


I'm not robot  reCAPTCHA

**I am not robot!**

## Arizona beneficiary deed form pdf

33-405. Beneficiary deeds; recording; definitions A. A deed that conveys an interest in real property, including any debt secured by a lien on real property, to a grantee beneficiary designated by the owner and that expressly states that the deed is effective on the death of the owner transfers the interest to the designated grantee beneficiary effective on the death of the owner subject to all conveyances, assignments, contracts, mortgages, deeds of trust, liens, security pledges and other encumbrances made by the owner or to which the owner was subject during the owner's lifetime. B. A beneficiary deed may designate multiple grantees who take title as joint tenants with right of survivorship, tenants in common, a husband and wife as community property or as community property with right of survivorship, or any other tenancy that is valid under the laws of this state. Unless the beneficiary deed provides otherwise, the interest in real property conveyed by a beneficiary deed is the separate property of the named grantee beneficiary and is not community property. C. A beneficiary deed may designate a successor grantee beneficiary. If the beneficiary deed designates a successor grantee beneficiary, the deed shall state the condition on which the interest of the successor grantee beneficiary would vest. Unless the beneficiary deed provides otherwise, if there are no grantee beneficiaries named in the beneficiary deed who survive the owner, the beneficiary deed is void and section 14-2603 does not apply. D. If real property is owned as joint tenants with the right of survivorship or as community property with the right of survivorship, a deed that conveys an interest in the real property to a grantee beneficiary designated by all of the then surviving owners and that expressly states that the deed is effective on the death of the last surviving owner transfers the interest to the designated grantee beneficiary effective on the death of the last surviving owner. If a beneficiary deed is executed by fewer than all of the owners of real property owned as joint tenants with right of survivorship or community property with right of survivorship, the beneficiary deed is valid if the last surviving owner is one of the persons who executes the beneficiary deed. If the last surviving owner did not execute the beneficiary deed, the transfer shall lapse and the deed is void.

**Beneficiary Deed**

I, the undersigned \_\_\_\_\_ (**Name of Owner**), hereinafter called **Owner**, hereby convey to \_\_\_\_\_ (**Name of Grantee Beneficiary**), hereinafter called **Grantee Beneficiary**, effective on my death the following described real property (the **Property**):

Property Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

\_\_\_\_\_

If the Grantee Beneficiary predeceases Owner in death, then the conveyance to that Grantee Beneficiary shall either (choose one):

Become null and void.

Become part of the Estate of the Grantee Beneficiary.

Witness my signature this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(**Printed Name of Owner**)

\_\_\_\_\_  
(**Signature of Owner**)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this day, personally appeared before me, \_\_\_\_\_ (**Name of Owner**), to me known to be the person described in and who executed the within instrument, and acknowledged that he/she signed the same as his/her voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed on this day of \_\_\_\_\_, 20\_\_\_\_.

