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How to Complete an Arizona Community Property with Right of Survivorship Deed

Community Property with Right of Survivorship Deed • A.R.S. § 33-431

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT RECORD THIS PAGE.

About this form. Married couples use this deed so their home passes automatically to the surviving spouse without probate, while keeping the tax benefits of community property. Arizona requires the survivorship right to be stated in the deed and accepted by both spouses.

1. **Fill in the recording box (top left of Page 1)**
   Who requested recording and where to return it. Leave the rest of the top 2 inches blank for the Recorder.
2. **Complete the Affidavit of Property Value line**
   Attach the Department of Revenue's Affidavit of Property Value, or write the exemption paragraph under A.R.S. § 11-1134(B).
3. **Copy names and the legal description from the vesting deed**
   Use the APN and the exact legal description, not just the street address.
4. **Both spouses sign the acceptance**
   The grantees sign the acceptance section, which is also notarized.
5. **Sign before a notary**
   Every signer appears before the notary with a current photo ID. Do not sign ahead of time.

Signing requirements: Each grantor (owner) signs before a notary. Print at 100% (not "fit to page") so the 2-inch top margin stays clear for the County Recorder (A.R.S. § 11-480).

After It's Signed

- Record the original with the County Recorder in the county where the property is located.
- Consider a Beneficiary Deed as well, so the property passes to your chosen beneficiaries after the second spouse dies.

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Have questions about your Survivorship Deed? To consult with an attorney, contact **Gavrilov & Brooks Law Firm** at **(916) 504-0529** or **www.gavrilovlaw.com**.

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Recording requested by and when recorded return to:

Space above this line reserved for the County Recorder

COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP DEED

State of Arizona

☐ An Affidavit of Property Value is attached (A.R.S. § 11-1133).

☐ Exempt from the Affidavit of Property Value under A.R.S. § 11-1134(B), paragraph:

Exemption paragraph number and short description

For the consideration of Ten Dollars, and other valuable considerations, I or we,

Grantor(s) — full name(s)

Marital status (e.g., a married woman, an unmarried man)

do hereby convey to the following grantees, who are spouses,

Grantee(s) — full name(s)

Grantee(s), continued, and mailing address

as COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP, so that upon the death of either spouse, title shall vest in the surviving spouse. (If spouses are adding the survivorship right to property they already own, list them as both grantors and grantees.)

the following real property situated in

County

City or town

Assessor's parcel number (APN)

County, Arizona, described as follows:

Legal description (copy exactly from the vesting deed, or write "See Exhibit A attached")

Property address (for reference only)

SUBJECT TO: current taxes and other assessments, reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record.

Date signed

X

Grantor signature

Grantor printed name

X

Grantor signature

Grantor printed name

ACKNOWLEDGMENT

STATE OF ARIZONA

COUNTY OF

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ (name(s) of person(s) acknowledging).

X

Signature of Notary Public

Notary Public (printed name)

My commission expires

Commission number

(Notary seal)

ACCEPTANCE OF COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP

The undersigned grantees accept this deed and agree that they take and hold title to the property described above as community property with right of survivorship, and not as community property, tenants in common or in any other manner. The undersigned grantees are spouses and accept the conveyance as community property with right of survivorship (A.R.S. § 33-431(C)).

X _____
Grantee signature

X _____
Grantee signature

Printed name and date

Printed name and date

ACKNOWLEDGMENT (GRANTEES' ACCEPTANCE)

STATE OF ARIZONA

COUNTY OF

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ (name(s) of person(s) acknowledging).

X _____
Signature of Notary Public

(Notary seal)

Notary Public (printed name)

My commission expires

Commission number