



Muniment of Title



Contact Us

Building 13, 52nd Street
Fort Hood, TX 76544

Front Desk Phone Numbers

(254) 287-7901
(254) 287-2509

Walk-In Hours

Mon — Thurs: 1300-1600
Powers of Attorney & Notaries

All other assistance by
appointment only

Schedule an appointment
in 2 easy steps:



Step 1

Download intake form and
open in Adobe or other PDF
app to access fillable fields



Step 2

Email form with a front and
back copy of your military ID
using the QR code or directly:
usarmy.hood.iii-corps.mbx.sja-legal-asst@army.mil

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only and does not constitute
legal advice. For legal advice,
please consult an attorney by
scheduling an appointment
with our office.

A Muniment of Title is a legal tool that transfers property ownership without the full probate process. It is particularly useful when the deceased's estate consists mainly of real estate and there are no outstanding debts, except those secured by the property.

Transfer on Death Deed (ToDD) versus Muniment of Title:

- ToDD allows for immediate vesting of property to a beneficiary with full control retained by the grantor. This document is executed and filed before the grantor dies.
- Muniment of title is an alternative to the traditional probate process. Process starts after death of the property owner.

Key Features:

- **Simplicity:** This process may be simpler and quicker than traditional probate.
- **Cost-effective:** It often involves less legal fees and court costs.
- **Direct Transfer:** Property is transferred directly to the beneficiaries stated in the will.

Limitations:

- Properly executed, unrevoked, Last Will and Testament is required.
- The estate cannot have any debts other than a house mortgage (on the date of filing).
- Application must be filed within four years of the decedent's death, (otherwise, additional legal justification may be required).
- This procedure is most widely available within Texas, though it has started to slowly make its way through other states like Mississippi and Tennessee.

Process:

- **Application** to Probate Will as a Muniment of Title, with filing fee.
- **Statutory Waiting Period** (10 days)
- **"Prove Up"** Applicant files documents with the County clerk. Documents include (but not limited to):
 - **Oath of no Debts**
 - **Proof of death** (with death certificate)
 - **Properly executed, un-revoked Last Will and Testament**
 - **Proposed orders** (at the discretion of your attorney)
- **County clerk submits packet to the judge**
- **Judge signs orders that admits Will as Muniment of Title**