



Steve J. Bestolarides
San Joaquin County
Assessor - Recorder – County Clerk

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Karyn Johnson
 Assistant Assessor-
 Recorder-County Clerk

Teresa Williamson
 Operations Manager

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 Signature/Attorney for Client

 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 _____



COUNTY OF SAN JOAQUIN
ASSESSOR - RECORDER - COUNTY CLERK

- 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 AFIRM 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
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FAX (209) 468-8040
EMAIL: recorder@sjgov.org
www.sjgov.org/recorder

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