

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):
(after recording return to):

FOR RECORDER'S USE ONLY

ATTORNEY FOR (Name):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

STREET ADDRESS:

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME:

MATTER OF (Name):

DECEDENT

**AFFIDAVIT RE REAL PROPERTY OF SMALL VALUE
(\$20,000 or Less)**

CASE NUMBER:

FOR COURT USE ONLY

1. Decedent (name):
Died on (date):
2. Decedent died at (city, state):
3. At least **six months** have elapsed since the date of death of decedent as shown in the certified copy of decedent's death certificate attached to this affidavit. (*Attach a certified copy of decedent's death certificate.*)
4. a. Decedent was domiciled in this county at the time of death.
b. Decedent was **not** domiciled in California at the time of death. Decedent died owning real property in this county.
5. a. The following is a **legal description** of decedent's real property claimed by the declarants (*copy description from deed or other legal instrument*):
 described in an attachment labeled Attachment 5a.

b. Decedent's interest in this real property is as follows (*specify*):
6. Each declarant is a successor of decedent (as defined in Probate Code section 13006) and a successor to decedent's interest in the real property described in item 5a, and no other person has a superior right, because each declarant is
a. (**will**) a beneficiary who succeeded to the property under decedent's will. (*Attach a copy of the will.*)
b. (**no will**) a person who succeeded to the property under Probate Code sections 6401 and 6402.
7. Names and addresses of each guardian or conservator of decedent's estate at date of death
 none are as follows* (*specify*):
8. The **gross value** of all real property in decedent's estate located in California as shown by the *Inventory and Appraisal*, excluding the real property described in Probate Code section 13050 (joint tenancy, property passing to decedent's spouse, etc.), does not exceed \$20,000.
9. An inventory and Appraisal of decedent's real property in California is attached. The Inventory and Appraisal was made by a probate referee appointed for the county in which the property is located. (You may use Judicial Council form DE-160.)
10. No proceeding is now being or has been conducted in California for administration of decedent's estate.

*You must have a copy of this affidavit with attachments personally served or mailed to each person named in item 7.

**AFFIDAVIT RE REAL PROPERTY OF SMALL VALUE
(Probate)**

MATTER OF (name):	CASE NUMBER:
DECEDENT	

11. Funeral expenses, expenses of last illness, and all known unsecured debts of the decedent have been paid. [NOTE: You may be personally liable for decedent's unsecured debts. Up to the fair market value of the real property and any income you receive from it.]

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

----- (TYPE OR PRINT NAME) ▶ _____ (SIGNATURE OF DECLARANT)

Date: _____

----- (TYPE OR PRINT NAME) ▶ _____ (SIGNATURE OF DECLARANT)

Date: _____

----- (TYPE OR PRINT NAME) ▶ _____ (SIGNATURE OF DECLARANT)

NOTARY ACKNOWLEDGMENTS *(NOTE: No notary acknowledgment may be affixed as a rider (small strip) to this page. If additional notary acknowledgments are required, they must be attached as 8-1/2-by 11-inch pages.)*

State of California }
 County of _____ }

SUBSCRIBED AND SWORN TO (or affirmed) before me on this _____ day of _____, 20____, by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____ (SEAL)

State of California }
 County of _____ }

On _____ before me, _____ personally appeared _____, (here insert name and title of the officer) who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal. _____ (SEAL)

Signature _____

(SEAL)	<p>CLERK'S CERTIFICATE</p> <p>I certify that the foregoing, including any attached notary acknowledgments and any attached legal description of the property (but excluding other attachments), is a true and correct copy of the original affidavit on file in my office. (Certified copies of this affidavit do not include the (1) death certificate, (2) will, or (3) inventory and appraisal. See Probate Code section 13202)</p> <p>Date: _____ Clerk, by _____, Deputy</p>
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