

Recording requested by (name):

[Name(s) of owner]

Your name

Recorder's Use Only

When recorded mail to
and mail tax statements to:

[Name(s) of new owners]

[Mailing Address of new owners]

[Mailing Address of new owners]

[Mailing Address City, State, ZIP]

Name and address of person
who should receive the
stamped copy of this document
when recorded, as well as tax
statements.

1/1/2018: In addition to standard
fees, a new \$75 fee is charged
for recording documents unless
an exemption applies. See back
of sheet for more info.

SIMPLE REVOCABLE TRANSFER ON DEATH (TOD) DEED

This document is exempt from documentary transfer
tax under Rev. & Tax. Code § 11930. This
document is exempt from preliminary change of
ownership report under Rev. & Tax. Code § 480.3.

Declaration of Exemption From Gov't Code § 27388.1 Fee

- Transfer is exempt from fee per GC § 27388.1(a)(2):
 - recorded concurrently "in connection with" transfer subject to DTT
 - recorded concurrently "in connection with" a transfer of residential dwelling to an owner-occupier
- Transfer is exempt from fee per GC 27388.1(a)(1):
 - Fee cap of \$225.00 reached
 - Not related to real property

Assessor's Parcel No.:

[Assessor's Parcel No.]

IMPORTANT NOTICE: THIS DEED MUST BE RECORDED ON OR BEFORE 60 DAYS AFTER THE DATE IT IS SIGNED AND NOTARIZED

Use this deed to transfer the property described below directly to your named beneficiaries when you die. YOU SHOULD CAREFULLY READ THE INFORMATION ON THE OTHER PAGES OF THIS FORM. You may wish to consult an attorney before recording this deed to make sure you understand the results that you do not want. Provide only the information asked for in the form. DO NOT INSERT ANY OTHER INFORMATION OR INSTRUCTIONS. This form MUST be RECORDED on or before 60 days after the date it is signed and notarized or it will not be effective.

This can be found on the
current deed or the tax bill.

PROPERTY DESCRIPTION

Print the legal description of the residential property affected by this deed:

[Enter legal description as written on deed. If you prefer, type (or photocopy) the description on a separate page labeled "Exhibit A," attach it, and enter "See Exhibit A" in this space].

Copy this
from the
deed to the
property

BENEFICIARY(IES)

Print the FULL NAME(S) of the person(s) who will receive the property on your death (DO NOT use general terms like "my children") and state the RELATIONSHIP that each named person has to you (spouse, son, daughter, friend, etc.):

[Name(s) and relationship of beneficiaries, eg, "my son James Smith" or "my friend Samantha Jones"]

TRANSFER ON DEATH

I, [Your name], transfer all of my interest in the described property to the named beneficiary(ies) on my death. I may revoke this deed. When recorded, this deed revokes any TOD deed that I made before signing this deed.

Sign and print your name below (your name should exactly match the name shown on your title documents):

Date: _____

(Signature of declarant)

[Your name]

(Typed or written name of declarant)

NOTE: This deed only transfers MY ownership share of the property. The deed does NOT transfer the share of any co-owner of the property. Any co-owner who wants to name a TOD beneficiary must execute and RECORD a SEPARATE deed.

NEXT STEPS:

1. Sign the TOD deed in front of a notary public.
2. Record the deed at the Recorder's Office in the county where the property is located, *within 60 days after notarization*. If you attached the property description (instead of typing it out), be sure to include the attachment when you record the TOD Deed.
3. Fees: There are two fees: a filing fee (currently \$20/first page plus \$3/additional page in Sacramento) and (as of Jan. 1, 2018) a \$75 Building Homes and Jobs Act fee. Current Sacramento fees are available at the [Sacramento County Recorder's](http://www.ccr.saccounty.net/Pages/Fees.aspx) website at www.ccr.saccounty.net/Pages/Fees.aspx.

There are some exemptions from the \$75 fee. If you qualify, fill out the **Declaration of Exemption from Gov't Code 27388.1 Fee** box on page one of the declaration, or you will be charged. If not, leave it blank. For information on this new fee and exemptions, visit the [California Land Title Association's](http://www.clta.org/page/SB2CountyDocs) information page at www.clta.org/page/SB2CountyDocs and select your county.

3. Remember: if you own the property with someone else, and you both want to use a TOD deed to the same beneficiaries, each of you must fill out and record your own TOD Deed.

FOR MORE INFORMATION

For more information about Transfer on Death Deeds in California, see the guide available on our website at saclaw.org/tod-deed ("Transfer on Death Deeds: Naming Beneficiaries, Revoking TOD Deeds, and Clearing Title after a Death").

On the Web:

- Sacramento County Clerk-Recorder's Office
www.ccr.saccounty.net/
- Sacramento County Assessor's Office
www.assessor.saccounty.net
- CANHR's Fact Sheet: [Transferring Your Home through a Transfer on Death Deed \(TOD\) - What You Need to Know](http://www.nolo.com/legal-encyclopedia/transfer-death-deeds-real-estate) <http://www.nolo.com/legal-encyclopedia/transfer-death-deeds-real-estate>.
Pros and cons of using a TOD deed.

At the Law Library:

- "Adding Your Kids to Your Deed" (pamphlet)
Sacramento County Public Law Library
<http://saclaw.org/wp-content/uploads/adding-kids-to-deed.pdf>
This pamphlet discusses California's new "Transfer on Death Deed," which may be used to name beneficiaries to inherit your home without probate.

Sacramento County Public Law Library
609 9th Street, Sacramento, CA 95814
916-874-6012
saclaw.org