Notary's Public Signature: \_\_\_\_\_

Commission expires \_\_\_\_\_

If real property is owned as joint tenants with the right of survivorship or as community property with the right of survivorship, a deed that conveys an interest in the real property to a grantee beneficiary designated by all of the then surviving owners and that expressly states that the deed is effective on the death of the last surviving owner transfers the interest to the designated grantee beneficiary effective on the death of the last surviving owner. If a beneficiary deed is executed by fewer than all of the owners of real property owned as joint tenants with right of survivorship or community property with right of survivorship, the beneficiary deed is valid if the last surviving owner is one of the persons who executes the beneficiary deed. If the last surviving owner did not execute the beneficiary deed, the transfer shall lapse and the deed is void. An estate in joint tenancy with right of survivorship or community property with right of survivorship is not affected by the execution of a beneficiary deed that is executed by fewer than all of the owners of the real property, and the rights of a surviving joint tenant with right of survivorship or a surviving spouse in community property with right of survivorship shall prevail over a grantee beneficiary named in a beneficiary deed. E. A beneficiary deed is valid only if the deed is executed and recorded as provided by law in the office of the county recorder of the county in which the property is located before the death of the owner or the last surviving owner. A beneficiary deed may be used to transfer an interest in real property to the trustee of a trust even if the trust is revocable. F. A beneficiary deed may be revoked at any time by the owner or, if there is more than one owner, by any of the owners who executed the beneficiary deed. To be effective, the revocation must be executed and recorded as provided by law in the office of the county recorder of the county in which the real property is located before the death of the owner who executes the revocation. If the real property is owned as joint tenants with right of survivorship or community property with right of survivorship and if the revocation is not executed by all the owners, the revocation is not effective unless executed by the last surviving owner. G. *rimexa* If an owner executes and records more than one beneficiary deed concerning the same real property, the last beneficiary deed that is recorded before the owner's death is the effective beneficiary deed. H. This section does not prohibit other methods of conveying property that are permitted by law and that have the effect of postponing enjoyment of an interest in real property until the death of the owner. This section does not invalidate any deed otherwise effective by law to convey title to the interests and estates provided in the deed that is not recorded until after the death of the owner. I. The signature, consent or agreement of or notice to a grantee beneficiary of a beneficiary deed is not required for any purpose during the lifetime of the owner. J. A beneficiary deed that is executed, acknowledged and recorded in accordance with this section is not revoked by the provisions of a will. K. A beneficiary deed is sufficient if it complies with other applicable laws and if it is in substantially the following form: Beneficiary Deed I (we) \_\_\_\_\_ (owner) hereby convey to \_\_\_\_\_ (grantee beneficiary) effective on my (our) death the following described real property: (Legal description) If a grantee beneficiary predeceases the owner, the conveyance to that grantee beneficiary shall either (choose one):  Become null and void.  Become part of the estate of the grantee beneficiary. \_\_\_\_\_ (Signature of grantor(s)) (acknowledgment). L. The instrument of revocation shall be sufficient if it complies with other applicable laws and is in substantially the following form: Revocation of Beneficiary Deed The undersigned hereby revokes the beneficiary deed recorded on \_\_\_\_\_ (date), in docket or book \_\_\_\_\_, or instrument number \_\_\_\_\_, records of \_\_\_\_\_ county, Arizona. Dated: \_\_\_\_\_ Signature (acknowledgment). M. *неповозили* For the purposes of this section: 1. *gedenmano* "Beneficiary deed" means a deed authorized under this section. 2. "Owner" means any person who executes a beneficiary deed as provided in this section. Arizona beneficiary deeds allow property owners to retain absolute control over their real estate, with the freedom to use, modify, or sell the land at will. The owner may also change the beneficiary or revoke the deed without any obligation to notify the beneficiary because the transfer of the remaining property rights is not finalized until the recipient records the appropriate documentation. This instrument, governed by Arizona Revised Statutes 33-405, is a useful estate planning tool. It gives owners/grantors of Arizona real estate the ability to initiate, but not complete, the transfer process to a designated beneficiary, while keeping all rights and title to the property during the owner's lifetime. This means the owner (grantor) may sell, rent, mortgage or otherwise use the property with no penalty for waste or obligation to the named beneficiary. In addition, because the conveyance is not completed until the owner's death, he/she may change or remove beneficiary designations at will. Because of the potential for change, there is no obligation for the beneficiary/grantee to provide consideration (money or something else of value). Arizona beneficiary deed must meet the statutory requirements as set forth in A.R.S. 33-405. This includes identifying the property owners (grantors), the beneficiaries, the real estate to be transferred, and other details as needed for the specific situation. The deed must also follow all state and local standards for recorded documents. The owner or owners must sign the deed in front of a notary and file the completed form with the land records for the county where the property is situated. After the owner's death, the remaining interest in land transfers to the beneficiary outside of the probate process. NOTE: In order to be valid, this deed must be recorded, during the owner's lifetime, in the county where the land is situated. This information is not a substitute for legal advice. Consult an attorney with questions about beneficiary deeds, or for any other issues related to estate planning or real property in Arizona. Back to Arizona

- 2 -

**TRANSFER ON DEATH DEED**

**THIS INDENTURE** made the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between \_\_\_\_\_,  married,  unmarried, whose mailing address is \_\_\_\_\_ and \_\_\_\_\_,  married,  unmarried,  married,  unmarried, whose mailing address is \_\_\_\_\_, hereinafter referred to as "the Grantee Beneficiary".

**WITNESSETH THAT**, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable considerations, cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, Grantor does hereby convey unto the Grantee Beneficiary, effective upon my death, the following lot, tract or parcels of lands and property, together with all improvements located thereon, lying in \_\_\_\_\_ County, State of Missouri:

[Describe Property]

Prior instrument reference: Book \_\_\_\_\_, Page \_\_\_\_\_, Document Number \_\_\_\_\_ of the Public Records of the District Recorder of \_\_\_\_\_ County, State of Missouri.

