

Article - Estates and Trusts

[\[Previous\]](#)[\[Next\]](#)

§14-407.

- (a) The following form may be used to create a trust by transfer:

“Transfer Under the Maryland Discretionary Trust Act

- A. I, _____ (name of transferor or name of representative capacity if a fiduciary), transfer the property described in paragraph D to the trustee named in paragraph B, and such trustee’s successors, to be held in trust under the Maryland Discretionary Trust Act by the trustee for the benefit of the beneficiary named in paragraph C.
- B. 1. The trustee shall be _____
(name one or more).
2. At any time when the trustee is unable to serve as trustee, the following persons shall succeed as trustee in the order named (specify who replaces whom for multiple trustees):
- i. _____
- ii. _____
- iii. _____
- C. The beneficiary shall be _____
(name one only)
- D. The trust property shall be:
1. _____
2. _____
- E. The trust shall terminate upon the first to occur of (check those applicable):
1. _____ the death of the beneficiary
2. _____ the following date: _____
3. _____ the following event: _____
- F. Upon termination, the remaining trust property shall be distributed to _____

(name person or persons)
- G. Revocability (check one):
1. _____ The transferor may revoke this trust.
2. _____ The transferor may not revoke this trust.
- Signature of transferor _____
- Date of execution _____
- Signature of witness _____
- Date: _____
- Name of attorney preparing this statement of transfer:

State of Maryland, _____ : ss
I hereby certify that on _____ (fill in date) before me, a notary public of the State of Maryland, personally appeared _____ (name of transferor) known to me, or satisfactorily proven, to be the person whose name is subscribed to the within instrument and who acknowledges that he/she (strike one) executed the same for the purposes therein contained.
Witness my hand and Notarial Seal.

Notary Public

My commission expires: _____.”

(b) The following form may be used to create a trust by declaration:

“Declaration of Trust Under the Maryland Discretionary Trust Act

- A. I, _____ (name of property owner) declare that henceforth I as trustee will hold the property described in paragraph D in trust under the Maryland Discretionary Trust Act for the benefit of the beneficiary named in paragraph C.
- B. 1. At any time when I am unable to serve as trustee, the trustee shall be:

(name one or more)
2. At any time when the trustee who succeeds me is unable to serve as trustee, the following persons shall succeed as trustee in the order named (specify who replaces whom for multiple trustees):
i. _____
ii. _____
iii. _____
- C. The beneficiary shall be _____
- D. The trust property shall be:
1. _____
2. _____
- E. The trust shall terminate upon the first to occur of (check those applicable):
1. _____ The death of the beneficiary
2. _____ The following date: _____
3. _____ The following event: _____
- F. Upon termination, the remaining trust property shall be distributed to _____

(name person or persons)
- G. Revocability (check one):
1. _____ The declarant may revoke this trust.

2. _____ The declarant may not revoke this trust.

Signature of declarant _____

Date of execution _____

Signature of witness _____

Date _____

Name of attorney preparing this declaration:

State of Maryland, _____ : ss

I hereby certify that on _____ (fill in date) before me, a notary public of the State of Maryland, personally appeared _____ (name of declarant) known to me, or satisfactorily proven, to be the person whose name is subscribed to the within instrument and who acknowledges that he/she (strike one) executed the same for the purposes therein contained.

Witness my hand and Notarial Seal.

Notary Public

My commission expires: _____.”

[\[Previous\]](#)[\[Next\]](#)