

Transfer on Death Deed Cancellation

Instructions

Important Notice to Property Owner

Carefully read all instructions for this form. It is best to talk to a lawyer before using this form. For privacy reasons, do not put your social security number or driver's license number on this form. Do not file these instructions.

When to Use this Form

- If you change your mind and decide you do not want the primary or alternate beneficiaries listed in your transfer on death deed to own the property upon your death, use this form to cancel the transfer on death deed. See the general instructions to the transfer on death deed for information on cancelling a transfer on death deed by filing a new transfer on death deed or after a divorce.
- Tearing up or destroying your copy or the beneficiary's copy of the transfer on death deed will not cancel the deed. A cancellation must be filed with the county clerk where the property is located before your death.

Important Information

- The cancellation applies ONLY to the portion of the property you own. For example: Joe and Sue own property together. They both sign and file a transfer on death deed naming Ann as the beneficiary. Sue changes her mind and files a cancellation of transfer on death deed but Joe doesn't. When Joe dies, Ann will get his share of the property but not Sue's share.
- If more than one owner wants to cancel the transfer on death deed, it is best if each owner completes a separate cancellation of transfer on death deed.
- Cancellation of a transfer on death deed is sometimes called a "revocation" of a transfer on death deed.

Required

- **Must Sign in Front of a Notary:** Do not sign or date the cancellation of transfer on death deed until you are standing in front of a notary public.
- **Must Record Cancellation Form Before Your Death:** You must file this cancellation of transfer on death deed form with the county clerk where the property is located before your death. If you don't, the property will go to the person(s) listed as the primary or alternate beneficiaries in the transfer on death deed upon your death. NOTE: Tearing up or destroying your copy or the beneficiary's copy of the transfer on death deed will not cancel the deed.

Completing the Cancellation of Transfer on Death Deed Form

1. **Property Owner (Transferor) Making this Cancellation:**
 - The person who currently owns the property must complete this cancellation form.
 - If more than one person owns the property, each property owner who wants to cancel the transfer on death deed for their share of the property should complete a cancellation of transfer on death deed form.

2. **Legal Description of the Property:** Enter the legal description of the property exactly as it appears on the original transfer on death deed. IT IS VERY IMPORTANT THAT THIS INFORMATION IS CORRECT. If you are not absolutely sure, talk to a lawyer.
 3. **Address of the Property:** Enter the physical address of the property.
 4. **Cancellation:** You do not need to fill out anything in this section.
 5. **Signature of Owner:** The cancellation must be signed before a notary. Do not sign your name or enter the date until you are standing in front of a notary.
 6. **Acknowledgement:** You do not need to fill out anything in this box. The notary will fill it out.
 7. **“After Recording, Return to” Section:** Fill in your name and address. Once the transfer on death deed has been recorded, it will be returned to you with the specific information on where the cancellation of the transfer on death deed has been recorded in the county’s clerk office so that it can be located later. Keep the cancellation of transfer on death deed in a safe place.
 8. **File the Cancellation of Transfer on Death Deed (NOT These Instructions) in the County Clerk’s Office:**
 - **Bring Original and One Copy:** Bring the original and one copy of the complete and notarized Cancellation of Transfer on Death Deed to the County Clerk’s office in the county where the property is located.
 - **Bring Money:** The County Clerk will charge a fee to file the Cancellation of Transfer on Death Deed and may not take a check. You may want to call the County Clerk’s office and find out how much the charge will be before you go. File the original and ask them to return a copy of the original with the recording information on it to the owner.
 - **Do Not File the Instructions:** If you file the instructions, it may cause confusion and will also cost you more money.
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Do not file this page

Cancellation of Transfer on Death Deed

IMPORTANT NOTICE TO PROPERTY OWNER:

- Carefully read all instructions for this form. You may want to talk to a lawyer before using this form.
- **The Cancellation Applies ONLY to the Portion of the Property Owned by the Person Signing this Cancellation.** For example: Joe and Sue own property together. They both sign and file a transfer on death deed naming Ann as the beneficiary. Sue changes her mind and files a cancellation of transfer on death deed but Joe doesn't. When Joe dies, Ann will get his share of the property but not Sue's share.
- **Must Record Cancellation Before Your Death:** You **must** file the completed Cancellation of Death Deed form with the county clerk where the property is located **before** your death. If you don't, the property will go to the person(s) listed as the primary or alternate beneficiaries in the transfer on death deed upon your death. NOTE: Tearing up or destroying your copy or the beneficiary's copy of the transfer on death deed will not cancel the deed.

1. **Property Owner (Transferor) Making this Cancellation.** *Enter your first, middle (if any), and last name here, along with your mailing address. If more than one person owns the property, each property owner who wants to cancel the transfer on death deed for their share of the property should complete a cancellation of transfer on death deed form.*

Property Owner's Printed Name

Owner's Mailing Address:

Address 1

Address 2

City

State

Zip

2. **Legal Description of the Property.** *Enter the legal description of the property exactly as it appears on the original transfer on death deed. IT IS VERY IMPORTANT THAT THIS INFORMATION IS CORRECT. If you are not absolutely sure, talk to a lawyer.*

Print legal description of the property.

3. **Address of the Property (if any).** *This is the physical address of the property. Include county.*

Address

City

County

State

Zip Code

Cancellation of Transfer on Death Deed

4. Cancellation.

I cancel all my previous transfers of this property by transfer on death deed.

5. Printed Name and Signature of Owner (Transferor) Making this Cancellation. ***Do not sign your name or enter the date until you are standing in front of a notary.***

Owner's Signature

Date

Owner's Printed Name

**FOR NOTARY TO COMPLETE
Acknowledgement**

STATE OF _____

COUNTY OF _____

This instrument was acknowledged before me by the above named Owner on the _____ day of _____, 20____,

By _____.
Notary Public, State of _____

After recording, return to:

Owner's Name

Owner's Mailing Address:

Address 1

Address 2

City State Zip