

**REVOCABLE TRANSFER ON DEATH DEED**

**NOTICE TO OWNER**

You should carefully read all information on the other side of this form. You may want to consult a lawyer before using this form. This form must be recorded or filed with the Department of Land Management before your death, or it will not be effective.

**IDENTIFYING INFORMATION**

Owner or Owners Making This Deed:

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Mailing address

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Mailing address

Legal description of the property:

\_\_\_\_\_

**DESIGNATED BENEFICIARIES**

I designate the following beneficiary if the beneficiary survives me.

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Mailing address, if available

**CONTINGENT BENEFICIARY – Optional**

If my primary beneficiaries does not survive me, I designate the following designated beneficiary if that beneficiary survives me.

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Mailing address, if available

**TRANSFER ON DEATH**

At my death, I transfer my interest in the described property to the beneficiaries as designated above. Before my death, I have the right to revoke this deed.

**SIGNATURE OF OWNER OR OWNERS MAKING THIS DEED**

\_\_\_\_\_  
[(SEAL)]

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
[(SEAL)]

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**ACKNOWLEDGMENT**

(insert acknowledgment for deed here)

## COMMON QUESTIONS ABOUT THE USE OF THIS FORM

### **What does the Transfer on Death (TOD) deed do?**

When you die, this deed transfers the described property, subject to any liens or mortgages (or other encumbrances) on the property at your death. Probate is not required. The TOD deed has no effect until you die. You can revoke it at any time. You are also free to transfer the property to someone else during your lifetime. If you do not own any interest in the property when you die, this deed will have no effect.

### **How do I make a TOD deed?**

Complete this form. Have it acknowledged before a notary public or other individual authorized by law to take acknowledgments. Record the form with the Department of Land Management. The form has no effect unless it is acknowledged and recorded before your death.

### **Is the “legal description” of the property necessary?**

Yes.

### **How do I find the “legal description” of the property?**

This information may be on the deed you received when you became an owner of the property. This information may also be available at the Department of Land Management. If you are not absolutely sure, consult a lawyer.

### **Can I change my mind before I record the TOD deed?**

Yes. If you have not yet recorded the deed and want to change your mind, simply tear up or otherwise destroy the deed.

### **How do I “record” the TOD deed?**

Take the completed and acknowledged form to the Guam Department of Land Management. Follow the instructions given by the Guam Department of Land Management to make the form part of the official property records.

### **Can I later revoke the TOD deed if I change my mind?**

Yes. You can revoke the TOD deed. No one, including the beneficiaries, can prevent you from revoking the deed.

### **How do I revoke the TOD deed after it is recorded?**

There are three ways to revoke a recorded TOD deed:

1. Complete and acknowledge a revocation form, and record it at the Guam Department of Land Management.
2. Complete and acknowledge a new TOD deed that disposes of the same property, and record it at the Guam Department of Land Management.
3. Transfer the property to someone else during your lifetime by a recorded deed that expressly revokes the TOD deed. You may not revoke the TOD deed by will.

### **I am being pressured to complete this form. What should I do?**

Do not complete this form under pressure. Seek help from a trusted family member, friend, or lawyer.

### **Do I need to tell the beneficiaries about the TOD deed?**

No, but it is recommended. Secrecy can cause later complications and might make it easier for others to commit fraud.

### **I have other questions about this form. What should I do?**

This form is designed to fit some but not all situations. If you have other questions, you are encouraged to consult a lawyer.