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### **Trust as Transferee**

**1.1 Welcome.** Hi, and welcome. This video is one in a series discussing various topics my clients have asked me to address. This discussion addresses how to name a Trust as a transferee. This is a “30,000-foot” look at these terms and their implications vary from state to state. Your states’ implications will certainly be different. You must consult a licensed professional in your jurisdiction.

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### **ARTICLE 1 Transferee as a Trust**

I have never found a source that I could refer to as authoritative, where I could point to and say, “See, that is what the masters say” on this topic but it seems it must come up often and I have just not noticed.

So how should the deed or document of transfer name the transferee when the transferee is a trust?

Recognize that a Trust is really just a contract between a Grantor and a Trustee. This is different than when a state grants existence to a new entity, like a corporation, a partnership, etc., So a trust is not an entity that is granted legal entity status, like a corporation or a limited partnership. With a trust, the State does not give it entity status: a trust is just a contractual relationship between private individuals or entities.

So, the document of transfer should name the trustee, and then the name of the trust, such as, “John Doe, Trustee of the So-and-So Trust, or, “Big Trust Company, Trustee of the So-and-So Trust.

The law recognizes the individual, as Trustee, and then the name of the Trust.

I am sure there are many other situations, but to name a set of contract provisions as an entity, appears not to be appropriate.