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How to Complete Your Illinois Transfer on Death Instrument

Transfer on Death Instrument (Real Property Transfer on Death Instrument Act, 755 ILCS 27)

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

About this form. A transfer on death instrument (TODI) lets you name who will receive your Illinois real estate when you die, **without probate**, while you keep complete ownership and control during your life.

1. **Owner and property (Pages 1–2)**
   Enter your name and address, and copy the full legal description and PIN exactly from your current deed. Leave the top-right box blank for the recorder.
2. **Name beneficiaries (Page 2)**
   Name who receives the property at your death and their shares. You may name the trustee of a trust, and a contingent beneficiary.
3. **Two witnesses AND a notary (Page 3)**
   Illinois requires **two credible witnesses** to attest your signature, and the notary must acknowledge **your signature and both witnesses'**. Without two witnesses the instrument is void. A beneficiary or a beneficiary's spouse should never be a witness. We can provide qualified witnesses for an additional fee.
4. **Record it before death (required)**
   The instrument works only if it is **recorded** with the county recorder (or county clerk) where the property is located **before your death**.

After It's Signed

- You keep full ownership and control during your life, and may sell or mortgage the property.
- To change or cancel it, record a new instrument or a Revocation of Transfer on Death Instrument with the same witnesses and notary. A will cannot revoke it. We have a free revocation form.
- After your death, the beneficiary records a Notice of Death Affidavit and Acceptance. We have a free form for that too.

Need a Notary and Witnesses? We Come to You.

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

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TRANSFER ON DEATH INSTRUMENT

State of Illinois

Above space for Recorder's use only

This instrument was prepared by:

Name

Address

After recording, mail to:

Name

Address

Send subsequent tax bills to:

Name

Address

1. OWNER. I,

Name of owner

Address of owner

the owner of the real estate described below, make this transfer on death instrument under the Illinois Real Property Transfer on Death Instrument Act (755 ILCS 27).

2. PROPERTY. The real estate situated in the County of

County

in the State of Illinois, legally described as:

Owner's initials: _____

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Legal description (attach Exhibit A if more space is needed)

Permanent Index Number(s) (PIN)

Common address of property

3. TRANSFER AT DEATH. I transfer all of my interest in the property described above to the beneficiaries named below, **effective on my death**. This instrument transfers no interest in the property during my lifetime.

4. BENEFICIARIES. I designate the following beneficiaries (and their shares, if not equal):

Name of beneficiary (or trustee of a named trust)	Address	Share
Name of beneficiary (or trustee of a named trust)	Address	Share
Name of beneficiary (or trustee of a named trust)	Address	Share

Contingent beneficiary if a beneficiary does not survive me (optional):

Name	Address

5. REVOCABILITY. This instrument is revocable. I may revoke it only by recording, before my death, a later transfer on death instrument or an instrument of revocation signed, witnessed, and acknowledged in the same manner as this instrument. It is not revoked by my will. This instrument must be recorded before my death in the county where the property is located.

Owner's initials: _____

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Dated

X

Signature of owner

Printed name

ATTESTATION OF WITNESSES

We, the undersigned witnesses, each at least 18 years of age, certify that the owner named above signed this instrument (or acknowledged signing it) in our presence, that it was the owner's free and voluntary act, and that we believed the owner to be of sound mind and memory at the time. We signed as witnesses in the presence of the owner and of each other. Neither of us is a beneficiary named in this instrument or the spouse of a beneficiary.

X

Witness

Printed name

Address

X

Witness

Printed name

Address

NOTARY ACKNOWLEDGMENT (owner and witnesses)

STATE OF ILLINOIS)
COUNTY OF) SS.

This instrument was acknowledged before me on

(date)

by (name of owner)

and by the following persons as witnesses:

Witness

Witness

X

Notary Public

(Notary seal)

Notary's printed name

My commission expires

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