

Recording requested by (name):

When recorded mail to  
and mail tax statements to:

Recorder's Use Only

# AFFIDAVIT – DEATH OF TRUSTEE

Assessor's Parcel No. (APN):

### 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 DTT
  - 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

\_\_\_\_\_, of legal age, being first duly sworn, deposes and says:

1. \_\_\_\_\_, the decedent mentioned in the attached certified copy of Certificate of Death, is the same person as \_\_\_\_\_ named as Trustee in the Declaration of Trust dated \_\_\_\_\_ and executed by \_\_\_\_\_ as Trustor(s).

2. At the time of the decedent's death, decedent was the record owner, as Trustee, of certain real property commonly known as (address) \_\_\_\_\_, which property is described in a Deed which was executed by \_\_\_\_\_ as Grantor(s) on \_\_\_\_\_ and recorded on \_\_\_\_\_ as Instrument No. \_\_\_\_\_, in Book/Reel \_\_\_\_\_, Page/Image \_\_\_\_\_, of Official Records of \_\_\_\_\_ County, California.

3. The legal description of said property is as follows:

4. I am the named successor Trustee under the above-referenced Trust, which was in effect at the time of the death of the decedent mentioned in Paragraph 1, above, and which has not been revoked, and I hereby consent to act as such.

5. There is no federal estate tax as the result of the death of the decedent mentioned in Paragraph 1, above.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Dated \_\_\_\_\_

\_\_\_\_\_  
(Signature of declarant)

\_\_\_\_\_  
(Type or print name of declarant)

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)**