

§6-418. Optional template for revocation

The following template may be used to create an instrument of revocation under this Part. This template is not intended to be printed and recorded in its current format. The other sections of this Part govern the effect of this or any other instrument used to revoke a transfer on death deed.

REVOCATION OF TRANSFER ON DEATH DEED

NOTICE TO OWNER

You should carefully read the "Common Questions about the Use of this Template" before using this template to revoke a transfer on death deed. **YOU ARE ENCOURAGED TO CONSULT A LAWYER BEFORE USING THIS TEMPLATE.**

A revocation must be recorded before you die or it will not be effective. A revocation is effective only as to the interests in the property of owners who sign the revocation.

IDENTIFYING INFORMATION

Owner or Owners of Property Making This Revocation:

.....

.....

Printed name.....Mailing address

.....

Printed name.....Mailing address

Legal description of the property:

.....

REVOCATION

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

SIGNATURE OF OWNER OR OWNERS MAKING THIS REVOCATION

.....

(SEAL, if any).....

Signature.....Date.....

.....

(SEAL, if any).....

Signature.....Date.....

ACKNOWLEDGMENT

(insert acknowledgment)

COMMON QUESTIONS ABOUT THE USE OF THIS TEMPLATE

How do I use this template to revoke a Transfer on Death (TOD) deed? You may use this template to create a revocation but be aware that the registry of deeds of each Maine county has specific requirements for a document to be accepted for recording, including requirements related to the top, bottom and side margins. Have the revocation acknowledged before a notary public or other individual authorized to take acknowledgments. Record the revocation in the public records in the registry of

deeds of each county where the property is located. The revocation must be acknowledged and recorded before your death or it has no effect.

How do I find the "legal description" of the property? This information may be on the TOD deed. It may also be available in the registry of deeds for the county where the property is located. If you are not absolutely sure, consult a lawyer.

What is the proper form for the required acknowledgment of signatures on the revocation? Forms of acknowledgment may be found in Title 33, section 775 of the Maine Revised Statutes. You may also consult a notary public or a lawyer for the proper form of an acknowledgment.

How do I "record" the revocation? Take the completed and acknowledged revocation to the registry of deeds of the county where the property is located. Follow the instructions given by the register of deeds to make the revocation part of the official property records. If the property is located in more than one county, you should record the revocation in each of those counties.

I am being pressured to revoke a TOD deed. What should I do? Do not revoke a TOD deed under pressure. Seek help from a trusted family member, friend, or lawyer.

I have other questions about this template. What should I do? This template is designed to fit some but not all situations. If you have other questions, you are encouraged to consult a lawyer. [PL 2023, c. 4, §16 (AMD).]

SECTION HISTORY

PL 2017, c. 402, Pt. A, §2 (NEW). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF). PL 2023, c. 4, §16 (AMD).

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