

2-101. "GRANT" OR "BARGAIN AND SELL" CONSTRUED TO PASS WHOLE INTEREST.

THE WORD "GRANT," THE PHRASE "BARGAIN AND SELL," IN A DEED, OR ANY OTHER WORDS PURPORTING TO TRANSFER THE WHOLE ESTATE OF THE GRANTOR, PASSES TO THE GRANTEE THE WHOLE INTEREST AND ESTATE OF THE GRANTOR IN THE LAND MENTIONED IN THE DEED UNLESS A LIMITATION OR RESERVATION SHOWS, BY IMPLICATION OR OTHERWISE, A DIFFERENT INTENT.

REVISOR'S NOTE: This section presently appears as Art. 21, §5-101 of the Code. The phrase "shall be construed" is proposed for deletion for the reasons explained in the revisor's note to §1-102. The only other changes are in style.

2-102. TENANT OF ESTATE TAIL MAY GRANT IN FEE SIMPLE.

ANY PERSON SEIZED OF AN ESTATE TAIL, IN POSSESSION, REVERSION, OR REMAINDER, IN ANY LAND, TENEMENT, OR HEREDITAMENT MAY GRANT AND SELL IT IN THE FORM OF A GRANT AS IF HE WERE SEIZED OF AN ESTATE IN FEE SIMPLE AND THE GRANT IS GOOD AND AVAILABLE, TO ALL INTENTS AND PURPOSES, AGAINST EVERY PERSON WHOM THE GRANTOR MIGHT DEBAR BY ANY MODE OF COMMON RECOVERY, OR BY ANY OTHER MEANS.

REVISOR'S NOTE: This section presently appears as Art. 21, §5-102 of the Code. The phrase "shall be" is proposed for deletion for the reasons explained in the revisor's note to §1-102. The only other changes are in style.

2-103. RIGHTS GRANTED BY ASSIGNMENT OF MORTGAGE.

EVERY VALID ASSIGNMENT OF A MORTGAGE IS SUFFICIENT TO GRANT TO THE ASSIGNEE EVERY RIGHT WHICH THE ASSIGNOR POSSESSED UNDER THE MORTGAGE AT THE TIME OF THE ASSIGNMENT.

REVISOR'S NOTE: This section presently appears as Art. 21, §5-103 of the Code. In the first sentence the phrase "shall be construed" is proposed for deletion for the reasons explained in the revisor's note to §1-102. The only other changes are in style.

2-104. MEANING OF TERM "THE SAID COVENANT."

IF THE WORDS "THE SAID...COVENANTS" ARE USED IN A DEED, THE WORDS ARE PRESUMED TO HAVE THE SAME EFFECT AS IF THE COVENANT WERE EXPRESSED TO BE BY THE COVENANTOR FOR HIMSELF AND AS IF MADE WITH THE GRANTEE IN THE DEED.