

Effective 5/7/2025

75B-2-816 Recitals when title to real property is in trust -- Failure.

- (1) When title to real property is granted to a person as trustee, the terms of the trust may be given either:
 - (a) in the deed of transfer; or
 - (b) in an instrument signed by the grantor and recorded in the same office as the grant to the trustee.
- (2) If the terms of the trust are not made public as required in Subsection (1), a conveyance from the trustee is absolute in favor of purchasers for value who take the property without notice of the terms of the trust.
- (3) The terms of the trust recited in the deed of transfer or the instrument recorded under Subsection (1)(b) shall include:
 - (a) the name of the trustee;
 - (b) the address of the trustee; and
 - (c) the name and date of the trust.
- (4) Any real property titled in a trust that has a restriction on transfer described in Section 75B-1-303 shall include in the title the words "asset protection trust."

Renumbered and Amended by Chapter 310, 2025 General Session