

# Small Estate Declaration Under California Probate Code Sections 13100-13115

The undersigned hereby declare(s):

1. I, make this declaration to induce \_\_\_\_\_ [bank/holder of property] to transfer to me the property described below under California Probate Code Sections 13100-13115.
2. \_\_\_\_\_ died at \_\_\_\_\_, while a resident of the City of \_\_\_\_\_, \_\_\_\_\_ County, California, on or about \_\_\_\_\_, 20\_\_ leaving 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. No proceeding is now being or has been conducted in California for administration of the decedent's estate.
5. The gross value of the decedent's real and personal property in California, excluding the property described in California Probate Code Section 13050 does not exceed one hundred thousand dollars (\$100,000.00) and includes the following: (Bank name, address, account number)
6. The affiant or declarant is the successor of the decedent (as defined in California Probate Code Section 13006) to the decedent's interest in the described property.
7. No other person has a right to the interest of the decedent in the described property.
8. My name, address, relationship to the decedent, and age are as follows:
9. The affiant or declarant requests that the described property be paid, delivered, or transferred to the affiant or declarant.
10. I agree to hold \_\_\_\_\_ [bank/property holder] free and harmless and indemnify it against all liability, claims, demands, loss, damages, costs, and expense whatsoever that it may incur because of the transfer, payment, or delivery to me of the property.

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: \_\_\_\_\_

\_\_\_\_\_  
Name: