

TRANSFER ON DEATH DEED

NOTICE: You should carefully read the instructions and other information attached to this form. You may need to do additional research and/or consult a lawyer before using the form.

1. Transferor (property owner making this transfer on death deed):

Printed Name

Street Address or P.O. Box

City, State, & Zip Code

2. Beneficiary (person designated to receive the subject real property):

Printed Name

Street Address or P.O. Box

City, State, & Zip Code

3. Property (legal description of the subject real property):

4. Transfer on Death:

At my death, I grant and convey to the designated beneficiary my interest in the described property to have and hold forever.

5. Signature of Transferor:

Signature	Date

6. Certificate of Acknowledgment:

STATE OF TEXAS
 COUNTY OF _____

This instrument was acknowledged before me on the _____ day of _____, 20____, by _____.

 Notary Public, State of Texas

7. Note to County Clerk's Office: After recording this transfer on death deed, please return it by mail to the Transferor identified in paragraph 1.

NOTICE: The Texas Real Property Transfer on Death Act authorizes a transfer on death deed ("TODD"). This form is valid only for real property located in Texas. For privacy reasons, do not write your social security number or driver's license number on the form.

INSTRUCTIONS FOR USING THE FORM

1. Transferor (property owner making this transfer on death deed): Enter your full name and mailing address. It is important that the information entered on this form be legible.
2. Beneficiary (person designated to receive the subject real property): Enter the full name and mailing address (if known) of the person you want to own the property when you die.
3. Property (legal description of the subject real property): Enter the legal description of the property. This information is different from both the mailing and the physical address for the property. To find this information, look on the deed that you received when you became an owner. This information may also be available in the deed records in the county clerk's office of the county where the property is located. Do not use the description listed on your property tax bill because it is often incomplete. The TODD will be null and void if the description is insufficient. If you are not absolutely sure, do additional research and/or consult a lawyer.
4. Transfer on Death: Do not modify this legal language transferring title at your death.
5. Signature of Transferor: Sign your full name (preferably in blue ink to reflect that the document is the original and not a copy) and enter the date that you signed the TODD.
6. Certificate of Acknowledgment: Appear in person before a Texas notary public and acknowledge that you signed the TODD. The notary will complete this part of the form.
7. Note to County Clerk's Office: File the completed TODD in the county clerk's office of the county where the property is located. After recording it, the county clerk's office will return the original to you. It will be file-stamped with the date that it was recorded and other recordation information. Retain it among your important papers for future reference.

INFORMATION REGARDING THE FORM

- The TODD must be recorded *before your death* in the county clerk's office of the county where the property is located. If not properly recorded, the TODD will be null and void.
- The designated beneficiary must survive you by 120 hours to receive the property. If the designated beneficiary does not survive you by 120 hours, the property is "subject to and passes in accordance with" the Texas antilapse statute. See Section 114.103, Estates Code.
- This basic form, which allows one named beneficiary and no alternate beneficiaries, is not designed to cover all situations. If you have questions or concerns about its legal effect or whether it fits your particular needs or desires, do additional research and/or consult a lawyer.