

Deed and Record Prepares and Records Deeds and Affidavits to Add or Remove a Spouse as an Owner of CA Real Property

Official documents must be recorded with the county where the real property is located to change title due to marriage, divorce or death of the first spouse.

HUNTINGTON BEACH, CA, USA, August 4, 2022 /EINPresswire.com/ -- [Marriage, divorce and death require official documents](#) to transfer California real property from one spouse to the other. Deed and Record [prepares and records deeds and "affidavits of death"](#) to add or remove a spouse as owner.

Real property acquired by one spouse prior to marriage is known as separate property. Separate property is converted into community property when the other spouse is added on title as an owner. In the event of divorce, community property is divided equally between the two owners and separate property is distributed to the sole owner.



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Mark W. Bidwell

Deed and Record prepares deeds to add a spouse as owner. Title is “husband and wife as community property with the right of survivorship.” This title allows a full step-up in basis on the death of the first spouse. Most importantly, transfer from the deceased spouse to the surviving spouse avoids probate court.

By court order or stipulated agreement real property in a divorce is awarded to one spouse. But transfer of ownership is not complete. The non-owning spouse must

also be taken off title with the County Recorder.

Deed and Record prepares and records a deed to bridge the ownership transfer from the California Superior Court to the County Recorder. One spouse signs a deed to grant all of his or her one-half interest in the real property to the other spouse. The deed does not remove cooperating spouse as a borrower. To end the non-owning spouse's liability for the loan, the loan must be either refinanced or paid off.

Then there is the death of one spouse. Couples should own real property in California either as joint tenants, as community property with right of survivorship or in trust to avoid probate on the death of the first spouse. Deed and Record prepares and an affidavit of death for the surviving spouse to sign. The affidavit is recorded with the county. Once the affidavit is recorded, the surviving spouse can sell or use the real property as collateral for a loan.

Marriage, divorce and death require official documents to transfer ownership of California real property from one spouse to the other. Deed and Record prepares and records deeds and affidavits of death to add or remove a spouse as owner.

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