

affirmative escrow

c o r p o r a t i o n

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SELLER'S IN A TRUST

If you are working with a Seller that holds title in a trust, there are a few important things to know that will help you to have a smooth escrow transaction.

1. Seller's are in a trust and all trustees are available to sign. The following items will be required by escrow:
 - a. Trust Certification executed by all trustees of the trust
 - b. All Trustees of the trust will be required to executed all escrow documentation and the grant deed

2. Seller's are in a trust (usually husband and wife) and one of the original trustees is deceased. The following items will be required by escrow:
 - a. Trust Certification executed by surviving trustee
 - b. Surviving trustee will be required to execute all escrow documentation and the grant deed
 - c. An original certified copy of the death certificate for the deceased trustee
 - d. An Affidavit Death of Trustee will be prepared by Escrow for the surviving trustee to execute.

3. Seller's are in a trust and all original trustees are deceased. The following items will be required by escrow:
 - a. Trust Certification executed by the Successor Trustee named in the trust.
 - b. A complete copy of the trust
 - c. The Successor trustee will be required to execute all escrow documentation and the grant deed
 - d. An original certified copy of the death certificate for the deceased trustee(s)
 - e. An Affidavit Death of Trustee will be prepared by Escrow for the Successor trustee to execute.

It is also important to note that most often a Trust does not allow the use of a Power of Attorney.