

# COMMUNITY PROPERTY SURVIVORSHIP AGREEMENT

THIS AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**BETWEEN:**

[NAME OF HUSBAND]  
[address]  
("Husband")

- and -

[NAME OF WIFE]  
[address]  
("Wife")

**WHEREAS**, Husband and Wife have acquired certain community property within the State of Texas and do hereby wish to avail themselves of the provisions of the Texas Probate Code XI(3), §451.

**AND WHEREAS**, Husband and Wife hereby agree to the following terms and conditions:

1. All or part of Husband and Wife's community property, now existing or hereafter acquired, whether real, personal, or mixed, shall become the property of the surviving spouse upon the death of either spouse, without the need for any probate proceeding with regards to such property.
2. If Husband predeceases Wife, title to all community real property shall be immediately vested in Wife in fee simple. This provision shall exclude any items listed on a separate memorandum which is kept with Husband's will and which is intended for disposition of tangible personal property upon his death.
3. If Wife predeceases Husband, title to all community real property shall be immediately vested in Husband in fee simple. This provision shall exclude any items listed on a separate memorandum which is kept with Wife's will and which is intended for the disposition of tangible personal property upon her death.

**THIS IS A 2-PAGE AGREEMENT.**