

REQUIRED FORMS

TRANSFER OF REAL PROPERTY OF A DECEDENT (NO RIGHT OF SURVIVORSHIP)

- Affidavit of Succession to Real Property
- Statement Directing Issuance of Certified Copy of Affidavit of Succession to Real Property

Check either 3(a) or 3(b):

3. (a) The value of all real property in the decedent's estate located in this state, less liens and encumbrances against such real property as of the date of death, does not exceed seventy-five thousand dollars (\$75,000), as determined by **EITHER**
 the full cash value of the property as shown on the assessment rolls for the year in which the decedent died **OR**
 the unpaid principal balance due as of the date of death of the decedent, in the case of a debt secured by a lien on real property.

(b) Affiant is claiming as the surviving spouse dependent child of decedent and the value of all real property in the decedent's estate, wherever located, less liens and encumbrances against the real property as of the date of death does not exceed the greater of either seventy-five thousand dollars (\$75,000) or the total sums permitted as the allowance in lieu of homestead pursuant to A.R.S. §14-2402, exempt property pursuant to §14-2403 and the family allowance pursuant to §14-2404 in effect on the date of decedent's death as **determined by EITHER**
 the full cash value of the property as shown on the assessment rolls for the year in which the decedent died **OR**
 the unpaid principal balance due as of the date of death of the decedent, in the case of a debt secured by a lien on real property.

4. The legal description of the real property is:

5. Decedent's interest in the property is: _____

Check either 6(a) or 6(b):

6. (a) No application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction.

(b) A personal representative has been appointed and **EITHER** has been discharged **OR** more than one year has elapsed since a closing statement was filed **AND**, as of the date of this Affidavit, Fifty Thousand Dollars (\$75,000) has not been exceeded.

7. Funeral expenses, expenses of last illness and all unsecured debts of the decedent have been paid.
8. No Federal or Arizona estate tax is due on decedent's estate.
9. The affiant(s) is/are entitled to the real property by reason of **(CHECK ONE ONLY)**:
 - The allowances in lieu of homestead and exempt property (A.R.S. §§14-2402 and 14-2403).
 - By intestate succession as sole heir or heirs.
 - By devise under a valid Last Will of the decedent, the original of which is attached to this affidavit.
 - By devise under a valid Last Will which was probated in _____ County, State of _____, Probate No. _____, **a certified copy of which is attached to this affidavit.**
 - No person other than the affiant(s) has a right to the interest of decedent in the described real property. The relationship(s) of affiant(s) to the decedent is:

The affiant(s) affirm that all statements in the Affidavit are true and material and further acknowledge that any false statements may subject the person or persons to penalties relating to perjury and subornation of perjury.

Date

Affiant's Signature

Affiant's Printed Name

SUBSCRIBED AND SWORN TO before me on _____

My Commission Expires: _____

Notary Public/Deputy Clerk

The original Will or a certified copy of a previously probated Will and a certified copy of the death certificate must be attached to this Affidavit.

Your Name: _____

Your Address: _____

Your City, State, ZIP: _____

Your Telephone No: _____

Representing Self, Without an Attorney

IN THE SUPERIOR COURT OF ARIZONA, _____ COUNTY

In the Matter of the Estate of:)
)
)
)
)
)
)

Deceased)

Case No. _____

**STATEMENT DIRECTING ISSUANCE OF
CERTIFIED COPY OF AFFIDAVIT OF
SUCCESSION TO REAL PROPERTY**

Judge/Commissioner

An Affidavit of Succession to Real Property has been submitted by _____, avowing that the affiant(s) is/are entitled to real property of the decedent.

The undersigned has found compliance with the provisions of A.R.S. §14-3971(E).

THEREFORE, the Clerk of the Court is instructed to issue a certified copy of the Affidavit without attachments for the purpose of recording.

Date

Registrar