

Recording requested by (name):

When recorded mail to and
mail tax statements to:

Recorder's Use Only

AFFIDAVIT-SURVIVING SPOUSE OR DOMESTIC PARTNER SUCCEEDING TO TITLE
(Cal. Prob. § 13540)

APN: _____
State of California)
County of _____) ss.

_____, of legal age, being first duly sworn, deposes and says:
That _____, the decedent mentioned in the attached certified copy of
Certificate of Death, is the same person as _____, named as one of the parties
in that certain deed, dated _____, executed by _____
to _____ as community
property with right of survivorship, recorded as Instrument No. _____ in Book/Reel _____, Page/Image
_____, of Official Records of _____ County, California, covering the following described
property situated in the City of _____, County of _____, California (insert
legal description): _____

That he/she was married to, or the registered domestic partner of the decedent at the time of his/her death.
That the above-described property has been at all times since acquisition considered the community property of
him/her and decedent.
More than forty (40) days have passed since the death of the above-named decedent, and no notice has been
recorded pursuant to section 13541 of the Probate Code.
That, with respect to the above-described property, there has not been nor will there be an election filed pursuant to
Probate Code Sections 13502 or 13503 in any probate proceedings in any court of competent jurisdiction.
That the above-described property has not passed to someone other than the affiant under the decedent's will or by
intestate succession.
That the property has not been disposed of in trust under the decedent's will.
That the decedent's will does not limit the affiant to a qualified ownership.
That this Affidavit is made for the protection and benefit of the surviving spouse, his/her successors, assigns and
personal representatives and all other parties hereafter dealing with or who may acquire an interest in the above-
described property.

Date: _____

Signature

Print Name

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

Subscribed and sworn to (or affirmed) before me on this ____ day of _____, 20____, by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____ **(Seal)**