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How to Complete Your Georgia Survivorship Deed

Joint Tenancy with Right of Survivorship • O.C.G.A. § 44-6-190 • Formatted for recording

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

About this form. A survivorship deed puts Georgia real estate in the names of two or more people as **joint tenants with right of survivorship**. When one owner dies, that owner's share passes automatically to the surviving owner(s) without probate. Georgia requires the deed to say this expressly (O.C.G.A. § 44-6-190), and this form does.

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. **Parties and property**
   Enter every grantor and grantee exactly as named on the prior deed, the tax parcel ID and the full legal description (copy it word for word or attach it as Exhibit A).
3. **Name at least two grantees**
   List all owners who will hold title together. An owner may also deed to himself or herself and another person as joint tenants.
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.
- After a survivorship owner dies, the survivor can record the Georgia Affidavit of Death of Joint Owner with a certified death certificate.

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Have questions about your 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

SURVIVORSHIP DEED

Joint Tenancy with Right of Survivorship • O.C.G.A. § 44-6-190

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

Full legal name(s) of grantor

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

as party or parties of the first part, hereinafter called "Grantor," and

Full legal name(s) of grantee (for survivorship, list at least two)

Grantee's mailing address for tax notices (street, city, state, ZIP)

as party or parties of the second part, hereinafter called "Grantee" (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

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 in hand paid at and before the sealing and delivery of these presents, 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 Grantees, as joint tenants with survivorship and not as tenants in common,

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 Grantees, **as joint tenants with survivorship and not as tenants in common**, it being the intent of the parties that upon the death of any Grantee, the entire interest in fee simple shall vest in the surviving Grantee or Grantees, and upon the death of the last survivor, in the heirs and assigns of such survivor, in FEE SIMPLE.

This conveyance is made subject to all easements, restrictions and rights of way of record, and ad valorem taxes for the current year. Grantor will warrant and forever defend the right and title to the above described property unto Grantees 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:

_____	**X** _____ (SEAL)
Unofficial witness (signature)	Signature of grantor
Unofficial witness (printed name)	Printed name of grantor
_____	Notary seal
Notary Public (official witness)	

My commission expires: _____

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.