

**SUPERIOR COURT OF CALIFORNIA – COUNTY OF SAN MATEO**

**AFFIDAVIT to comply with**

**California Probate Code §§13100-13115**

The undersigned hereby declare(s):

1. [I/We] make this declaration to induce [holder of property] to transfer to [me/us] the described below under California Probate Code §§1310-13115.
2. \_\_\_\_\_ died at \_\_\_\_\_, while a resident of the City of \_\_\_\_\_, County of \_\_\_\_\_, California, on or about \_\_\_\_\_, 20\_\_\_\_, leaving [a/no] will.
3. At least 40 days have elapsed since the death of the decedent, as shown in a certified copy of the decedent’s death certificate attached to this affidavit or declaration.
4. No proceeding is now being or has been conducted in California for administration of the decedent’s estate.
5. The current gross fair market value of the decedent’s real and personal property in California, excluding the property described in California Probate Code §13050 does not exceed one hundred fifty thousand dollars (\$150,000) and includes the following: [Describe the property to be transferred with sufficient detail to be identifiable.]
  
6. The affiant or declarant is the successor of the decedent [as defined in California Probate Code §13006] to the decedent’s interest in the described property.
7. No other person has a superior right to the interest of the decedent in the described property.
8. [My/Our] name(s), address(es), relationship(s) to the decedent and age(s) are as follows: [List]
  
9. The affiant or declarant requests that the described property be paid, delivered, or transferred to the affiant or declarant.
10. [I/We jointly and severally] agree to hold [property holder] free and harmless and indemnify [him/her] against all liability, claims, demands, loss, damages, costs and expense whatsoever that [he/she/it] may incur because of the transfer, payment, or delivery to [me/us] of the property.
11. The affiant or declarant affirms or declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: \_\_\_\_\_ Signature \_\_\_\_\_

Dated: \_\_\_\_\_ Signature \_\_\_\_\_

State of California, County of \_\_\_\_\_

Subscribed and sworn to (or affirmed) before me on this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, personally

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

Seal \_\_\_\_\_

Signature \_\_\_\_\_ My commission expires on: \_\_\_\_\_