



Landwood Title

You have been asked to List a property. When you order your property profile you see that the property is vested in "The John Doe Trust." What requirements are you, going to need and what requirements will Title need.

What to do if all trustees are surviving

If all Trustees are still surviving, then a Certification Of Trust pursuant to Section 18100.5 of the California Probate Code in a form satisfactory to the Company will be sufficient. Escrow will prepare this form for your client to complete.

What to do when there is a death of trustee with surviving spouse

If one of the trustees is deceased you will need a copy of the Death Certificate and a copy of the Trust and any amendments to it. Also a Certification Of Trust pursuant to Section 18100.5 of the California Probate Code in a form satisfactory to the Company will be sufficient. Escrow will prepare this form for your client to complete.

What to do when there is a death of trustee with no surviving spouse

If both trustees are deceased you will need a copy of both trustees Death Certificates and a copy of the Trust and any amendments to it. You will need to verify who are the successor trustees of the Trust. Also a Certification Of Trust pursuant to Section 18100.5 of the California Probate Code in a form satisfactory to the Company will be sufficient. Escrow will prepare this form for your client to complete.

What to do when incapacity of trustee

If one or both trustees becomes unable to discharge the duties as trustee of the Trust by reason of accident, physical or mental illness, progressive or intermittent physical or mental deterioration or other similar causes, you will need a copy of the Trust and any amendments to it. The Trust may require Dr.'s letters to verify that the trustees are incapacitated and who will be the successor trustees signing on behalf of the trust. Also a Certification Of Trust pursuant to Section 18100.5 of the California Probate Code in a form satisfactory to the Company will be sufficient. Escrow will prepare this form for your client to complete.

Note: The trust should be examined to verify that: 1) the trust has not terminated by its own provisions, 2) the trustee(s) have the power to take the action contemplated, 3) the current trustee(s) is properly appointed under the terms of the Trust, and 4) the trust does not violate the rule against perpetuities or any similar statutes.