



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

DECLARATION FOR COLLECTION OF PROPERTY WITHOUT PROBATE

In the Matter of the Estate of: _____

HEIR1 and HEIR2 declare:

_____ (decedent's name) died on _____ in his/her residence at _____, in the City of _____, County of _____.

State of California, Prob. Code section § 13101 (a)(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. (Prob. Code § 13101(a)(3)).
- No proceeding is now being or has been conducted in California for administration of the decedent's estate. (Prob. Code § 13101(a)(4)).
- 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 Probate Code, does not exceed one hundred fifty thousand dollars (\$150,000) (Prob. Code § 13101(a)(5)).
- The property of the decedent that is to be paid, transferred, or delivered to the declarant is as follows: **(LIST THE PROPERTY, INCLUDING ACCOUNT NUMBERS FOR FINANCIAL ACCOUNTS, AND V.I.N. AND LICENSE NUMBERS FOR AUTOMOBILES ON AN ATTACHMENT.)**
- We are HEIR1 and HEIR2, and we are the successor of the decedent as provided in Prob. Code §§ 13006(a)(7) and 13101(a)(7).
- The declarants are the successors of the decedent (as defined in Prob. Code 13006) to the decedent's interest in the described property. (Prob. Code §§ 13101(a)(4)(B) and (a)(8)(B)). The decedent died intestate, leaving no surviving heirs, and the declarants are all of the children of the decedent or the declarants are all of the beneficiaries entitled to receive property under the decedent's Will, a copy of which is attached.
- No person has a superior right to the interest of the decedent in the described property. (Prob. Code § 13101(a)(9)).
- The declarants request that the described property be paid, delivered, or transferred to the declarants. (Prob. Code § 13101(a)(10)).

We declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on:

Date: _____, at _____ California. (Prob. Code § 13101(a)(11)).

Type or print name

Signature of Heir

Type or print name

Signature of Heir

ACKNOWLEDGMENT

State of California

County of _____

On _____ before me, _____
(insert name and title of the officer)

Personally appeared _____,
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 certified 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.

Signature _____

(Seal)