

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO:

AFFIDAVIT OF SURVIVING SPOUSE

Succeeding to Community Property (California Probate Code Section 13540)

STATE OF CALIFORNIA)
COUNTY OF _____) S.S.

_____ 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**:

- 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: _____

SUBSCRIBED AND SWORN TO before me
this _____ day of _____

Signature _____

(This area for official notarial seal)