

Complete ALL areas where you see this symbol \*.

# TERMINATION OF DECEDENT'S PROPERTY INTEREST- HT110

Use BLACK Ink Only

* Decedent's Name			
* Address of Decedent at Date of Passing (Death)			
* City	State	Zip	* Date of Passing (Death)

### PRESENTATION OF DEATH CERTIFICATE

I certify I have viewed a *certified copy* of the Decedent's death certificate.

\_\_\_\_\_  
Register of Deed's Signature

\_\_\_\_\_  
Date

\* **INTEREST IN PROPERTY IS TERMINATED under** (Check the statute that applies below.)

- s. 867.045 which pertains to property in which the Decedent was a **Joint Tenant\***, had a vendor's or mortgagee's interest, OR had a life estate. **\*(You must provide a copy of the document establishing joint tenancy or life estate.)**
- s. 867.046 which pertains to (1) property of a Decedent specified in a marital property agreement; (2) survivorship marital property; (3) beneficiary of a transfer under s. 705.15; or a third party confirmation. **(You must provide a copy of the document establishing survivorship marital property.)**

Presentation of recorded document establishing interest in real estate.

\* Name and Return Address (below)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\* **Write RECORDING information below.** (Example: from Deed to property)

\* \_\_\_\_\_  
Parcel Identification Number (PIN/Tax Key No.)

This Document number is \_\_\_\_\_, Volume \_\_\_\_\_, Page \_\_\_\_\_ of record or deed.

This Document number is \_\_\_\_\_, Volume \_\_\_\_\_, Page \_\_\_\_\_ of record or deed.

### DESCRIPTION OF THE REAL ESTATE

Include only the extent of ownership (or vendor or mortgagee's interest) in land at the *time of the Decedent's death*. If the extent of land is exactly the same as on the document, a copy of that document may be attached to describe the real estate.

(See directions on back.) **The legal description of the property and the persons receiving the property are as follows:**

See Attached\* (If more space is needed, check box, and attach.)

**Description of personal property (if any) being transferred.** You may list savings accounts, checking accounts and securities on attached pages. Indicate person(s) receiving property.

**DECLARATION:** I (We) declare that this document is, to the best of my (our) knowledge and belief, true, correct and complete and is in conformity with the provisions and limitations of the Wisconsin Statutes. *(If more space is needed, attach pages.)*

Name and address of person(s) receiving property (List all remaindermen/beneficiaries; attach Addendum if necessary)	Applicant's Interest in Property (i.e. spouse, remainderman, beneficiary)	Signature (notarized)	Date
*	*		

NOTE: This document (when recorded) will serve as the **NEW DEED** to the property listed above.

These sections are to be completed in FRONT of Notary

This document drafted by:

\* \_\_\_\_\_

STATE OF WISCONSIN, County of \_\_\_\_\_

Signed and sworn to before me on \_\_\_\_\_  
by the above-named person(s).

Signature of Notary or other person authorized to administer an oath as per Sec. 706.06, 706.07

Print or type name: \_\_\_\_\_

Date Commission expires: \_\_\_\_\_

## DIRECTIONS FOR COMPLETING THIS FORM

### A. WHO MAY USE THIS FORM.

This form may be used by the person entitled to receive property of a Decedent under sections 867.045(1) and/or 867.046(2) of the Wisconsin Statutes.

Section 867.045 pertains to the Decedent's interest as a joint tenant or life tenant in real property, in vendors' interests in land contracts, or in mortgagees' interests in mortgages. In those instances, the surviving joint tenants or remainderman may file this form. Section 867.046(2) pertains to the Decedent's interest in real property, in vendors' interests in land contracts, in mortgagees' interests in mortgages, or in savings accounts, checking accounts, or securities (1) specified in a marital property agreement or (2) held as survivorship marital property with the Decedent's surviving spouse.

**3) a beneficiary if a transfer under 705.15, or (4) a third party confirmation. Note: Section 705.15 pertains to the decedent's interest in real property that is transferred at his/her death to the grantees named on the "transfer at death" deed. The remainder/surviving person(s), or person(s) receiving the interest, or an interested person may file this form.**

### B. WHAT PROPERTY MAY BE TRANSFERRED

This form may be used to transfer only the following non-probate property in which the Decedent had an interest.

1. Real estate in Wisconsin. (*Includes vendee's interest in a land contract as per OAG opinion 1/97*)
2. Vendor's interests in land contracts.
3. Mortgagees' interests in mortgages.
4. Savings accounts and checking accounts.
5. Securities

### C. WHERE SHOULD THIS FORM BE RECORDED

If the Decedent had an interest in real estate, a land contract, or a mortgage, record this form with the Register of Deeds of the county in which the real estate is located. If this form does not include real estate, a land contract, or a mortgage, record this form with the Register of Deeds of the county in which the Decedent lived *prior* to death.

**Read the directions and complete this form in full. Please note that you will need to have your signature witnessed in the presence of a notary before submitting this form.**

If the Decedent had an interest in more than one parcel of real estate, land contract, or mortgage, and the relevant real estate is located in different counties, a separate form must be filed with the Register of Deeds of each county in which the relevant real estate is located. On any form recorded with a Register of Deeds, only list the real estate, land contract, or mortgage related to real estate located in that particular county.

### D. COMPLETING THIS FORM

Complete the form **accurately and legibly**, using **BLACK INK**. Begin at the top of the form and work your way down the form. **Complete ALL areas that have this symbol \*.**

**Do NOT complete the area titled, Presentation of Death Certificate.**

This area will be completed by the Register of Deeds' office. **The "Name and Return Address" field should be filled in with the person(s) who will receive the form back.** Once recorded, this HT -110 form will serve as the new deed of record.

Also **complete the "This document drafted by" area** by printing the name of the person(s) who filled in the form. You will also be required to have your signature witnessed in the presence of a notary prior to submitting the form.

**If needed, ask your attorney for help with legal questions.** The Register of Deeds can provide information on recording requirements.

If you are transferring securities and bank accounts, your banker may provide assistance, if needed.

#### **SUBMIT THE FOLLOWING WITH THIS FORM:**

1. A **certified copy of the death certificate** (for verification only)
2. A **copy of the document** that shows joint tenancy, life estate, survivorship marital property, vendor's interest, mortgagee's interest (example: Deed), beneficiary transfer, or third party confirmation.
3. **The recording fee is \$25.00.** Your check for \$25.00 should be made payable to "Register of Deeds".  
**Describing real estate** (if any):
4. **Attach the complete and accurate legal description of each parcel of real estate. A copy of your deed will have this information** but if part of the land was sold off prior to decedent's death, it must be excluded from the legal description.

#### **Describing personal property** (if any):

1. Securities – Provide the name of the company, the certificate or serial numbers, if any, and the ownership interests (such as number of shares of stock, percentage interest or number of units in a partnership or limited liability company).
2. Savings and Checking Accounts – Provide the name and addresses of each financial institution in which savings and checking accounts are located, along with the account numbers.
3. Vendor's interest in land contracts and mortgagee's interest in mortgages. Attach a copy of your land contract or mortgage containing a legal description of the real estate affected. No tax bill is required for a vendor's or mortgagee's interest.

**NOTE:** If you are the person(s) receiving the interest, your signature(s) on the form *must be notarized*.