

Instructions for Preparing a Deed of Trust - Short Form

1. This is the day of the month the Deed of Trust is being signed.
2. This is the month of the year the Deed of Trust is being signed.
3. This is the year the Deed of Trust is being signed.
4. This where you insert the name of the person or entity granting the Deed of Trust. This person is called the Grantor or Trustor. The Grantor is the owner of the real property, which is the subject of the Deed of Trust. A Deed of Trust is given by a property owner to a lender to secure the indebtedness owed to the lender as evidenced by a Promissory Note. The Deed of Trust must be recorded in the county where the property is located to give notice to the world that a lien or mark on the title exists on the property. As an asset protection strategy, we advise our clients to protect the equity they may have in any given property by recording what we call a “friendly Lien” which is simply a Deed of Trust given by the property owner to the lender, which in this scenario, would be a Nevada corporation.
5. This is where you insert the name of the Trustee which can literally be anyone or any entity. This can be a title company, a lawyer, a paralegal, or a friend.
6. This is where you insert the name of the Beneficiary, which is the lender. In a traditional loan setting this would be the name of the bank making the loan. In the asset protection scenario, this would be the name of the Nevada Corporation. The Nevada Corporation does not have to make a cash loan, but instead renders financial and marketing services to the property owner giving rise to the debt owed to the Nevada Corporation as evidenced by the Promissory Note. A debt of this nature is similar to a retainer that many individuals or businesses pay to their lawyer keeping him on call to render services as needed.
7. This is the dollar amount of the Promissory Note. This is also the amount of equity a property owner would be protecting with this “friendly lien.”
8. This is the county where the real property is located.
9. This is the state where the real property is located.
10. This is where you insert the legal description of the real property. If there is not enough room to insert the legal description here, simply insert the words, “See Exhibit A attached herein” and clip the legal description to the Deed of Trust. If there is one, also insert the street address of the property as well.
11. In some states, the assessor’s office assigns each parcel of taxable property an identification number. If so, insert that number here; if the county or state where the property is located does not have such a number, leave it blank.
12. This is the day of the month the Deed of Trust is being signed.
13. This is the month of the year the Deed of Trust is being signed.
14. This the year the Deed of Trust is being signed.
15. This line and the line next to it are where the Grantor or Grantors sign.

16. This line and the line next to it are where the printed or typed names of the Grantors are inserted.
17. This section is to be completed by the Notary Public in accordance with the applicable state law.
18. Once this document is recorded, the Recorder will ask where the original document is to be sent. Insert in these blanks the name and address where you want the original Deed of Trust sent. In most cases, this is the lender of Beneficiary because the document is being given for their benefit. In the asset protection scenario, this would be the Nevada Corporation and the address of its registered agent.