How to Complete Your Texas Resignation of Trustee

Resignation of Trustee (Texas Property Code Section 113.081)

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

About this form. A trustee uses this form to step down as trustee of a Texas trust, in the manner the trust instrument allows.

1. **Check the trust first**
   Most trusts explain how a trustee may resign. If the trust is silent, Texas law may require court approval. If unsure, speak with an attorney.
2. **Fill in the trust and successor (Page 1)**
   Enter the trust name and date, your effective date, and the successor trustee, if known.
3. **Sign before a notary (Page 1)**
   Bring a current, government-issued photo ID. A notarized resignation is readily accepted and can be recorded for real estate.

After It's Signed

- Deliver copies to the successor trustee, the settlor if living, and the beneficiaries as the trust requires.
- A resigning trustee remains responsible until trust property is delivered to the successor, and should provide a final accounting.

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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**. Main headquarters: 2315 Capitol Avenue, Sacramento, CA 95816.

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RESIGNATION OF TRUSTEE

(Texas Property Code Section 113.081)

I,

Name of resigning trustee

Address

hereby resign as trustee of the following trust:

Name of trust

Date of trust

Settlor(s)

This resignation is made under (check one):

- the provisions of the trust instrument permitting resignation.
- the written consent of the persons required by the trust instrument, attached.
- an order of court, attached.

Effective date of resignation

Successor trustee (if known)

I agree to deliver all trust property, books, and records to the successor trustee and to account for my administration as required by the trust instrument and the Texas Trust Code.

Date

X

Resigning trustee

Printed name

NOTARY ACKNOWLEDGMENT

STATE OF TEXAS §

**COUNTY OF § **

This instrument was acknowledged before me on

Date

by (name of trustee)

X

Notary Public, State of Texas

(Notary seal)

Notary's printed name

Notary ID number

My commission expires

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