SURVIVORSHIP DEED

Leave the top 3 inches of this page blank for the recorder unless your county allows less.

Prepared by: _____, address _____.

After recording, return to: _____, address _____.

Send tax statements to: _____, address _____.

Parcel or tax ID number: _____

1. CONVEYANCE

For the consideration stated below, _____ (check one): [ ] an unmarried person; [ ] a married person; [ ] spouses married to each other, whose mailing address is _____ (the "Grantor"), (check one) [ ] grants, conveys and warrants [ ] remises, releases and quitclaims to _____, _____, _____ and _____, whose mailing address is _____ (together, the "Grantees"), the real property described below, with all buildings, improvements, easements and rights belonging to it (the "Property").

The Grantees take title (check one): [ ] as joint tenants with right of survivorship, and not as tenants in common; [ ] as tenants by the entirety (only two Grantees who are married to each other, and only in a state that recognizes it).

2. THE PROPERTY

The Property is in _____ (county, or the town or city in Connecticut, Rhode Island and Vermont), State of _____, and is legally described as follows (copy the description exactly from the current deed, or attach it as Exhibit A): _____ _____ _____

Street address, for reference only: _____. If the street address differs from the legal description, the legal description controls.

Source of title: the same property conveyed to the Grantor by the instrument recorded as _____ on _____ in the records of _____ (the county, town or other recording office).

3. RIGHT OF SURVIVORSHIP

When a Grantee dies, that Grantee's interest passes to the surviving Grantee or Grantees, and the last survivor owns the whole Property.

Grantor also named as a Grantee (if any): _____. That person conveys as a Grantor and takes title as a Grantee, together with the other Grantees, as this deed states.

This general template is provided for informational purposes only and does not constitute legal advice. Requirements vary by state and locality; review current law and attach any disclosures or addenda your situation requires before signing. For a guided state-specific document, visit lawvault.org.

4. CONSIDERATION

This conveyance is made for (check one): [ ] $_____; [ ] ten dollars ($10.00) and other good and valuable consideration; [ ] no consideration, as a gift. The Grantor acknowledges receipt of any consideration stated.

Transfer tax exemption claimed, if any: _____.

5. TITLE

If the Grantor grants, conveys and warrants above: the Grantor covenants with the Grantees and their heirs, successors and assigns that the Grantor owns the Property in fee simple, has the right to convey it, that it is free of encumbrances except real estate taxes not yet due and payable, easements and restrictions of record and _____, that the Grantees will have quiet possession, and that the Grantor will warrant and defend the title against the lawful claims of all persons and sign any further documents reasonably needed.

If the Grantor remises, releases and quitclaims above: the Grantor conveys only the interest the Grantor has, if any, and makes no warranty or covenant of title.

[ ] The Property is subject to an existing mortgage or deed of trust. The Grantees take subject to it without assuming the debt, and this deed does not release the Grantor from it.

6. JOINDER OF SPOUSE

(Complete only if the Grantor's spouse is not a Grantee but must sign, for example to release homestead, dower, curtesy or community property rights.) _____, spouse of the Grantor, joins in this deed to release to the Grantees any marital interest in the Property, without making any covenant of title.

7. GENERAL TERMS

"Grantor" includes every person named in that role, and "Grantees" means all of the persons named as grantees. This deed binds and benefits the parties and their heirs, personal representatives, successors and assigns, subject to the right of survivorship, and is governed by the law of the state where the Property is located. If any part is held invalid, the rest remains in effect.

Signed on _____.

SIGNATURES

Grantor

Signature: _____ Date: _____

Printed Name: _____

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Grantor

Signature: _____ Date: _____

Printed Name: _____

Grantor's spouse (if joining)

Signature: _____ Date: _____

Printed Name: _____

WITNESSES (IF YOUR STATE REQUIRES THEM)

Florida requires two witnesses and Georgia one witness besides the notary; a few other states also expect witnesses. Each witness signs, prints a name and gives a mailing address, and should not be a Grantee.

Witness 1: _____ Printed name: _____
Address: _____

Witness 2: _____ Printed name: _____
Address: _____

ACKNOWLEDGMENT

State of _____, County of _____

On _____, before me, the undersigned notary public, personally appeared _____, known to me or proved to me through satisfactory evidence of identity to be the person whose name is signed on this deed, who acknowledged signing it voluntarily for the purposes stated in it.

Notary Public: _____ Printed name: _____ My commission expires: _____ (Seal)

California and New York set their own acknowledgment wording, and Florida's certificate states whether the signer appeared in person or online. Ask your notary to use your state's form. Each signer needs an acknowledgment.

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BEFORE YOU RECORD

Survivorship rules differ by state. Ohio's statute gives survivorship deeds their own words ("for their joint lives, remainder to the survivor of them", Ohio Rev. Code § 5302.17). Oregon has abolished joint tenancy in land, so the deed must clearly and expressly declare a right of survivorship instead (ORS 93.180). Texas does not presume survivorship, so the joint owners should sign a written survivorship agreement (Tex. Est. Code § 111.001). Alaska has abolished joint tenancy in real property (AS 34.15.130), and Louisiana does not use it. Kentucky clerks will not record a deed without a sworn consideration certificate signed by the grantor and the grantees before a notary (KRS 382.135). West Virginia clerks will not record a quitclaim deed given without consideration unless each grantee also signs and acknowledges it, apart from family transfers the statute lists (W. Va. Code § 39-1-2(b)(2)). Check with the county recorder, or use the LawVault builder, which prints your state's version. This template is not legal advice.

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