

**Polk County Tax Department  
Deeds, Transfers, Real Property Sales**

**WHAT IS A DEED?**

A deed is a legal instrument that is used to convey real property (land and structures) from the current owner (grantor) to a new owner (grantee). Typical types of deeds are called “general warranty deeds,” “non-warranty deeds,” and “quit claim deeds”. There are many other types of deeds; your attorney can assist you with a recommendation as to they type of deed a seller should obtain that best protects legal proof of ownership.

**WHAT HAPPENS WITH MY DEED WHEN IT IS RECORDED?**

Before a deed can be legally recorded with the Polk County Register of Deeds, all past due taxes must be paid at the Polk County Tax Department. Most local attorneys are aware of this law, and comply by first visiting the Tax Department where a member of the staff will verify the current ownership, parcel being conveyed, and the payment of taxes. The deed can then be recorded with the Register of Deeds. If a deed is mailed directly to the Register of Deeds, one of her staff will verify the same information directly with the Tax Office. The deed will be returned to the grantor unrecorded if taxes have not been paid.

Be sure that your deed has the correct parcel number and the grantee’s correct name and mailing address. This is very necessary to assist the Tax Department with the forthcoming tax year billing.

Once the deed is recorded and assigned a “book and page number”, a copy is forwarded back to the Tax Department for the necessary transfer process. Deeds are typically received by the Tax Department at least twice a week and every attempt is made to ensure prompt entry into the system. The Tax Department will enter the transfer date, the book and page number, the amount of the transfer stamps, and the sales price. The Tax Department will also attempt at this point to “qualify” transfers for mandatory reporting to the State of North Carolina. For example, a transfer between family relatives that has no stamps, and therefore no “sales” price would not be considered an arm’s length transaction and would be categorized as a “non qualified sale” to the State.

**WHAT ARE “STRAIGHTS” AND “SPLITS”?**

A “straight” transfer is very easy to understand—the entire parcel and all of its improvements are conveyed to another individual.

A “split” is more complicated, and the Tax Department seeks the assistance from the grantor, his/her attorney, and possibly the real estate agent, for additional information before the deed can be approved. Splits involve just a portion of the property being conveyed. For example, lets say you own five acres of land, with a one-acre building site, a single family residence, three acres of “open” land and one acre of “wooded” land. You decided to sell two acres of open land only. At

the time the deed is being reviewed by the Tax Department, your attorney will be asked to complete a “split” form, so that the Tax Department can correctly ascertain what is being retained by you and what the new owner is purchasing. This will help us correctly determine new values for both the seller and the buyer. Once the “split” has been made by the Tax Department, the new owner will be assigned a new parcel number for the two acres of land and will be sent a value notice and property card. You as the seller should also receive a reduced value notice and property card, indicating the removal of the two acres.

Please carefully review your new and/or revised property card to check for accuracy. This will ensure a smooth tax billing in subsequent years for both the buyer and seller. If you find any errors, please contact us promptly so that we can correct our records.