

# Samples

These declarations must be notarized. The downloadable forms include a notary page.

## Homestead Declaration

Recording requested by (name): [Name(s) of owner]

When recorded mail to and mail tax statements to:  
[Name(s) of new owners]  
[Mailing Address of new owners]  
[Mailing Address City, State, ZIP]

Recorder's Use Only

Name of person recording the Homestead Declaration

Name and address of person who should receive the stamped copy of this document when recorded, and tax statements from now on.

1/1/2018: In addition to standard fees, a new \$75 fee is charged for recording documents unless an exemption applies. See back of sheet for more info.

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### HOMESTEAD DECLARATION

Assessor's Parcel No. (APN):  
[Assessor's Parcel No.]

This can be found on the current deed or the tax bill.

#### Declaration of Exemption From Recording Fee

Transfer is exempt from fee per GC § 27388.1(a)(2):

recorded concurrently "in connection with" transfer subject to Documentary Transfer Tax

recorded concurrently "in connection with" a transfer of residential dwelling to an owner-occupier

Transfer is exempt from fee per GC 27388.1(a)(1):

Fee cap of \$225.00 reached     Not related to real property

I, [Name of person signing declaration], do hereby certify and declare as follows:

1. I hereby claim as a declared homestead the premises located in the City of [City], State of California, commonly known as (street address): [Street address], and more particularly described as follows (legal description):  
[Enter legal description as written on deed. If you prefer, type (or photocopy) the description on a separate page labeled "Exhibit A," attach it, and enter "See Exhibit A" in this space].

Copy this from the deed to the home
2. I am the declared homestead owner of the above-declared homestead.
3. I own the following interest in the above-declared homestead: [interest owned, eg fee simple (100%), joint tenancy, etc.]
4. The above-declared homestead is my principal dwelling. I am currently residing on that declared homestead.

The facts as stated in this Homestead Declaration are known to be true as of my own personal knowledge.

Date: [Date Signed]

\_\_\_\_\_  
(Signature of declarant)  
[Name of person signing declaration]  
Print Name

The "interest" you own is the percent and form of title, so if you are the sole owner, you could write 100% (or in legalese, "fee simple.")

If you co-own it, put the title stated on the current deed, like joint tenant, community property, etc.

Mortgages don't count for this purpose.

saclaw.org 2/6/2018

Homestead Declaration Sample with Instructions

Homestead Declaration - Spouses as Owners

Recording requested by (name): Name of person recording the Homestead Declaration Recorder's Use Only

When recorded mail to and mail tax statements to: Name and address of person who should receive the stamped copy of this document when recorded, and tax statements from now on.

This can be found on the current deed or the tax bill.

1/1/2018: In addition to standard fees, a new \$75 fee is charged for recording documents unless an exemption applies. See back of sheet for more info.

**HOMESTEAD DECLARATION – SPOUSES AS DECLARED OWNERS**

Assessor's Parcel No. (APN): [Assessor's Parcel No.]

We, [Name of first spouse/DP], and [Name of second spouse/DP], do hereby certify and declare as follows:

1. We are married spouses or registered domestic partners.

2. We declare that we are joint owners of the following property located in the City of [City], State of California, commonly known as (street address) [Street address], and more particularly described as follows (legal description):

[Enter legal description as written on deed. If you prefer, type (or photocopy) the description on a separate page labeled "Exhibit A," attach it, and enter "See Exhibit A" in this space].

Copy this from the deed to the home

3. We claim the property and the dwelling thereon as a homestead on behalf of both of us.

4. This property is our principal dwelling and we actually reside on this property on the date that this Homestead Declaration is recorded.

5. We own the following interest in the above declared homestead: [interest owned, eg, joint tenancy, community property with right of survivorship, community property, etc.]

The facts as stated in this Homestead Declaration are known to be true as of our own personal knowledge.

Date: [Date Signed] (Signature of declarant) [Name of first spouse/DP]  
Print Name

Date: [Date Signed] (Signature of declarant) [Name of second spouse/DP]  
Print Name

The "interest" you own is the percent and form of title. Put the title stated on the current deed, like joint tenant, community property, etc. Mortgages don't count for this purpose.

saclaw.org 1/23/18

Homestead Declaration - Spouses - Sample with Instructions

## Declaration of Abandonment of Homestead

Recording requested by (name): [Name(s) of owner] ← Name of person recording the Homestead Declaration

When recorded mail to and mail tax statements to:  
[Name(s) of owners] ← Name and address of person who should receive the stamped copy of this document when recorded, and tax statements from now on.  
[Mailing Address of owners]  
[Mailing Address of owners]  
[Mailing Address City, State, ZIP]

1/1/2018: In addition to standard fees, a new \$75 fee is charged for recording documents unless an exemption applies. See back of sheet for more info.  
Recorder's Use Only

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**DECLARATION OF ABANDONMENT OF DECLARED HOMESTEAD**

Assessor's Parcel No. (APN): [Assessor's Parcel No.]  
 ← This can be found on the current deed or the tax bill.

**Declaration of Exemption From Gov't Code § 27388.1 Fee**

Transfer is exempt from fee per GC § 27388.1(a)(2):  
 recorded concurrently "in connection with" transfer subject to Documentary Transfer Tax  
 recorded concurrently "in connection with" a transfer of residential dwelling to an owner-occupier  
 Transfer is exempt from fee per GC 27388.1(a)(1):  
 Fee cap of \$225.00 reached     Not related to real property

The undersigned declare(s) that he/she/they hereby abandon(s) the homestead previously declared in the Homestead Declaration executed by [Name of person(s) who signed declaration], on of [Date], 20 [Year], and recorded on [Date], 20 [Year], in Book [Book/reel], Page/Image [Page/Image], as Instrument Number [Instrument No if used], in the Official Records of the County Recorder [County], County, California.

★ Copy this from the deed to the home

Date: [Date Signed] \_\_\_\_\_  
 (Signature of declarant)  
[Name of person signing declaration]  
 Print Name

Date: [Date Signed] \_\_\_\_\_  
 (Signature of declarant)  
[Name of person signing declaration]  
 Print Name

★ Note: Sacramento currently uses Instrument Numbers, but in the past it used Book/Image numbers. Fill in whatever is on the current deed.

saclaw.org 2/7/2018

Declaration of Abandonment of Homestead?? Sample with Instructions