Moving titles and getting property into the trust

Since private trusts are in equity there exists a private exchange of property and a public exchange of property. The only difference is who knows about it. If you and the trustees are the only ones to know about it, it’s private. If a public company or agency knows about it, it’s public.

Private Transfer of Property

Methods:

1. Purchase w/ a bill of sale
2. Exchange w/ a bill of exchange

Not Granting!!

Granting is giving, which is a transfer without an exchange of value. It is very important that only the Grantor(s) give property into the trust. All movement of property after trust creation must be recorded and value transfer shown.

Has the trust decided to add property?

All transactions relating to the trust must be decided and approved by the trust in meeting minutes. Again, meeting minutes is how you track and record all trust decisions. There should be no action relating to the trust until it is recognized in the minutes.

A document with text and a black text

Description automatically generated

Purchase & Bill of Sale

A purchase is an exchange w/ currency. In the purchase money, or lawful money, is exchanged for the property. This transaction & movement of title is a purchase documented with a Bill of Sale.

A bill of sale with text and a line

Description automatically generated

Exchange & Bill of Exchange

An exchange is an exchange without currency. It can be property for property or any medium your free soul chooses, especially in the private.

A document with text on it

Description automatically generated

A close up of a document

Description automatically generated

A close-up of a certificate

Description automatically generated

Public Transfer of Property

Methods:

1. Public Purchase w/ Bill of Sale

Trustees have a choice in the private to exercise the use of a purchase or an exchange. In the public, as in acquiring property from a retailer or company a purchase is almost always required. Unlike the private, in the public, public currency is required. Money deposited into the trust bank account lawfully can be used like US dollars for purchases. Therefore a bill of sale must show the currency and value used, or any documentation from the seller showing the exchange may work.

Change the Public Title

If you are exchanging property from your person to the trust, it is a good idea to publicly change the title to show the trust is the new owner. Your DMV will have directions on what they need from the trust, most likely a Certificate of Trust is needed. Colorado has there own form for this.

However, you can record the change of ownership on the back of a title and just keep the records. The State where you title your vehicle does not need to know the new private owner.