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How to Complete Your Georgia Deed to Revocable Trust

Conveyance into a Living Trust • Formatted for recording

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

About this form. This deed **funds your living trust** by moving your Georgia real estate into the name of your trustee. Real estate that is not deeded to the trust usually does not avoid probate, even if your trust says it should. Most people who serve as their own trustee use this deed.

1. **Recording information (top of first page)**
   Enter who prepared the deed and where the Clerk should mail it after recording. Leave the box on the right blank for the Clerk.
2. **Owner and trustee**
   Enter yourself as grantor exactly as on your current deed. Enter the trustee(s), the exact trust name and the date of the trust agreement from your trust document.
3. **Describe the property**
   Copy the legal description word for word from your current deed, or attach it as Exhibit A.
4. **Sign before a witness AND a notary**
   Every Georgia deed is signed in front of one unofficial witness and a notary public at the same time. Do **not** sign ahead of time and bring a current government-issued photo ID. **Need a witness? Our notary can bring one for an additional fee.**

Signing requirements: Signed by each grantor in the presence of one unofficial witness and a notary public (O.C.G.A. §§ 44-2-15, 44-5-30), then recorded.

After It's Signed

- Before recording, file the PT-61 Real Estate Transfer Tax Declaration online with the Georgia Superior Court Clerks' Cooperative Authority (GSCCCA) for any deed that transfers property, and bring the printout or number. The Clerk will tell you whether transfer tax or an exemption applies.
- Record the original with the Clerk of Superior Court in the county where the property is located and pay the recording fee. Keep a copy.
- Deeding the property to your trust **automatically revokes** any Georgia transfer-on-death deed you recorded for it.
- Ask your lender and homeowner's insurer to note the trust, and check that your homestead exemption remains in place.

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

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After recording, return to:

This instrument prepared by:

Space above 3" reserved for Clerk's recording use

Tax parcel ID number

PT-61 number (if applicable)

STATE OF GEORGIA
COUNTY OF

DEED TO TRUSTEE OF REVOCABLE TRUST

Conveyance into a Living Trust • State of Georgia

THIS INDENTURE is made this _____ day of _____, 20____, between

Full legal name(s) of grantor(s) (current owner(s))

Grantor's address (street, city, state, ZIP)

hereinafter called "Grantor," and

Name(s) of trustee(s)

Name of trust

Date of trust agreement

Trustee's mailing address for tax notices

as Trustee(s) of the trust named above, and any successor trustee(s), hereinafter called "Grantee."

W I T N E S S E T H:

That Grantor, for and in consideration of the sum of TEN DOLLARS ($10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee, as Trustee, the following described real property:

Street address of the property (if any)

Legal description (copy exactly from the prior deed; attach as Exhibit A if more space is needed)

The legal description is attached as **Exhibit A** and made a part of this deed.

Being the same property conveyed to Grantor by the prior deed recorded at:

Deed Book | Page | County

TO HAVE AND TO HOLD the said described property, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee, as Trustee, and its successors in trust, forever in FEE SIMPLE.

Grantee, as Trustee, shall have full power to sell, convey, mortgage, lease and otherwise deal with the property as provided in the trust agreement, and no person dealing with the Trustee shall be required to inquire into the Trustee's authority or see to the application of any money paid. Grantor will warrant and forever defend the right and title to the property unto Grantee against the claims of all persons claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

Grantor

Signed, sealed and delivered
in the presence of:

Unofficial witness (signature)

X _____ (SEAL)
Signature of grantor

Unofficial witness (printed name)

Printed name of grantor

Notary Public (official witness)

My commission expires: _____

Notary seal

Second grantor (if any)

Signed, sealed and delivered in the presence of:

_____	**X** _____ (SEAL)
Unofficial witness (signature)	Signature of second grantor
Unofficial witness (printed name)	Printed name of second grantor
_____	Notary seal
Notary Public (official witness)	
My commission expires: _____	

Each signature above must be signed in the presence of an unofficial witness and a notary public (official witness), who sign at the same time (O.C.G.A. §§ 44-2-15, 44-5-30). The unofficial witness cannot be a party to this instrument.