



Ohio Revised Code

Section 5302.17 Survivorship deed form.

Effective: January 30, 2014

Legislation: House Bill 72 - 130th General Assembly

A deed conveying any interest in real property to two or more persons, and in substance following the form set forth in this section, when duly executed in accordance with Chapter 5301. of the Revised Code, creates a survivorship tenancy in the grantees, and upon the death of any of the grantees, vests the interest of the decedent in the survivor, survivors, or the survivor's or survivors' separate heirs and assigns.

"SURVIVORSHIP DEED

_____ (marital status), of _____ County,
_____ for valuable consideration paid, grant(s), (covenants, if any) to
_____ (marital status) and _____ (marital status), for their
joint lives, remainder to the survivor of them, whose tax-mailing addresses are _____, the
following real property:

(description of land or interest therein and encumbrances, reservations, and exceptions, if any)

Prior Instrument Reference: _____

_____, wife (husband) of the grantor, releases all rights of dower therein.

Executed this _____ day of _____

(Signature of Grantor)

(Execution in accordance with Chapter 5301. of the Revised Code)"



Any persons who are the sole owners of real property, prior to April 4, 1985, as tenants with a right of survivorship under the common or statutory law of this state or as tenants in common may create in themselves and in any other person or persons a survivorship tenancy in the real property by executing a deed as provided in this section conveying their entire, separate interests in the real property to themselves and to the other person or persons.

Except as otherwise provided in this section, when a person holding real property as a survivorship tenant dies, the transfer of the interest of the decedent may be recorded by presenting to the county auditor and filing with the county recorder either a certificate of transfer as provided in section 2113.61 of the Revised Code, or an affidavit accompanied by a certified copy of a death certificate. The affidavit shall recite the names of the other survivorship tenant or tenants, the address of the other survivorship tenant or tenants, the date of death of the decedent, and a description of the real property. The county recorder shall record any certificate or affidavit so filed in the official records. When a person holding real property as a survivorship tenant dies and the title to the property is registered pursuant to Chapter 5309. of the Revised Code, the procedure for the transfer of the interest of the decedent shall be pursuant to section 5309.081 of the Revised Code.