

PLEASE USE THE SPACE BELOW FOR THE COUNTY RECORDER'S OFFICE:

This instrument was prepared by:

_____, _____

Folio Number / Real Estate Number: _____

GENERAL WARRANTY DEED

This General Warranty Deed (the "Deed") is made effective this _____ (the "Effective Date") between _____ (the "Grantor"), an individual whose mailing address is _____, and _____ (the "Grantee"), an individual whose mailing address is _____.

WITNESSETH, that the Grantor, for and in consideration of the sum of \$ _____ (United States Dollars) and other good and valuable consideration, to it in hand paid by Grantee, the receipt whereof is hereby acknowledged does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto Grantee the real property (the "Property") located in _____ County, _____, and more particularly described as follows:

Grantor and its heirs hereby covenants to Grantee and its heirs in the aforesaid state, for and in consideration of the aforesaid dollars stated above, have granted, sold, and conveyed the above described property. Grantor hereby states that the above described property is lawfully seized in fee simple; that Grantor has the legal right to convey the above described property which is free from all encumbrances; that Grantor hereby binds themselves, their heirs, executors, and administrators to warrant and forever defend the said premises unto the said Grantee, their heirs, and assigns, against only the acts of the Grantor and none other.

This conveyance is made expressly subject to the deeds of trust, mortgages, conditions, restrictions, rights of way, easements, and other instruments of record, insofar as they may lawfully affect the Property.

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GENERAL INSTRUCTIONS

If you are planning on getting married, you and your partner may want to consider a Prenuptial Agreement. In the event the marriage were to end, such an agreement that has been created by the two of you would dictate how your assets are divided rather than let it be decided on by the courts and existing law. This agreement allows you and your partner to determine your financial future and protect your assets and estates.

WHAT IS A PRENUPTIAL AGREEMENT?

A Prenuptial Agreement is a type of legal contract made between two people before they are officially married under the laws of their state. This contract is designed to set out the financial rights and responsibilities of each partner in the event the marriage is terminated due to divorce, annulment, separation or death. The agreement typically includes a description of the partners' separate and joint assets and the division of such assets. For this document to be valid, both parties must have had sufficient time to consider the agreement and want to enter into the agreement freely and voluntarily.

WHY YOU SHOULD CONSIDER HAVING ONE

Prenuptial Agreements can give both parties a sense of security when entering into a marriage. It can protect the personal assets of both parties as well as separate the personal assets from the shared assets acquired jointly by the couple. In addition to protecting assets, it can also shield one partner from the debts of the other partner.

The existence of one of these agreements fosters open discussion about how assets, separate and joint, are to be handled in the event the marriage ends. An agreement like this can relieve stress and anxiety about what may occur in the future. If either partner already has children prior to this marriage, a Prenuptial Agreement can be used to provide for such children.

WHAT YOU CAN INCLUDE

Prenuptial Agreements typically address the treatment of the partners' separate premarital assets, assets acquired separately during marriage, assets acquired jointly during marriage and the division of those assets. This may include properties, businesses, investments, income and inheritances as well as vehicles, antiques, furniture, jewelry or other valuable items.

It is very important that both parties are completely open and honest with each other and fully disclose all assets and liabilities when drawing up a Prenuptial Agreement.

While provisions regarding alimony or spousal support payments may be included in Prenuptial Agreements depending on the laws of the state, provisions regarding child support, child custody or child visitation rights are prohibited from Prenuptial Agreements.

WHO SHOULD HAVE A PRENUPTIAL AGREEMENT?

A Prenuptial Agreement is suitable for any couple about to enter into a legal marriage regardless of the couple's financial background, but it is particularly suitable for those who want to have a clearly defined division between their personal assets and joint assets that may be later acquired together during the marriage. They may be especially desirable in the following circumstances:

- If one partner has greater wealth or assets than the other partner.
- If one partner has a high amount of personal debt.
- If either partner has any children from previous relationships.
- If either or both partners previously earned or acquired or will earn or acquire a significant amount of assets and want those assets to remain separate.
- If either or both partners expect an inheritance or a high increase in income.
- If either or both partners prefer to avoid potential future conflict or confusion regarding division of their assets in the event the marriage ends.

ARE THEY ALWAYS BINDING?

In many cases, a Prenuptial Agreement will be honored by the courts and be binding on the partners as long as applicable laws and certain requirements are followed. However, there are circumstances in which these agreements or certain provisions within it are determined to be invalid and unenforceable. For example, if it can be proven that the agreement was signed involuntarily or under duress by one of the partners or signed right before the wedding, then the agreement is likely to be found null and void. Certain terms in the agreement may be discounted if it violates existing law or if either party failed to declare all of their assets during the creation of the agreement. Due to the significant nature of these agreements, it may be beneficial to create these agreements with the help of legal professionals, a different attorney to represent you and your partner.

