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When recorded mail to:

Debra L. Palomino
one E. Camelback Rd, Suite 300
Phoenix, AZ 85012

(The above space reserved for recording information)

Affidavit of Succession for transfer of Real Property

DOCUMENT TITLE

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CHAD A ROCHE
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BY

DEPUTY

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**SUPERIOR COURT OF ARIZONA
PINAL COUNTY**

In the Matter of the Estate of:

Larry Dayton Sr.

CASE NUMBER: pbd-01300228

[X] an Adult [] a Minor, deceased

**AFFIDAVIT OF SUCCESSION FOR
TRANSFER OF REAL PROPERTY
TITLE [508]**

STATE OF ARIZONA)
PINAL COUNTY)ss.

**CHAD A. ROCHE
REGISTRAR**

I, Dwayne Thomas Dayton, being first duly sworn, do upon my oath, hereby state as follows:

1. INFORMATION ABOUT PERSON WHO DIED

Larry Dayton Sr. died on November 11, 2011

2. PLACE OF DEATH. (Check one box)

- At the time of death, decedent was living in Pinal County in Arizona, OR
- At the time of death, decedent was not living in Arizona but was living at Kingston Ontario Canada, and owned real property located in Pinal County in Arizona.

3. RELATIONSHIP. This is my relationship to the person who died (explain): Father

Person(s) with equal or greater right, if any: Larry Thomas Dayton, Jr.

4. DESCRIPTION OF REAL PROPERTY. The legal description of the real property located in Pinal County Arizona is: Lot 122, of Johnson Ranch Unit 35 and 36, according to the plat of record in the Recorder of Pinal County, Arizona, recorded in Cabinet E, slide 58 and certificate of correction recorded as 2004-060487 of official records.

5. INTEREST IN REAL PROPERTY OF PERSON WHO DIED. The interest in the real property of the person who died is (list how person who died had title to the property or other interest in the property):

The decedent, Larry Dayton, Sr., owned 33.3% interest as a tenant in common.

6. **VALUE OF ESTATE.** The assessed value in the estate of the person who died of all real property located in this state, including any debt secured by a lien on real property, less liens and encumbrances against the real property as of the date of decedent's death, does not exceed \$75,000.00.

7. **SIX MONTH REQUIREMENT.** Six months have elapsed since the death of the person who died as shown in a certified copy of the death certificate attached to this affidavit.

8. **PERSONAL REPRESENTATIVE.** An application or petition for appointment of a personal representative is not pending or has not been granted in any jurisdiction or an application has been granted but the personal representative has been discharged or more than one year has elapsed since a closing statement has been filed and the \$75,000 limit on the value of the property has not been exceeded.

9. **FUNERAL EXPENSES.** Funeral expenses, expenses of last illness, and all unsecured debts of the person who died have been paid.

10. **REASON WHY I AM ENTITLED TO THE PROPERTY.** That the person(s) signing the affidavit is/are entitled to the real property because (check the boxes that apply):

- I am decedent's spouse and I am claiming the allowance in lieu of homestead (\$18,000) exempt property (\$7,000) and family allowance (\$12,000). (A.R.S. '14-2401 through '14-2405)
- There is no surviving spouse of the decedent and I am the living dependent or minor child of the person who died. I am claiming the allowance in lieu of homestead (\$18,000) exempt property (\$7,000), and family allowance (reasonable allowance for maintenance of family during administration of estate, generally up to one year). (A.R.S. '14-2401 through '14-2403). All other dependent children of my parent with equal or greater right than I have to the property, who are listed above, have all assigned their entire interests in the estate to me, which is proven by the copy of the document they signed to this effect that I am attaching to this affidavit or they have signed this affidavit indicating their interest in the property.
- I am named in the will dated ____ of the person who died, the original of which is attached to this affidavit, or a certified copy of the Will which has been probated as follows (name court and case number).
- The person who died had no will, but I am entitled to the property under law because (check one box):
 - I am the spouse of the person who died;
 - I am a living child of the person who died, and there is no living spouse;
 - I am the living parent of the person who died, and there are no living children or spouse;
 - I am a living brother or sister of the person who died, and there are no living children, spouse, or parents.
- The person died without a will and I am the sole heir.
- The person died without a will and the people with equal or greater right than I have to the property, have all assigned their entire interests in the estate to me, which is proven by the copy of the documents they signed to this effect that I am attaching to this affidavit or have signed this affidavit indicating their interest in the property.
- The person died and left a valid will giving the entire estate to me.
- The person died and left a valid will and the people with equal or greater right than I have to the property, who are listed above, have all assigned their entire interests in the estate to me, which is proven by the copy of the documents they signed to this effect that I am attaching to this affidavit or have signed this affidavit indicating their interest in the property.

11. **OTHER PERSONS.** No other person has a right to the interest of the decedent in the described property.
12. **TAXES.** No Federal or Arizona Estate Tax is due on the estate of the person who died.
13. **TRUE STATEMENTS.** All statements in this affidavit are true and material. I acknowledge that any false statement may subject me to penalties relating to perjury.


Signature of Affiant
Dwayne Thomas Dayton

SUBSCRIBED AND SWORN TO before me this 13th day of Aug 2013

My Commission Expires: lifetime

By 
Deputy Clerk/Notary Public

Kenneth Gregory Menlove
Barrister, Solicitor &
Notary Public
Province of Ontario

STATE OF ARIZONA } SS
COUNTY OF PINAL }

I, CHAD A. ROCHE, Clerk of the Superior Court, State of Arizona, in and for the County of Pinal, do hereby certify that I have compared the foregoing copy of a affidavit of Succession PB201300228 and of the endorsement thereupon, with the original records of the same remaining in this office, and that the same are correct transcripts therefrom, and the whole of said original records.

Witness my hand and seal of said Court affixed

This 21 day of August 2013

By B. Manber CHAD A. ROCHE, Clerk Deputy Clerk