

RECORDING REQUESTED BY

WHEN RECORDED MAIL TO

NAME

ADDRESS

CITY

STATE&ZIP

Title Order No.

Escrow No.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**AFFIDAVIT OF SURVIVING SPOUSE
TO COMMUNITY PROPERTY**

(Probate Code Sections 13500,
13540-13542 and 6401)

_____ declares as follows:
(affiant)

1. That he/she was validly married to _____
(decedent)

on _____ and remained married to him/her until his/her death. A certified copy of the Certificate of Death is attached.

2. Affiant and decedent held title as "husband and wife" or as "husband and wife as community property" to the following described property:

3. That the affiant has carefully examined all of the decedent's personal possessions, letters, papers, effects, and belongings, and that either:

(a) No will was executed or otherwise declared by the decedent. That under Section 6401 of the California Probate Code, I am the successor of the decedent as to all of his/her interest in the above described property. No other person has a superior right to the described interest.

(b) If a will is present, that it is the last complete will (with codicils and/or other amendments), and that this will devised the subject property to the affiant.

4. That with respect to the above-described property, there has not been nor will there be an election filed pursuant to Probate Code 202(b) or (c).

5. Pursuant to California Probate Code Section 13500, no probate administration is necessary for my succession of decedent's interest to the above described property and I elect not to conduct a probate administration pursuant to Probate Code Sections 13502 or 13503.

6. At least forty days have elapsed since decedent's death.

7. As successor to decedent's interest to the above described property, I have full power to sell, lease, mortgage, or otherwise deal with and dispose of the community property in the manner pursuant to and as permitted by Sections 13540 and 13541 of the California Probate Code.

8. 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

Title Insurance Company.

9. That the value of all real and personal property owned by said decedent at date of death did not exceed the sum of

\$ _____

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

Th at affiant will testify, declare, depose, or certify before any tribunal, 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: _____

Subscribed and sworn to before me

On _____

Notary Public in and for said state

(Seal)