This transfer on death deed is revocable. It does not transfer any ownership until the death of Grantor. It revokes all prior beneficiary designations by Grantor for interest in real estate.

SUBJECT to all easements, rights of way, protective covenants and mineral reservations of record, if any.

**THIS PACKAGE CONTAINS 2 FORMS, TOTALING 7 PAGES.**

A beneficiary deed may designate multiple grantees who take title as joint tenants with right of survivorship, tenants in common, a husband and wife as community property or as community property with right of survivorship, or any other tenancy that is valid under the laws of this state. Unless the beneficiary deed provides otherwise, the interest in real property conveyed by a beneficiary deed is the separate property of the named grantee beneficiary and is not community property. **yuvseccu** C. A beneficiary deed may designate a successor grantee beneficiary. **puzokovapadiz**

**QUIT CLAIM DEED**

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, this quit claim deed is executed by:

to Grantor, whose address is:

to

to Grantee, whose address is:

On the following described property lying in Brevard County, Florida:

The Grantee(s), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations to said Grantee(s) in hand paid by said Grantee(s), the receipt whereof is hereby acknowledged, have released and quit-claimed to the Grantee(s) of the County of \_\_\_\_\_, State of \_\_\_\_\_, all claims and demands which the Grantee(s) may have in the above-described land.

**IN WITNESS WHEREOF**, Grantee has hereunto set Grantor's hand and seal the day and year first above written.

Witness: \_\_\_\_\_ (Grantee(s))

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Print name

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who is personally known to me, \_\_\_\_\_, a Notary Public, and who is identified as the \_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

(REAL) **NOTARY PUBLIC**

\_\_\_\_\_  
Notary Seal

C. A beneficiary deed may designate a successor grantee beneficiary. If the beneficiary deed designates a successor grantee beneficiary, the deed shall state the condition on which the interest of the successor grantee beneficiary would vest. Unless the beneficiary deed provides otherwise, if there are no grantee beneficiaries named in the beneficiary deed who survive the owner, the beneficiary deed is void and section

14-2603 does not apply. D. If real property is owned as joint tenants with the right of survivorship or as community property with the right of survivorship, a deed that conveys an interest in the real property to a grantee beneficiary designated by all of the then surviving owners and that expressly states that the deed is effective on the death of the last surviving owner transfers the interest to the designated grantee beneficiary effective on the death of the last surviving owner. If a beneficiary deed is executed by fewer than all of the owners of real property owned as joint tenants with right of survivorship or community property with right of survivorship, the beneficiary deed is valid if the last surviving owner is one of the persons who executes the beneficiary deed. If the last surviving owner did not execute the beneficiary deed, the transfer shall lapse and the deed is void. An estate in joint tenancy with right of survivorship or community property with right of survivorship is not affected by the execution of a beneficiary deed that is executed by fewer than all of the owners of the real property, and the rights of a surviving joint tenant with right of survivorship shall prevail over a grantee beneficiary named in a beneficiary deed. E. A beneficiary deed is valid only if the deed is executed and recorded as provided by law in the office of the county recorder of the county in which the property is located before the death of the owner or the last surviving owner. A beneficiary deed may be used to transfer an interest in real property to the trustee of a trust even if the trust is revocable. F. A beneficiary deed may be revoked at any time by the owner or, if there is more than one owner, by any of the owners who executed the beneficiary deed. To be effective, the revocation must be executed and recorded as provided by law in the office of the county recorder of the county in which the real property is located before the death of the owner who executes the revocation. If the real property is owned as joint tenants with right of survivorship or community property with right of survivorship and if the revocation is not executed by all the owners, the revocation is not effective unless executed by the last surviving owner.

