

DECLARATION UNDER CALIFORNIA PROBATE CODE SECTION 13101

The undersigned, each for himself or herself and not for the others, hereby declares:

1. I am the successor in interest of _____ [Name of Decedent], who died in the City of _____, County of _____, State of _____, on _____.
2. 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 declaration.
3. No proceeding is now being or has been conducted in California for administration of the Decedent's estate.
4. The decedent's personal representative has 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 Section 13050 of the California Probate Code, does not exceed one hundred sixty-six thousand two hundred fifty dollars (\$166,250).
6. The property of Decedent which is to be paid, transferred or delivered to the undersigned under the provisions of California Probate Code Section 13100 is: _____
7. _____ The undersigned is/are the successor(s) of the Decedent (as defined in Section 13006 of the California Probate Code) to the Decedent's interest in the described property [e.g., *beneficiary of Decedent's will or, where Decedent left no will, the surviving spouse, child, grandchild, parent, brother or sister, niece or nephew, grandparent, aunt or uncle, cousin, etc.*].

_____ The undersigned is/are authorized under Section 13051 of the California Probate Code to act on behalf of the successor or the Decedent (as defined in Section 13006 of the California Probate Code) with respect to to the Decedent's interest in the described property [e.g., *guardian or conservator of Decedent's estate trustee of Decedent's trust, custodian of Decedent's will or personal representative of beneficiary (ies)*]. The name (s) of the successor (s) of the Decedent is/are: _____.
8. No other person has a superior right to the interest of the decedent in the described property.
9. The undersigned requests that the described property be paid, delivered, or transferred to the undersigned.
10. The undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this _____ day of _____ at _____.

Signature

Name (Print or Type)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

The State of _____, County of _____, to-wit: The foregoing affidavit or declaration was subscribed and sworn to, before me, by _____ [declarant's name]. Executed on this _____ day of _____, _____ at _____.

WITNESS MY HAND AND OFFICIAL SEAL

Notary Public for the State of _____

Notary Seal