

**SAMPLE**

**MEMORANDUM OF TRUST**

THIS MEMORANDUM between \_\_\_\_\_ and \_\_\_\_\_, as Trustee and \_\_\_\_\_ and \_\_\_\_\_, as Settlor(s) dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

WITNESSETH

Whereas the Settlor by the Trust Agreement dated \_\_\_\_ day of \_\_\_\_\_, 20\_\_ created the \_\_\_\_\_ Trust (The Trust) and \_\_\_\_\_ is named as Trustee(s) to serve and administer the Trust, and upon my death \_\_\_\_\_ are appointed as alternate or successor Trustees(s).

Whereas part of the trust corpus includes property located in Monroe County, Florida more particularly described below and,

Whereas the trustee has been granted the power and authority under said trust document to create, grant and/or designate a beneficial interest for life in the said property as that term is used in 196.041 Florida Statutes for purposes of homestead exemption.

Now therefore in consideration of the premises and other valuable considerations the Settlor and Trustee hereby execute this Memorandum of Trust and further authorize and direct that said Memorandum shall be evidence:

1. Settlor created the trust as provided above and the trust corpus includes property located in Monroe County, Florida described as: **(PLACE THE LEGAL DESCRIPTION OF PROPERTY IN THIS AREA)**
2. The Trustee has authority pursuant to the terms of The Trust to grant a beneficial interest for life and a right of possession sufficient for homestead exemption to \_\_\_\_\_ (Name(s) of Applicant(s)) for the remainder of his/her life according to 196.041, Florida Statutes, and that the Trustee has, in fact, made such a designation and created such a possessory interest and by this document does hereby create said interest and that interest is in effect according to the terms of said trust instrument and until terminated, shall remain in affect during the remainder of the named beneficiaries lifetime.

IN WITNESS WHEREOF, Trustee(s) and Settlor(s) have hereunto set their hands and seals that day and year first above written.

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Settlor

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Settlor

STATE OF FLORIDA  
COUNTY OF MONROE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared \_\_\_\_\_ who is well known to me to be the Trustees and well known to me to be the Settlers in the above Memorandum of Trust, and that they acknowledged executing the same in my presence.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Personally known ( ) or Produced identification ( ) Type of I.D. produced: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed name of Notary Public  
(SEAL)

My Commission Expires: \_\_\_\_\_

This example of memorandum of trust is for information purposes only. An attorney should be consulted to draft the appropriate document for the particular trust provisions.