G. If an owner executes and records more than one beneficiary deed concerning the same real property, the last beneficiary deed that is recorded before the owner's death is the effective beneficiary deed. This section does not invalidate any deed otherwise effective by law to convey title to the interests and estates provided in the deed that is not recorded until after the death of the owner. H. This section does not prohibit other methods of conveying property that are permitted by law and that have the effect of postponing enjoyment of an interest in real property until the death of the owner. I. The signature, consent or agreement of or notice to a grantee beneficiary of a beneficiary deed is not required for any purpose during the lifetime of the owner. J. A beneficiary deed that is executed, acknowledged and recorded in accordance with this section is not revoked by the provisions of a will. K. A beneficiary deed is sufficient if it complies with other applicable laws and if it is in substantially the following form: Beneficiary Deed I (we) \_\_\_\_\_ (owner) hereby convey to \_\_\_\_\_ (grantee beneficiary) effective on my (our) death the following described real property: (Legal description) If a grantee beneficiary predeceases the owner, the conveyance to that grantee beneficiary shall either (choose one): [] Become null and void. [] Become part of the estate of the grantee beneficiary. \_\_\_\_\_ (Signature of grantor(s)) (acknowledgment). L. \_\_\_\_\_ (Signature of grantor(s)) (acknowledgment). L. \_\_\_\_\_ (grantee beneficiary) The instrument of revocation shall be sufficient if it complies with other applicable laws and is in substantially the following form: Revocation of Beneficiary Deed The undersigned hereby revokes the beneficiary deed recorded on \_\_\_\_\_ (date), in docket or book \_\_\_\_\_ at page \_\_\_\_\_, or instrument number \_\_\_\_\_, records of \_\_\_\_\_ county, Arizona. Dated: \_\_\_\_\_ Signature \_\_\_\_\_ (acknowledgment). M. For the purposes of this section: 1. "Beneficiary deed" means a deed authorized under this section. 2. "Owner" means any person who executes a beneficiary deed as provided in this section. Arizona beneficiary deeds allow property owners to retain absolute control over their real estate, with the freedom to use, modify, or sell the land at will. The owner may also change the beneficiary or revoke the deed without any obligation to notify the beneficiary because the transfer of the remaining property rights is not finalized until the recipient records the appropriate documentation. This instrument, governed by Arizona Revised Statutes 33-405, is a useful estate planning tool. It gives owners/grantors of Arizona real estate the ability to initiate, but not complete, the transfer process to a designated beneficiary, while keeping all rights and title to the property during the owner's lifetime. This means the owner (grantor) may sell, rent, mortgage or otherwise use the property with no penalty for waste or obligation to the named beneficiary. In addition, because the conveyance is not completed until the owner's death, he/she may change or remove beneficiary designations at will. Because of the potential for change, there is no obligation for the beneficiary/grantee to provide consideration (money or something else of value). Arizona beneficiary deed must meet the statutory requirements as set forth in A.R.S. 33-405. This includes identifying the property owners (grantors), the beneficiaries, the real estate to be transferred, and other details as needed for the specific situation. The deed must also follow all state and local standards for recorded documents. The owner or owners must sign the deed in front of a notary and file the completed form with the land records for the county where the property is situated. After the owner's death, the remaining interest in land transfers to the beneficiary outside of the probate process. NOTE: In order to be valid, this deed must be recorded, during the owner's lifetime, in the county where the land is situated. This information is not a substitute for legal advice. Consult an attorney with questions about beneficiary deeds, or for any other issues related to estate planning or real property in Arizona.

**Available at MegaDox.com**

**TRUST AGREEMENT  
DISCRETIONARY TRUST**

THIS AGREEMENT made effective as of the \_\_\_\_ day of \_\_\_\_\_

**BETWEEN:**

**(TRUSTEE)**, a corporation incorporated pursuant to the laws of \_\_\_\_\_ (hereinafter the "Trustee")

**OF THE FIRST PART**

- and -

**(SETTLOR)** of \_\_\_\_\_ the City of \_\_\_\_\_ the "Settlor" and \_\_\_\_\_ (hereinafter the "Beneficiary")

**OF THE SECOND PART**

**WHEREAS** the Settlor is desirous of establishing an irrevocable trust to be known as the [BENEFICIARY] DISCRETIONARY TRUST, for the benefit of the Beneficiary and has agreed to transfer or pay over to the Trustee, as hereinafter defined, the property set out in Schedule "A" hereto and may hereafter transfer or pay over or cause to be transferred or paid over to the Trustee further real and personal property which may hereafter be transferred or paid over to the Trustee by persons other than the Settlor, all of which is to be held by the Trustee upon the trusts and with and subject to the powers and provisions hereinafter declared and contained.

