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How to Complete Your Georgia Transfer-on-Death Deed

Statutory form (O.C.G.A. § 44-17-3) • Formatted for recording

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

About this form. A transfer-on-death (TOD) deed lets you name who will receive your Georgia real estate **at your death, without probate**, while you keep full ownership and control during your lifetime. Georgia created the TOD deed in 2024 and updated it in 2026. You can change or cancel it at any time.

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 beneficiaries**
   Enter each record owner exactly as on the current deed and each beneficiary. You may add alternates and choose survivorship among beneficiaries.
3. **Describe the property**
   Copy the legal description word for word from your current deed, or attach it as Exhibit A.
4. **Important limits**
   Only the owner can sign; an agent under a power of attorney cannot. If you own the home as a joint tenant with survivorship, the TOD deed works only if you are the last joint owner to die.
5. **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 record owner before one unofficial witness and a notary, and **recorded before the owner's death** (O.C.G.A. §§ 44-17-2, 44-17-3).

After It's Signed

- Record it with the Clerk of Superior Court in the county where the property is located **while you are living**. An unrecorded TOD deed has no effect.
- Tell your beneficiaries the deed exists. After your death they must record an Affidavit of Beneficiary Acceptance with a certified death certificate within **nine months**, or the property goes back to your estate.
- Selling the property or deeding it to your trust automatically revokes the TOD deed. To change beneficiaries, record a new TOD deed or a Revocation of Transfer-on-Death Deed.

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

This form is provided as a free convenience. First Choice Mobile Notary & Apostille is not a law firm, and a notary public who is not an attorney cannot give legal advice or help you decide what to write on this form. These instructions are general information only and are not legal advice. If you have questions about your situation, consult a licensed Georgia attorney. © 2026 First Choice Mobile Notary & Apostille. All rights reserved. This form may be filled in and printed for personal use; it may not be copied, altered, or redistributed for commercial purposes.

After recording, return to:

This instrument prepared by:

Space above 3" reserved for Clerk's recording use

Tax parcel ID number

STATE OF GEORGIA
COUNTY OF

TRANSFER-ON-DEATH DEED UNDER O.C.G.A. § 44-17-3

Georgia Transfer-on-Death Deed

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

Name of record owner(s) | a resident of (city, county, state)

(hereinafter called "Grantor"), and

Name of beneficiary(ies) ("Grantee") | a resident of (city, county, state)

(hereinafter called "Grantee").

If more than one Grantee is named, Grantees shall take as **joint tenants with right of survivorship**. (If not checked, multiple Grantees take in equal shares as tenants in common.)

Alternate grantee beneficiary(ies), if any

W I T N E S S E T H:

Grantor, being of competent mind and having the legal capacity to execute this document, as record owner, does hereby grant, bargain, sell, transfer, alien, convey, and confirm on death to Grantee, as beneficiary, the following described interest in real estate:

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.

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 the said Grantee forever in FEE SIMPLE, but subject to the following limitations: **THIS TRANSFER-ON-DEATH DEED IS REVOCABLE. IT DOES NOT TRANSFER ANY OWNERSHIP UNTIL THE DEATH OF THE GRANTOR. IT REVOKES ALL PRIOR BENEFICIARY DESIGNATIONS BY THIS GRANTOR FOR THIS INTEREST IN REAL ESTATE. THE GRANTOR HAS THE RIGHT TO WITHDRAW OR RESCIND THIS DEED AT ANY TIME. ANY BENEFICIARY NAMED IN THIS DEED IS HEREBY ADVISED THAT THIS DEED MAY BE WITHDRAWN OR RESCINDED WHETHER OR NOT MONEY OR ANY OTHER CONSIDERATION WAS PAID OR GIVEN.**

Grantor will warrant and forever defend the right and title to the said described property unto the said Grantee against the claims of all persons claiming by, under or through Grantor, subject to the restrictions and limitations set forth in this instrument.

IN WITNESS WHEREOF, the Grantor(s) declare(s) that this deed is a revocable transfer-on-death deed of the real property described herein and has(ve) signed and sealed this deed, the day and year above written.

Grantor (record owner)

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 (record owner, 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.