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How to Complete Your Georgia Certification of Trust

O.C.G.A. § 53-12-280

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR CERTIFICATION.

About this form. A certification of trust is a short sworn summary that lets a trustee **prove the trust exists and who has authority** without handing over the whole private trust document. Banks, title companies, brokerages and closing attorneys use it to open accounts, retitle assets and close real estate sales.

1. **Trust details**
   Copy the exact trust name and date, the settlor(s), and every current trustee from your trust document.
2. **Powers and revocability**
   Check the powers box or summarize the powers, and say whether the trust can be revoked and by whom.
3. **Co-trustees**
   If there is more than one trustee, check how many must sign.
4. **Sign before a notary**
   Each trustee swears to the statements and signs in front of the notary. Bring a current government-issued photo ID.

Signing requirements: Signed and sworn by the trustee(s) before a notary public.

After It's Signed

- Give the original to the bank, title company or institution that requested it, and keep a copy. Prepare a new certification if trustees change.

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Have questions about your Trust? To consult with an attorney, contact **Gavrilov & Brooks Law Firm** at **(916) 504-0529** or **www.gavrilovlaw.com**.

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CERTIFICATION OF TRUST

Revised Georgia Trust Code • O.C.G.A. § 53-12-280

STATE OF GEORGIA
COUNTY OF

The undersigned trustee(s), being duly sworn, certify as follows:

1. Existence and date. The trust named below exists and was executed on the date below:

Name of trust

Date of trust instrument

2. Settlor(s). The trust was created by:

Name(s) of settlor(s)

3. Trustee(s). The currently acting trustee(s) and address(es):

Name of trustee

Address

Name of co-trustee (if any)

Address

4. Powers. The trustee(s) have the following powers (or attach the relevant provisions):

☐ All powers of a trustee under O.C.G.A. § 53-12-261 and the trust instrument, including the power to sell, convey, mortgage, lease and invest trust property and to open and manage accounts.

5. Revocability. The trust is (check one):

☐ Revocable. The person(s) holding the power to revoke: _____

☐ Irrevocable.

6. Co-trustee authority. If there is more than one trustee (check one):

☐ Any one trustee may sign or otherwise authenticate on behalf of the trust.

☐ All trustees must sign.

☐ _____ trustees must sign.

7. Title to trust property. Trust property should be titled as follows:

Manner of taking title (e.g., “Jane Doe, Trustee of the Doe Family Trust dated ___”)

8. No revocation or modification. The trust has not been revoked, modified or amended in any manner that would cause the statements in this certification to be incorrect.

9. Reliance. Any person may rely on this certification under O.C.G.A. § 53-12-280 without requiring a copy of the trust instrument, except for excerpts that a recipient may request.

Trustee’s initials: _____

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SIGNATURE

Sign only in front of the notary.

X _____ _____

Signature of trustee — Date

Printed name

X _____ _____

Signature of second trustee (if any) — Date

Printed name

NOTARY JURAT

State of Georgia
County of _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____, by _____ (name of trustee), who proved to me on the basis of satisfactory evidence to be the person who appeared before me.

_____ (Seal)

Signature of notary public

_____

Printed name of notary public

Notary Public, _____ County, Georgia

My commission expires: _____

Notary seal

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