**NOW THEREFORE THIS AGREEMENT WITNESSES** that in consideration of the premises, the sum of ONE DOLLAR (\$1.00) paid to the Original Trustee (as hereinafter defined) by the Settlor (the receipt and sufficiency of which is hereby acknowledged) and the mutual covenants and agreements herein contained it is hereby covenanted and agreed by and among the parties hereto as follows:

**I. DEFINITIONS**

In this Trust Agreement, and in any instrument supplemental or ancillary hereto, unless the context otherwise requires, the following words shall have the following meanings respectively:

(a) "Accumulating Income" shall have that meaning assigned to it in the *Income Tax Act*.

(b) "Beneficiary" means [BENEFICIARY] in his capacity as Beneficiary and not as Settlor.

(c) "Division Date" shall mean the first to occur of the following dates:

(i) the death of the Beneficiary;

(ii) the date which is one day prior to the twenty-first (21st) anniversary of the execution date of this Trust Agreement; or


(iii) such date as the Trustee may in his absolute discretion determine by instrument in writing signed by the Trustee and delivered to the Beneficiary.

(d) "Incapacitated Trustee" or "Incapacitated Beneficiary" means a Trustee or Beneficiary under the Trust, as the case may be, who:

(i) is declared by Court Order to be incompetent by reason of insanity, mental illness, or mental disability or for whom a legal representative or Committee has been appointed;

If the beneficiary deed designates a successor grantee beneficiary, the deed shall state the condition on which the interest of the successor grantee beneficiary would vest. Unless the beneficiary deed provides otherwise, if there are no grantee beneficiaries named in the beneficiary deed who survive the owner, the beneficiary deed is void and section 14-2603 does not apply. D. If real property is owned as joint tenants with the right of survivorship or as community property with the right of survivorship, a deed that conveys an interest in the real property to a grantee beneficiary designated by all of the then surviving owners and that expressly states that the deed is effective on the death of the last surviving owner transfers the interest to the designated grantee beneficiary effective on the death of the last surviving owner.

If a beneficiary deed is executed by fewer than all of the owners of real property owned as joint tenants with right of survivorship or community property with right of survivorship, the beneficiary deed is valid if the last surviving owner is one of the persons who executes the beneficiary deed. If the last surviving owner did not execute the beneficiary deed, the transfer shall lapse and the deed is void. An estate in joint tenancy with right of survivorship or community property with right of survivorship is not affected by the execution of a beneficiary deed that is executed by fewer than all of the owners of the real property, and the rights of a surviving joint tenant with right of survivorship or a surviving spouse in community property with right of survivorship shall prevail over a grantee beneficiary named in a beneficiary deed. E. hopia A beneficiary deed is valid only if the deed is executed and recorded as provided by law in the office of the county recorder of the county in which the property is located before the death of the owner or the last surviving owner. A beneficiary deed may be used to transfer an interest in real property to the trustee of a trust even if the trust is revocable. F. osavazudivoki A beneficiary deed may be revoked at any time by the owner or, if there is more than one owner, by any of the owners who executed the beneficiary deed. To be effective, the revocation must be executed and recorded as provided by law in the office of the county recorder of the county in which the real property is located before the death of the owner who executes the revocation. If the real property is owned as joint tenants with right of survivorship or community property with right of survivorship and if the revocation is not executed by all the owners, the revocation is not effective unless executed by the last surviving owner. G. If an owner executes and records more than one beneficiary deed concerning the same real property, the last beneficiary deed that is recorded before the owner's death is the effective beneficiary deed. H. This section does not prohibit other methods of conveying property that are permitted by law and that have the effect of postponing enjoyment of an interest in real property until the death of the owner. This section does not invalidate any deed otherwise effective by law to convey title to the interests and estates provided in the deed that is not recorded until after the death of the owner. I. laxaki The signature, consent or agreement of or notice to a grantee beneficiary of a beneficiary deed is not required for any purpose during the lifetime of the owner. J. A beneficiary deed that is executed, acknowledged and recorded in accordance with this section is not revoked by the provisions of a will. K. A beneficiary deed is sufficient if it complies with other applicable laws and if it is in substantially the following form: Beneficiary Deed I (we) \_\_\_\_\_ (owner) hereby convey to \_\_\_\_\_ (grantee beneficiary) effective on my (our) death the following described real property: (Legal description) If a grantee beneficiary predeceases the owner, the conveyance to that grantee beneficiary shall either (choose one): [] Become null and void. [] Become part of the estate of the grantee beneficiary. \_\_\_\_\_ (Signature of grantor(s)) (acknowledgment). L. \_\_\_\_\_ (Signature of grantor(s)) (acknowledgment). L. \_\_\_\_\_ (grantee beneficiary) The instrument of revocation shall be sufficient if it complies with other applicable laws and is in substantially the following form: Revocation of Beneficiary Deed The undersigned hereby revokes the beneficiary deed recorded on \_\_\_\_\_ (date), in docket or book \_\_\_\_\_ at page \_\_\_\_\_, or instrument number \_\_\_\_\_, records of \_\_\_\_\_ county, Arizona.

