

ESTOPPEL AFFIDAVIT
(Deed in Lieu of Foreclosure)

State of California

County of _____

_____, being first duly sworn, deposes and says: That they are the parties who made, executed, and delivered that certain deed to _____, dated _____ conveying the following described property:

That the aforesaid deed is intended to be and is an absolute conveyance of the title to said premises to the grantee named therein, and was not and is not now intended as a mortgage, trust conveyance, or security of any kind; That it is/was the intention of affiant(s) as grantor(s) in said deed to convey, and by said deed this(ese) affiant(s) did convey to the grantee therein all their rights, title and interest absolutely in and to said premises; that possession of said premises has been surrendered to the grantee;

That in the executed and delivery of said deed, affiant(s) were not acting under any misapprehension as to the effect thereof, and acted freely and voluntarily and were not acting under coercion or duress;

That the consideration for said deed was/is payment to affiant(s) in the sum of \$ _____, by grantee, and the full cancellation of all debts, obligations, costs and charges secured by that certain deed of trust heretofore existing on said property executed by _____, Trustor, to _____, as Trustee, for _____, as Beneficiary, dated _____ and recorded as Instrument No. _____, Official Records of _____ County, State of California and the reconveyance of said property under said deed of trust; That at the time of making said deed, affiant(s) believed and now believe that the aforesaid consideration therefore represents the fair value of the property so deeded;

This affidavit is made for the protection and benefit of the grantee in said deed, the grantee's successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described, and particularly for the benefit of _____ Title Company which is about to insure the title to said property in reliance thereon, and any other title company which may hereafter insure the title to said property;

That affiant(s) will testify, declare, depose or certify under penalty of perjury before any competent officer, or person, in any case now pending or which may hereafter be instituted, to the truth of the particular facts hereinabove set forth.

DATED: _____

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 _____

On _____ before me

_____, Notary Public,

personally appeared _____

SPACE BELOW RESERVED FOR NOTARY SEAL

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

Signature _____

