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How to Complete the Georgia Affidavit of Death of Joint Owner

Surviving Joint Tenant • Formatted for recording

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR AFFIDAVIT.

About this form. When Georgia real estate is owned as **joint tenants with right of survivorship** and one owner dies, the survivor already owns the whole property. This sworn affidavit, recorded with a certified death certificate, puts that fact on the county land records so the survivor can later sell or refinance without questions about the title.

1. **Recording information (top of first page)**
   Enter who prepared the deed and where the Clerk should mail it after recording. Leave the box on the right blank for the Clerk.
2. **Identify the deceased owner**
   Enter the decedent's name and date of death and attach a certified death certificate.
3. **Identify the survivorship deed**
   Copy the date, Deed Book, Page and county of the deed that created the joint tenancy. It must say "joint tenants with survivorship" or similar.
4. **Describe the property**
   Copy the legal description from that deed.
5. **Sign before a notary**
   You swear the facts are true, so sign only in front of the notary. Bring a current government-issued photo ID and the certified death certificate.

Signing requirements: Signed and sworn by the surviving owner before a notary public, then recorded.

After It's Signed

- Record it, with the certified death certificate, with the Clerk of Superior Court in the county where the property is located.
- Update the owner name with the county tax assessor and your homeowner's insurance.

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

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After recording, return to:

This instrument prepared by:

Space above 3" reserved for Clerk's recording use

Tax parcel ID number

STATE OF GEORGIA
COUNTY OF

AFFIDAVIT OF DEATH OF JOINT OWNER

Surviving Joint Tenant with Right of Survivorship • O.C.G.A. § 44-2-20

Personally appeared before me, the undersigned officer duly authorized to administer oaths,

Name of affiant (surviving owner) | Telephone

Address of affiant

who, being first duly sworn, deposes and says:

1. Deceased owner. The following person (the "Decedent") died on the date below. A certified copy of the death certificate is attached.

Name of decedent | Date of death

2. Survivorship deed. The Decedent and the affiant (and any other surviving owner named below) acquired the property described below as joint tenants with right of survivorship by the deed recorded at:

Date of deed | Deed Book | Page | County

Other surviving joint owner(s), if any

3. Identity. The Decedent is the same person named as a grantee in that deed.

4. Survivorship. By reason of the Decedent's death, the Decedent's interest in the property has passed by survivorship to the surviving joint owner(s) under O.C.G.A. § 44-6-190, and the property was not conveyed or the joint tenancy severed before the Decedent's death.

5. Property. The property is described as follows:

Street address of the property (if any)

Legal description (copy exactly from the prior deed; attach as Exhibit A if more space is needed)

6. Purpose. This affidavit is made to be recorded under O.C.G.A. § 44-2-20 to evidence the death of the Decedent and the vesting of title in the surviving owner(s).

SIGNATURE OF AFFIANT

Sign only in front of the notary.

X _____ _____

Signature of affiant Date

Printed name of affiant

NOTARY JURAT

State of Georgia
County of _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____, by _____ (name of affiant), who proved to me on the basis of satisfactory evidence to be the person who appeared before me.

_____ (Seal)

Signature of notary public

_____

Printed name of notary public

Notary Public, _____ County, Georgia

My commission expires: _____

Notary seal