 **BENEFICIARY DEEDS**  
Preserving your home, your neighborhood, and your wishes

Many senior homeowners don't have a plan for who will take ownership of their home when they pass away. One simple way to ensure that their homes are passed to their loved ones or to a trusted charitable organization is through a simple form called a Beneficiary Deed.

**What is a Beneficiary Deed?**

A Beneficiary Deed is a document prepared by an attorney, signed by the owner(s) of the property, and recorded with the County, naming the person or organization that should own the property upon the current owner's death.

**What are the advantages of a Beneficiary Deed?**

- Saves the new owners from the time and expense of having to go to probate court to get the house.
- The homeowner continues to own the house for as long as they live.
- Transfers title immediately upon the death of the homeowner to the person or organization named in the Beneficiary Deed.
- The homeowner can change the beneficiary at any time through a new Beneficiary Deed.
- Delivers peace of mind to the homeowner in knowing who will receive their property upon their death.

**How do I get a Beneficiary Deed?**

- Contact Legal Aid of Western Missouri to apply for possible free legal assistance in preparing this form.
- Talk to the person or organization that you want to receive your home, and get their approval to be named as a beneficiary.
- Gather documents about your home such as the deed and any mortgage information.
- Work with the volunteer attorney assigned to you by Legal Aid of Western Missouri, who will prepare and record the Beneficiary Deed for you.



**Who should apply?**

- Any homeowner age 60 or older living in Kansas City, Jackson County, Missouri.

**Project Supporters:**

Legal Aid of Western Missouri is a trusted source for free legal assistance to low income and elderly residents of 40 counties in Western Missouri, and this work is supported by the city of Kansas City, Missouri, Jackson County neighborhood associations, and made possible by the Hall Family Foundation and H&A Black Foundation.

Contact Legal Aid of Western Missouri today to apply!  
Legal Aid of Western Missouri provides free legal help to low-income and elderly residents of 40 counties in western Missouri. In Kansas City, call (816) 474-6756 to apply.

B. A beneficiary deed may designate multiple grantees who take title as joint tenants with right of survivorship, tenants in common, a husband and wife as community property or as community property with right of survivorship, or any other tenancy that is valid under the laws of this state. Unless the beneficiary deed provides otherwise, the interest in real property conveyed by a beneficiary deed is the separate property of the named grantee beneficiary and is not community property. C. A beneficiary deed may designate a successor grantee beneficiary. If the beneficiary deed designates a successor grantee beneficiary, the deed shall state the condition on which the interest of the successor grantee beneficiary would vest. Unless the beneficiary deed provides otherwise, if there are no grantee beneficiaries named in the beneficiary deed who survive the owner, the beneficiary deed is void and section 14-2603 does not apply. pisusena D. If real property is owned as joint tenants with the right of survivorship or as community property with the right of survivorship, a deed that conveys an interest in the real property to a grantee beneficiary designated by all of the then surviving owners and that expressly states that the deed is effective on the death of the last surviving owner transfers the interest to the designated grantee beneficiary effective on the death of the last surviving owner. If a beneficiary deed is executed by fewer than all of the owners of real property owned as joint tenants with right of survivorship or community property with right of survivorship, the beneficiary deed is valid if the last surviving owner is one of the persons who executes the beneficiary deed. zcxulijate If the last surviving owner did not execute the beneficiary deed, the transfer shall lapse and the deed is void.

