

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number, Address) TELEPHONE NO: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	Reserved for Clerk's Office Stamp
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO Hall of Justice, Probate Division, 1 st Floor 400 County Center Redwood City, CA 94063	
AFFIDAVIT TO COMPLY WITH CALIFORNIA PROBATE CODE §§13100-13115	CASE NUMBER:

The undersigned hereby declare(s):

1. [I/We] make this declaration to induce _____
[Insert name of property holder]
 to transfer to [me/us] the described property in section 5 below under California Probate Code §§13100-13115.

2. _____ died at _____,
(insert decedent's name) [insert location (address or name of place)]
 while a resident of the City of _____, County of _____,
 California, on or about _____, 20____, and did did not leave a 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. Yes No A proceeding is now being or has been conducted in California for administration of the decedent's estate.

5. The decedent's personal representative has has not consented in writing to the payment, transfer, or delivery to the affiant or declarant of the property described in the affidavit or declaration.

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:
[Insert here a description of the property to be transferred or delivered to the affiant / declarant with sufficient detail to be identifiable.]

6. Either of the following, as appropriate:
 - 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.
 - The affiant or declarant is authorized under Section 13051 of the California Probate Code to act on behalf of the successor of the decedent (as defined in Section 13006 of the California Probate Code) with respect 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 below]

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 _____

[Insert name of 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, the undersigned Notary Public, 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: _____

 (Print name)