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How to Complete a Substitution of Trustee and Full Reconveyance

Releasing a Paid-Off Private Loan From the Property Title (Civil Code Sections 2934a and 2941)

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR SUBSTITUTION OF TRUSTEE AND FULL RECONVEYANCE.

About this form. When a private loan secured by a **deed of trust** is paid off, the lender (the **beneficiary**) must clear it from the property title. This form lets the lender name themselves as trustee and, in the same document, **reconvey** (release) the deed of trust. Once recorded, the public record shows the loan is satisfied and the borrower owns the property free of that deed of trust.

1. **Confirm the loan is paid in full**
   Use this form only after the full balance, including interest, has been received. A reconveyance cannot be undone easily.
2. **Get the recorded Deed of Trust**
   Copy the names of the trustor, trustee, and beneficiary, the dates, and the recording details exactly as they appear on the recorded Deed of Trust. The County Recorder can provide a copy.
3. **Fill in the new Trustee**
   Usually the present beneficiary (lender) substitutes themselves as trustee so they can sign the reconveyance directly.
4. **The lender signs in front of a notary**
   Every current beneficiary signs. If the lender is a company or trust, the authorized signer states the entity and title. Do **not** sign ahead of time. Bring a current government-issued photo ID. We come to you.
5. **Record it promptly**
   Record the notarized form with the County Recorder where the property is located. California law requires a reconveyance soon after payoff (Civil Code § 2941), and delays can carry penalties.
6. **Return the original note**
   Mark the promissory note “Paid in Full,” sign it, and return it to the borrower with a copy of the recorded reconveyance.

Good to Know

- This form is for private loans. Banks and loan servicers handle their own reconveyances through their trustee.
- If the deed of trust has been assigned to a new lender, only the current beneficiary may sign. Ask a title company if you are unsure.
- If a notice of default or sale has been recorded, talk to an attorney or title company before using this form.

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SCAN TO BOOK

Questions about this document? Talk to an attorney. Gavrilov & Brooks Law Firm has attorneys licensed in California, Nevada, and other states. Phone and video consultations are available. **(916) 504-0529** · **www.gavrilovlaw.com**

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Recording Requested By:

_____

When Recorded Mail This Document To:

Name: _____

Address: _____

City, State, ZIP: _____

Space Above This Line For Recorder's Use

SUBSTITUTION OF TRUSTEE AND FULL RECONVEYANCE

(California Civil Code Sections 2934a and 2941)

_____ _____

Assessor's Parcel Number (APN) Loan / Reference No. (if any)

DECLARATION OF EXEMPTION FROM GOV. CODE § 27388.1 FEE (Building Homes and Jobs Act)

☐ Exempt per GC § 27388.1(a)(2): recorded "in connection with" a transfer of a residential dwelling to an owner-occupier

☐ Exempt per GC § 27388.1(a)(1): fee cap of $225 reached

☐ Not exempt — fee to be paid at recording

WHEREAS,

_____

(name(s) of original Trustor(s) — the borrower(s))
was the original Trustor,

_____

(name of original Trustee)
was the original Trustee, and

_____

(name(s) of original Beneficiary — the lender)
was the original Beneficiary, under that certain Deed of Trust dated

_____ _____ _____

(date of Deed of Trust) (recording date) Instrument / Document No.
in Book/Reel and Page/Image (if any) of the Official Records of

_____ _____ _____

Book / Reel Page / Image (county where the Deed of Trust was recorded)
County, California, encumbering the property commonly known as:

_____

(street address, city, ZIP of the property)

WHEREAS, the undersigned is the present Beneficiary under said Deed of Trust; and

WHEREAS, the undersigned desires to substitute a new Trustee under said Deed of Trust in place and stead of said original Trustee;

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NOW, THEREFORE, the undersigned substitutes

_____

(name of new Trustee — usually the present Beneficiary)

as Trustee under said Deed of Trust.

FULL RECONVEYANCE. The obligation secured by said Deed of Trust has been paid in full. As the substituted Trustee, the undersigned hereby **RECONVEYS**, without warranty, to the person or persons legally entitled thereto, all of the estate now held by it under said Deed of Trust.

Dated: _____

_____ _____

(signature of present Beneficiary and substituted Trustee) (signature of co-Beneficiary, if any)

_____ _____

(printed name) (printed name)

_____

If signing for a company or trust: name of entity and signer's title

Sign in front of the notary public, who will complete the acknowledgment on the next page.

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CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of _____)

On _____ before me, _____

(here insert name and title of the officer)

personally appeared _____

, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)

Signature _____

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