

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO
Name
Street
Address
City &
State

SPACE ABOVE THIS LINE FOR RECORDER'S USE

AFFIDAVIT FOR SURVIVING SPOUSE

(California Probate Code §13540)

NOTE: This form is used by a surviving spouse or their agent when during the ownership of community property a spouse dies and the surviving spouse is the successor to the decedent's interest in the property, to clear title of the deceased spouse's interest and establish the surviving spouse as the sole owner of the property.

DATE: _____, 20_____, at _____, California.
Items left blank or unchecked are not applicable.

FACTS:

- 1. _____,
is the decedent named in the attached certified copy of the Certificate of Death.
- 2. _____,
is the surviving spouse of the decedent, being married to the decedent at the time of decedent's death.
- 3. More than 40 days have passed since the decedent's death.
- 4. The decedent and the surviving spouse treated as community property the following real property situated in the County of _____, State of California, referred to as:

APN#: _____

- 5. No election has been or will be made in any probate proceedings to administer the decedent's or the surviving spouse's interest in the described property.
- 6. The surviving spouse is the successor to the decedent's interest in the described property since no other person has acquired any right to the property by testate or intestate succession.
- 7. The surviving spouse has full power to dispose of, lease, or encumber the described property as provided in Calif. Probate Code §13540.
- 8. I, the undersigned, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____, 20_____

Signature: Surviving spouse

- Of the: Personal representative of surviving spouse
 Guardian of the estate of the surviving spouse
 Conservator of the estate of the surviving spouse

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: _____
(Signature of notary public)

(This area for official notarial seal)