RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

Order No.:
Escrow No.:
APN:

SPACE ABOVE THIS LINE FOR RECORDER'S USE

AFFIDAVIT OF SURVIVING SPOUSE

Succeeding to Community Property (California Probate Code Section 13540)

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

1. _____ is the decedent mentioned in the attached certified copy of Certificate of Death, who died on _____, at _____ (insert place of death).
2. I am the surviving spouse of Decedent and was married to Decedent on the date of death.
3. Decedent and I at all times considered the following real property situated in the County of _____, State of California to be **community property**:

4. More than forty (40) days have passed since decedent's death.
5. 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).
6. 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.
7. 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: _____ _____

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 _____)
) SS.
COUNTY OF _____)

Subscribed and sworn to (or affirmed) before me on this

_____ day of _____, _____, by

_____,

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature_____ (This area for notary stamp)

ATTACH CERTIFIED COPY OF DEATH CERTIFICATE