

Form of Arizona Beneficiary Deed Approved by Statute

Arizona Revised Statutes Section 33-405.G provides that 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) hereby convey to _____ (Grantee) 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).

Form of Revocation of Arizona Beneficiary Deed Approved by Statute

Arizona Revised Statutes Section 33-405.H provides that the instrument revoking a Beneficiary Deed 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).

NOTES:

Caution: To be recorded, all deeds and other documents must satisfy the conditions set forth in Arizona Revised Statutes Section 11-480.

The new Beneficiary Deed is an excellent way for owners of real property located in Arizona to convey interests in the property effective on death. This new type of Arizona deed can assist in estate planning and be used to avoid probate.

Property owners, however, should not prepare, sign and record Beneficiary Deeds without first obtaining counsel from an Arizona attorney who is familiar with Arizona real property conveyances and deeds and/or estate planning. Without proper legal advice or guidance, a property owner who prepares and records a deed without legal counsel takes a risk that the deed is defective or that it may not be sufficient to accomplish the property owner's objectives. Deeds are legal documents and they should always be reviewed by a competent attorney before being signed or recorded.