



Ohio Revised Code

Section 5301.255 Memorandum of trust recording.

Effective: June 16, 2026

Legislation: Senate Bill 101 - 136th General Assembly

(A) A memorandum of trust or other instrument that satisfies both of the following shall be of record when any interest in real property is conveyed by the trustee of a disclosed trust, and in circumstances other than the conveyance of real property may be presented, in the office of the county recorder of any county in which real property that is subject to the trust is located:

(1) The instrument shall be executed by the trustee of the trust and acknowledged by the trustee of the trust in accordance with section 5301.01 of the Revised Code.

(2) The instrument shall state all of the following:

(a) The name and address of the trustee of the trust;

(b) The date of execution of the trust;

(c) The powers specified in the trust relative to the acquisition, sale, or encumbering of real property by the trustee or the conveyance of real property by the trustee, and any restrictions upon those powers.

(B) An instrument that satisfies divisions (A)(1) and (2) of this section also may set forth the substance or actual text of provisions of the trust that are not described in those divisions.

(C) An instrument that satisfies divisions (A)(1) and (2) of this section shall constitute notice only of the information contained in it.

(D) Upon the presentation for recordation of an instrument that satisfies divisions (A)(1) and (2) of this section and the payment of the requisite fee prescribed in section 317.32 of the Revised Code, a county recorder shall either:

(1) Record the instrument in the official records described in division (A)(17) of section 317.08 of the Revised Code, if the instrument describes specific real property;

(2) Record the instrument in the official records described in division (A)(23) of section 317.08 of the Revised Code, if the instrument does not describe specific real property.
