

RECORDING REQUESTED BY:

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AFFIDAVIT – SURVIVING SPOUSE SUCCEEDING TO TITLE TO COMMUNITY PROPERTY
Section 13540 Probate Code of the State of California

STATE OF: California COUNTY OF: _____ } S.S.

_____ of legal age, being first duly sworn, and 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, recorded as _____ No. _____, on _____, in _____, at _____, of Official Records of _____ County, _____, covering the following described property situated:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE APART HEREOF.

That Affiant is the surviving spouse of Decedent and was married to Decedent on the date of death.

That the above-described property has been at all times since acquisition considered the community property of Affiant and decedent.

More than forty (40) days have passed since the death of the above-named decedent. The Affiant is the successor to decedent's interest in such real property and has full power to sell, lease, encumber and otherwise deal with and dispose of such property pursuant to Probate Code Section 13540. No other person has any right in such property by testate or interstate succession.

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 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, and particularly for the benefit of all title insurance companies that insure the title to said property.



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 _____

County of _____

On _____ before me

_____, Notary Public,

personally appeared _____

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.

SPACE BELOW RESERVED FOR NOTARY SEAL

Signature

