

**RECORDING REQUESTED BY:**

\_\_\_\_\_

**WHEN RECORDED MAIL TO:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State, Zip: \_\_\_\_\_

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 \_\_\_\_\_

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

\_\_\_\_\_ Date \_\_\_\_\_ Print Name \_\_\_\_\_ Signature \_\_\_\_\_

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 to 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.

(Official SEAL)

\_\_\_\_\_ Notary Signature