

RECORDING REQUESTED BY I

AND WHEN RECORDED MAIL TO

NAME  
ADDRESS  
CITY  
STATE & ZIP

I

Above Space for Recorder's Use Only

### AFFIDAVIT

Surviving Spouse Succeeding to Title to Community Property  
(Section 13540 Probate Code of the State of California)

Assessor's Parcel Number:

STATE OF CALIFORNIA  
COUNTY OF

that \_\_\_\_\_, of legal age, being first duly sworn, deposes and says:  
Certificate of Death, is the same person as \_\_\_\_\_, the decedent mentioned in the attached certified copy of  
named as one of the parties in that certain \_\_\_\_\_ dated  
executed by \_\_\_\_\_  
to \_\_\_\_\_

as community property, recorded as Instrument No. \_\_\_\_\_ on  
in Book \_\_\_\_\_, Page \_\_\_\_\_, of Official Records of  
County, California, covering the following described property situated in the  
County of \_\_\_\_\_, State of California

That he/she was married to \_\_\_\_\_ at the time of the death of the decedent.

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.

Dated \_\_\_\_\_

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 \_\_\_\_\_