

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO:

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

AFFIDAVIT OF SURVIVING SPOUSE
Succeeding to Community Property (California Probate Code Section 13540)

STATE OF CALIFORNIA }
COUNTY OF _____ }

_____ of legal age, being first duly sworn, deposes and says:

1. _____, the decedent mentioned in the attached certified copy of Certificate of Death, was married to Affiant at the time of decedent's death.
2. Affiant and decedent at all times considered the following real property situated in the County of _____, State of California to be **community property**: insert legal description:
3. More than forty (40) days have passed since decedent's death.
4. There has not been nor will there be an election filed pursuant to Probate Code Sections 13502 or 13503 (election to probate spouse's interest in such real property or transfer it to spouse's trust).
5. I am the successor to decedent's interest in such real property and I have 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 intestate succession.
6. This affidavit is made for the benefit and protection of my successors and all other parties dealing with such property, including title insurance companies insuring title to such 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 _____ (SEAL)