REVOCABLE TRANSFER ON DEATH DEED
NOTICE TO OWNER
You should carefully read all information on the other side of this
form. You may want to consult a lawyer before using this form.
This form must be recorded before your death, or it will not be
effective.
IDENTIFYING INFORMATION
Owner or Owners Making This Deed:
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Printed name Mailing address
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Printed name Mailing address
Legal description of the property:
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
PRIMARY BENEFICIARY
I designate the following beneficiary if the beneficiary survives me.
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Printed name Mailing address, if available
ALTERNATE BENEFICIARY - Optional
If my primary beneficiary does not survive me, I designate the following
alternate beneficiary if that beneficiary survives me.
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Printed name Mailing address, if available
TRANSFER ON DEATH
At my death, I transfer my interest in the described property to the
beneficiaries as designated above. Before my death, I have the right to
revoke this deed.
SIGNATURE OF OWNER OR OWNERS MAKING THIS DEED
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Signature Date
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Signature Date
SIGNATURE OF WITNESSES
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Signature Date
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Signature Date
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
NOTARY ACKNOWLEDGMENT
(insert notary acknowledgment for deed here)
(back of form)
COMMON QUESTIONS ABOUT THE USE OF THIS FORM
What does the Transfer on Death (TOD) deed do?
When you die, this deed transfers the described property, subject to any
liens or mortgages (or other encumbrances) on the property at your
death. Probate is not required. The TOD deed has no effect until you
die. You can revoke it at any time. You are also free to transfer the
property to someone else during your lifetime. If you do not own any
interest in the property when you die, this deed will have no effect.
How do I make a TOD deed?
Complete this form. Have it acknowledged before a notary public. Record
the form in each county where any part of the property is located. The
form has no effect unless it is acknowledged and recorded before your
death.
Is the "legal description" of the property necessary?
Yes.
How do I find the "legal description" of the property?
This information may be on the deed you received when you became an
owner of the property. This information may also be available in the
county clerk's office of the county where the property is located. If
you are not absolutely sure, consult a lawyer.
Can I change my mind before I record the TOD deed?
Yes. If you have not yet recorded the deed and want to change your mind,
simply tear up or otherwise destroy the deed.
How do I "record" the TOD deed?
Take the completed and acknowledged form to the county clerk's office of
the county where the property is located. Follow the instructions given
by the county clerk to make the form part of the official property
records. If the property is in more than one county, you should record
the deed in each county.
Can I later revoke the TOD deed if I change my mind?
Yes. You can revoke the TOD deed. No one, including the beneficiaries,
can prevent you from revoking the deed.
How do I revoke the TOD deed after it is recorded?
There are three ways to revoke a recorded TOD deed:
(1) Complete and acknowledge a revocation form and record it in each
county where the property is located.
(2) Complete and acknowledge a new TOD deed that disposes of the same
property and record it in each county where the property is located.
(3) Transfer the property to someone else during your lifetime by a
recorded deed that expressly revokes the TOD deed. You may not revoke
the TOD deed by will.
I am being pressured to complete this form. What should I do?
Do not complete this form under pressure. Seek help from a trusted
family member, friend, or lawyer.
Do I need to tell the beneficiaries about the TOD deed?
No, but it is recommended. Secrecy can cause later complications and
might make it easier for others to commit fraud.
I have other questions about this form. What should I do?
This form is designed to fit some but not all situations. If you have
other questions, you are encouraged to consult a lawyer.