

Return to: Principle's Name

Address.

Line 2

Line 3

Line 4

### DECLARATION OF HOMESTEAD

Make sure the correct county is entered

KNOW ALL MEN BY THESE PRESENTS:

That Owner of Property, and Owner of Property of Street Address, City/Town, Montana ZIP Code, select, claim and declare a homestead on the dwelling house and all appurtenances which are situated and located in the County of County of Property, State of Montana:

Property's Legal Description

Insert the legal description of the property, which can be found on your vesting deed.

That the persons making this declaration are acting solely and makes this declaration for their own benefit and that of their family's; that the undersigned reside on the premises above described and claim the same as a homestead under the provisions of Sections 70-32-101 through 70-32-107, MCA.

This Declaration of Homestead amends and supersedes any Declaration of Homestead executed by prior to this.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand and seal this Day day of Month, Year.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

STATE OF MONTANA

Make sure the correct county is entered

County of County where document is being notarized

This instrument was acknowledged before me this Day day of Month, Year by Owner of Property (and Owner of Property).

(Notarial Seal)

\_\_\_\_\_  
Notary Signature

\*\*\*\*\*DO NOT ALTER THESE MARGINS!!! THEIR SIZE IS DICTATED BY STATUTE. \*\*\*\*\*

**ALL ESTATE PLANNING:** you will need to know the status of your accounts (bank, retirement, life insurance, etc.), specifically, is anyone else on the account? Are they a signee or is it a shared account? Do you have “POD: Payable On Death” or “TOD: Transferable On Death” on any of your accounts?

**DEC. HOMESTEAD:** you will need the full legal description of your property, which can be found most easily on your Last Vesting Deed. You will also need your most recent tax notice from the county.

- Make sure you file a copy with your local Clerk and Records Office. This may cost up to \$7 per page, but will protect you and your interests.
- May be a good idea to keep a copy with your Will.

**SAMPLE LANGUAGE FOR REQUESTING DEED:** The following form should be taken to the Clerk and Recorder’s Office to request the correct Deed:

---

*To the professionals at my local Clerk and Recorder’s Office,  
I am requesting a copy of my “Last Vested/Vesting Deed,” as well as a copy of my most recent property “Tax Notice.” I will be drafting a Declaration of Homestead Exemption and need the information for the use of my legal counsel.*

*This project is funded in whole or in part under a contract with the Montana department of Public Health and Human services. The statements herein do not necessarily reflect the opinion of the department.*

*This project was supported by Grant No. V66-92522 awarded by the Montana Board of Crime Control (MBCC) through the Office of Justice Programs, US Department of Justice. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the US Department of Justice.*