An estate in joint tenancy with right of survivorship or community property with right of survivorship is not affected by the execution of a beneficiary deed that is executed by fewer than all of the owners of the real property, and the rights of a surviving joint tenant with right of survivorship or a surviving spouse in community property with right of survivorship shall prevail over a grantee beneficiary named in a beneficiary deed. E. A beneficiary deed is valid only if the deed is executed and recorded as provided by law in the office of the county recorder of the county in which the property is located before the death of the owner or the last surviving owner. A beneficiary deed may be used to transfer an interest in real property to the trustee of a trust even if the trust is revocable. F. A beneficiary deed may be revoked at any time by the owner or, if there is more than one owner, by any of the owners who executed the beneficiary deed. To be effective, the revocation must be executed and recorded as provided by law in the office of the county recorder of the county in which the real property is located before the death of the owner who executes the revocation. If the real property is owned as joint tenants with right of survivorship or community property with right of survivorship and if the revocation is not executed by all the owners, the revocation is not effective unless executed by the last surviving owner. G. If an owner executes and records more than one beneficiary deed concerning the same real property, the last beneficiary deed that is recorded before the owner's death is the effective beneficiary deed. H. This section does not prohibit other methods of conveying property that are permitted by law and that have the effect of postponing enjoyment of an interest in real property until the death of the owner. This section does not invalidate any deed otherwise effective by law to convey title to the interests and estates provided in the deed that is not recorded until after the death of the owner. I. The signature, consent or agreement of or notice to a grantee beneficiary of a beneficiary deed is not required for any purpose during the lifetime of the owner. J. A beneficiary deed that is executed, acknowledged and recorded in accordance with this section is not revoked by the provisions of a will. K. A beneficiary deed is sufficient if it complies with other applicable laws and if it is in substantially the following form: Beneficiary Deed I (we) \_\_\_\_\_ (owner) hereby convey to \_\_\_\_\_ (grantee beneficiary) effective on my (our) death the following described real property: (Legal description) If a grantee beneficiary predeceases the owner, the conveyance to that grantee beneficiary shall either (choose one): [] Become null and void. [] Become part of the estate of the grantee beneficiary. \_\_\_\_\_ (Signature of grantor(s)) (acknowledgment). L. The instrument of revocation shall be sufficient if it complies with other applicable laws and is in substantially the following form: Revocation of Beneficiary Deed The undersigned hereby revokes the beneficiary deed recorded on \_\_\_\_\_ (date), in docket or book \_\_\_\_\_ at page \_\_\_\_\_, or instrument number \_\_\_\_\_, records of \_\_\_\_\_ county, Arizona. Dated: \_\_\_\_\_ Signature \_\_\_\_\_ (acknowledgment). M. For the purposes of this section: 1. "Beneficiary deed" means a deed authorized under this section. 2. "Owner" means any person who executes a beneficiary deed as provided in this section. Arizona beneficiary deeds allow property owners to retain absolute control over their real estate, with the freedom to use, modify, or sell the land at will.

The owner may also change the beneficiary or revoke the deed without any obligation to notify the beneficiary because the transfer of the remaining property rights is not finalized until the recipient records the appropriate documentation. This instrument, governed by Arizona Revised Statutes 33-405, is a useful estate planning tool. It gives owners/grantors of Arizona real estate the ability to initiate, but not complete, the transfer process to a designated beneficiary, while keeping all rights and title to the property during the owner's lifetime. This means the owner (grantor) may sell, rent, mortgage or otherwise use the property with no penalty for waste or obligation to the named beneficiary. In addition, because the conveyance is not completed until the owner's death, he/she may change or remove beneficiary designations at will. Because of the potential for change, there is no obligation for the beneficiary/grantee to provide consideration (money or something else of value). Arizona beneficiary deed must meet the statutory requirements as set forth in A.R.S. 33-405. This includes identifying the property owners (grantors), the beneficiaries, the real estate to be transferred, and other details as needed for the specific situation. The deed must also follow all state and local standards for recorded documents. The owner or owners must sign the deed in front of a notary and file the completed form with the land records for the county where the property is situated. After the owner's death, the remaining interest in land transfers to the beneficiary outside of the probate process. NOTE: In order to be valid, this deed must be recorded, during the owner's lifetime, in the county where the land is situated. This information is not a substitute for legal advice. Consult an attorney with questions about beneficiary deeds, or for any other issues related to estate planning or real property in Arizona. Back to Arizona