, preparing a new corrective deed or preparing a corrective affidavit.

A correction deed or re-recording of a deed requires the original grantor’s signature. Any instrument presented for recordation which corrects or is re-recorded to modify the provisions of a previously recorded document becomes part of the chain of title. All corrections require the following on the first or cover page; corrective statement, error identification, clear reference to the previously recorded document.”

A re-recording of the original document with corrections is made in the body of the original document, re-signed and re-acknowledged. There are two problems with this method. The first is the need for the original deed. Often the original deed is not available. The second problem is the original deed must have the corrections made on the original deed and resigned. This could create a messy and hard to understand document,

A better method is a correction deed. A cover page is used to meet the information requires of California law. A new deed is prepared, signed, acknowledged and attached to the cover page.

Either party can make minor corrections with a corrective affidavit, certified under penalty of perjury by the party submitting the affidavit. Corrections made with this affidavit are limited to: an incorrect or missing address of the party to which the instrument, paper, or notice is to be returned following recording; a clarification of illegible text; an incorrect or missing printed or typed name of an individual or entity near the signature; or an incorrect or missing documentary transfer tax amount due.

*Mistakes* on recorded deeds can be corrected by either re-recording the deed, preparing a new corrective deed or preparing a corrective affidavit. A re-recording of the original document with corrections is made in the body of the original document, re-signed and re-acknowledged. A correction deed is a new deed signed and acknowledged by the grantor. A correction affidavit can be signed by either party but is used in limited situations.

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