AFFIDAVIT OF EXEMPTION
FROM DOCUMENTARY TRANSFER TAX

THIS FORM MUST BE COMPLETED IN FULL AND FILED WITH THE DOCUMENT AT THE TIME OF RECORDING

NOTICE: ANY MISREPRESENTATION OF FACT IN THIS AFFIDAVIT IS A MISDEMEANOR UNDER SECTION 1116 OF THE REAL PROPERTY TRANSFER TAX ORDINANCE. ANY PERSON WHO MAKES SUCH A MISREPRESENTATION IS SUBJECT TO PROSECUTION FOR SUCH OFFENSE. THE RECORDER RESERVES THE RIGHT TO REPORT POTENTIALLY FRAUDULENT RECORDINGS TO THE DISTRICT ATTORNEY’S REAL ESTATE FRAUD UNIT.

ASSESSOR’S PARCEL NUMBER(S) __________________________

STREET ADDRESS(ES) ____________________________________________

☐ 1. This is a gift in which no consideration was paid or given to the grantor*.

*Be aware that certain gifts in excess of $15,000 per calendar year may trigger a Federal Gift Tax. In such cases, the Transferor (donor/grantor) may be required to file Form 709 (Federal Gift Tax Return) with the Internal Revenue Service. Also be aware that information stated on this document may be given and used by governmental agencies, including the Internal Revenue Service.

I, as the Transferor (donor/grantor), declare under penalty of perjury that I have read the above paragraph and acknowledge that a Federal Gift Tax may be triggered.

______________________________                             __________________________
Donor/Grantor                  Donor/Grantor Phone Number

☐ 2. ☐ This is an interspousal transfer in which spouse is relinquishing his/her rights to the property.  
   Spouse was never on title.

☐ 3. ☐ This is a spousal transfer pursuant to divorce or separation.  Was the exchange of assets even?  Yes  ☐ No  
   If no, explain ________________________________________________________________

☐ 4. ☐ This is solely the addition/deletion of a co-signer who has/had no ownership interest in the property.
   Name of co-signer ____________________________________________________________
   Complete and attach the co-signer affidavit.

☐ 5. ☐ This is to remove/add back an owner’s name due to refinancing purposes only and does not change the actual property ownership.

☐ 6. ☐ This is a Deed to/from a Trust pursuant to a Trust Agreement for the benefit of Grantor/Trustee named therein.  A copy of the Trust may be required for viewing.

☐ 7. ☐ This Deed is recording to correct an error or title flaw created by a document recorded on _____________
   Original Number __________________ Reason for correction ____________________________________
8.  □ This transfer is between an individual or individuals and a legal entity or between legal entities, and the proportional ownership interest in the realty remains exactly the same. **This means that the underlying ownership after the transfer is exactly the same as before the transfer.**

Provide the owners and percentages both before and after this transfer including each **owner as an individual** and each owner of the entity. Owners include shareholders, members, and partners. Attach a separate sheet if needed.

**Example: Before: John Doe Inc**
  John Doe 50%
  Jane Doe 50%

**After: John Doe LLC**
  John Doe 50%
  Jane Doe 50%

Before: ____________________________________________  After: ____________________________________________
  ____________________________________________  ____________________________________________
  ____________________________________________  ____________________________________________

9.  □ This is a Foreclosure or Trustee sale. Is the Transferee the Beneficiary or Mortgagee? □ YES OR □ NO

10. □ This is a lease with a term, including options, of less than 35 years. What is the term including all options? __________________

11. □ The property is being conveyed by an Executor/Administrator/Trustee in accordance with an estate.

I DECLARE OR AFFIRM UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

_______________________________________   ____________________________________________
Grantor/Grantee Signature/Attorney for Client                          Print Name

____________________________________________________________________________________
Address

_______________________________________________   _____________________________________
Phone Number  □ TRANSFEREE □ TRANSFEROR

_______________________________________________
Place of Execution (City, County, State)

_______________________________________________
Date of Execution

SAN JOAQUIN COUNTY RECORDER
44 N. SAN JOAQUIN STREET SUITE 260
STOCKTON CA 95202
PHONE: (209) 468-3939
FAX (209) 468-8040
EMAIL: recorder@sjgov.org
www.sjgov.org/recorder

MAILING ADDRESS:
SAN JOAQUIN COUNTY RECORDER
P.O. BOX 1968
STOCKTON CA 95201

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