

# Land Records Unlocked: A Genealogist's Guide to Deeds and Other Records

## *Class 2: Using Land Records*

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### **Why are Land Records Important?**

Land records are one of the most important sources in family history research. They can place your ancestor in a particular place at a particular time, offer insight into family groups and associates, provide key biographical information, and serve as vital record replacements.

Getting the most from these records is crucial. Understanding types of land records, different index systems, and abstracting important information is the key to an accurate and exhaustive search.

### **Types of County Land Records**

Deeds: Legal document that transfers the ownership of a property from one party to another party

- Generally recorded on the county level
  - Town level: Connecticut, Vermont, Rhode Island
  
- Deed Process
  1. Seller agrees to sell land to the buyer
  2. Buyer pays the seller agreed upon amount
  3. Deed is written
  4. Seller takes deed to courthouse
  5. Dower release (if necessary)
  6. Clerk records deed
  7. Deed given to buyer
  
- Format
  - Seller and Buyer
  - Payment
  - Property description
  - Dates
  - Witnesses

Mortgages: Money borrowed using land as security

- Mortgagor or Borrower: Person who mortgages property

- Mortgagee or Lender: Person who holds the mortgage
- Look for repayment information included in deed or mortgage satisfaction in left hand column of deed

Sheriff's Deed or Sale: Forced sale of property

- Failure to pay taxes
- Satisfy judgement against landowner

Leases: Transfer of use and possession of property

- Specific time period and fee
- Length of lease varies

Assignments: Transfer of interest or rights belonging to document

- Warrant or Bounty Land
- Lease
- Mortgages

Quitclaims: Instrument that releases grantor's interest in the property

- Does not guarantee title is valid
- Common amongst family-to-family transfers

Divisions/Partitions: Process in which a parcel is divided between several owners

- Owners appear in court to request division
- Always examine court records for any corresponding records

Power of Attorney: Legal document authorizing individual to act on behalf of another individual

- Did not require grantor to be physically present at sale
- Can give clues regarding origins and prior residences

## **Dower Rights and Release**

Dower Right: Lifetime interest in a property allowed by law; allowed widow to retain rights in the property of deceased husband

- Also referred to as widow's thirds

Dower Release: Wife agrees to the sale of land that included her dower rights

- Generally recorded at the end of deed
- Sometimes recorded in separate volume
- Not all states required Dower Release

## Accessing Land Records

1. Establish location and timeframe
2. Understand jurisdiction
  - a. FamilySearch Wiki
  - b. Atlas of Historical County Boundaries – <https://digital.newberry.org/ahcb/>
3. Located at Register of Deeds or County Court House
  - a. Look for corresponding websites
  - b. FamilySearch.org
  - c. Published abstracts or transcriptions

Indexes: Understand the Index -

[https://www.familysearch.org/wiki/en/United\\_States\\_Index\\_Systems](https://www.familysearch.org/wiki/en/United_States_Index_Systems)

## Abstracting Deeds

- Grantor
- Grantee
- Residences of grantor and grantee
- Volume and Page
- Location of the property
- Description of Property
- Abutters
- Acreage
- Witnesses Dates

## Locating Historic Parcels

- Trace historic ownership of property via deeds
- Note geographic features
- Examine deeds of abutters
  - Do their deeds describe your property?
- Use maps, atlases and local histories
- Work with local historical societies
- Embrace technology
- Stay organized

Geographic Information System (GIS) – Capture special and geographic data

- ArcGIS Online – [arcgis.com](http://arcgis.com)
- GIS and Genealogy - <https://www.esri.com/about/newsroom/arcuser/gis-and-genealogy/>

Google Earth

- Google Earth for Genealogy - <https://www.newyorkfamilyhistory.org/blog/using-google-earth-genealogy-putting-your-ancestors-map>

## Sources for Maps

Library of Congress - [www.loc.gov/maps](http://www.loc.gov/maps)

Norman P. Levanthal Map and Education Center - <https://collections.leventhalmap.org>

David Rumsey Map Collection - [www.davidrumsey.com](http://www.davidrumsey.com)

American Geographical Society - <https://collections.lib.uwm.edu/digital/collection/agdm/search/>

Harvard University Scanned Maps - <https://curiosity.lib.harvard.edu/scanned-maps>

HistoryGeo.com - [Historygeo.com](http://Historygeo.com)

University of California Berkeley Geodata -

<https://geodata.lib.berkeley.edu/?utf8=%E2%9C%93&q=>

Mapjunction - [www.mapjunction.com](http://www.mapjunction.com)

## Bibliography and Helpful Sources

Hatcher, Patricia Law, *Locating Your Roots: Discover Your Ancestors Using Land Records*, (Baltimore, Md.: Genealogical Publishing Company, 2019)

Hone, E. Wade, *Land & Property Research in the United States*, (Salt Lake City, Utah: Ancestry, 1997)

Donald A. Wilson, *Interpreting Land Records* (Hoboken, New Jersey: Wiley, 2006)

E. Kay Kirkham, *The Land Records of America and Their Genealogical Value* (Salt Lake City: Deseret Book Co., c1964)

The Legal Genealogist - [www.legalgenealogist.com](http://www.legalgenealogist.com)

*Black's Law Dictionary* - <https://thelawdictionary.org>

Genealogical Dictionary of Legal Terms -

[https://www.familysearch.org/wiki/en/Genealogical\\_Dictionary\\_of\\_Legal\\_Terms](https://www.familysearch.org/wiki/en/Genealogical_Dictionary_of_Legal_Terms)