

REVOCABLE TRANSFER ON DEATH DEED

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

IMPORTANT NOTICE TO OWNER: You should carefully read all the information included in the instructions to this form. You may want to consult a lawyer before using this form.

MUST RECORD DEED: Before your death, this deed must be recorded with the county clerk where the property is located, or it will not be effective.

MARRIED PERSONS: If you are married and want your spouse to own the property on your death, you must name your spouse as the primary beneficiary. If your spouse does not survive you, the property will transfer to any listed alternate beneficiary or beneficiaries on your death.

1. Owner (Transferor) Making This Deed:

Printed Name:
Mailing address:

2. Legal Description of the Property:

3. Address of the Property (if any) (include county):

4. Primary Beneficiary (Transferee):

I designate the following beneficiary, if the beneficiary survives me:

Printed Name:
Mailing address, if available:

5. Alternate Beneficiaries:

I designate the following alternate beneficiaries, if the alternate beneficiary survives me:

Printed Name:
Mailing address, if available:

Printed Name:

Mailing address, if available:

6. Transfer on Death:

A. IF THE PRIMARY BENEFICIARY SURVIVES ME

If the primary beneficiary survives me, I grant and convey the property to the primary beneficiary, to have and hold forever.

B. IF THE PRIMARY BENEFICIARY DOES NOT SURVIVE ME

(Select either option (1) or (2) by placing your initials next to the option chosen. If you do not choose an option, then option (1), which is the anti-lapse election, will apply.)

If the primary beneficiary does not survive me, I grant and convey the share of the property that would have transferred to the deceased primary beneficiary, to have and hold forever, as follows:

_____ **(1) Anti-Lapse Election.** To the surviving children or other descendants of the deceased primary beneficiary.

_____ **(2) Surviving Alternate Beneficiaries Election.** To the alternate beneficiaries designated above. I do not want the deceased primary beneficiary's share to pass to the children or other descendants of the deceased primary beneficiary.

If the anti-lapse election is chosen but there are no surviving children or other descendants of the deceased primary beneficiary, then we grant and convey to the alternate beneficiaries our share in the property that otherwise would have transferred to the deceased primary beneficiary, to have and hold forever. If the primary beneficiary does not survive me and the anti-lapse election is not chosen, then I grant and convey to the alternate beneficiaries my share in the property that otherwise would have transferred to the deceased primary beneficiary, to have and hold forever.

C. IF AN ALTERNATE BENEFICIARY DOES NOT SURVIVE ME

(Select either option (1) or (2) by placing your initials next to the option chosen. If you do not choose an option, then option (1), which is the anti-lapse election, will apply.)

If an alternate beneficiary does not survive me, I grant and convey that alternate beneficiary's share of the property as follows:

_____ **(1) Anti-Lapse Election.** To the surviving alternate beneficiary or beneficiaries, but the share of a deceased alternate beneficiary will pass to the surviving children or other descendants of that deceased alternate beneficiary.

_____ **(2) Surviving Alternate Beneficiaries Election.** To the surviving alternate beneficiary only. I do not want the share of a deceased alternate beneficiary to pass to the children or other descendants of that deceased alternate beneficiary.

If no alternate beneficiary survives me and the anti-lapse election is not chosen, then this transfer on death deed shall be considered cancelled by me.

7. Printed Name and Signature of Owner Making this Deed:

Printed Name

Signature

Dated: _____

BELOW LINE FOR NOTARY ONLY

Acknowledgment

STATE OF TEXAS §
COUNTY OF _____ §

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

Notary Public, State of Texas

After recording, return to:

**INSTRUCTIONS FOR TRANSFER ON DEATH DEED
DO NOT RECORD THESE INSTRUCTIONS**

Instructions for Completing the Form

- 1. Owner (Transferor) Making this Deed:** Enter your first, middle (if any), and last name here, along with your mailing address.
- 2. Legal Description of the Property:** Enter the formal legal description of the property. This information is different from the mailing and physical address for the property and is necessary to complete the form. To find this information, look on the deed you received when you became an owner of the property. This information may also be available in the office of the county clerk for the county where the property is located. Do NOT use your tax bill to find this information. If you are not absolutely sure, consult a lawyer.
- 3. Address of the Property:** Enter the physical address of the property.
- 4. Primary Beneficiary:** Enter the first and last name of the person you want to get the property when you die. If you are married and want your spouse to get the property when you die, enter your spouse's first and last name (even if you and your spouse own the property together).
- 5. Alternate Beneficiaries:** Enter the first and last name of each person you want to get the property if the primary beneficiary does not survive you.
- 6. Transfer on Death:** You should carefully read the language describing the options and choose an option under both B and C of Paragraph 6.
- 7. Printed Name and Signature of Owner:** Do not sign your name or enter the date until you are before a notary. Include your printed name.
- 8. Acknowledgment:** This deed must be signed before a notary. The notary will fill out this section of the deed.