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Official Deed Forms



An Affidavit of Property Value is required for all title transfers and recorded contract of sales unless one of the following conditions is met. (ARS §11-1134).

EXPLANATION OF EXEMPTION CODES

Under SECTION A, the affidavit does not apply to the following instruments:

- A1. **A deed representing the payment in full of a recorded contract, or forfeiture of a recorded contract.**
EXAMPLE: Payoff of a recorded land contract of sale or sales agreement.
- A2. **A lease or an easement on real property.**
EXAMPLE: Granting permission for the use of your real property by a utility company.
- A3. **A sale or a conveyance involving the government, including federal, state, county or local municipality.**
- A4. **A quitclaim deed to quiet title as described in Arizona Revised Statutes, section 12-1103, subsection B.**
EXAMPLE: This one is very specific, and these cases are generally rare. This code applies only to a specific action to quiet title described in ARS 12-1103(B). Please refer to the statute. This action usually involves a court case.
- A5. **A conveyance recorded to satisfy a court order.**
EXAMPLE: Transfer of property ordered by a court in a bankruptcy or a divorce case. You will present a certified copy of divorce to record.
- A6. **A deed to an unpatented mining claim.**
EXAMPLE: In general these cases are rare.
- A7. **A deed recorded to show transfer of real property as a gift where no money changes hands.**
EXAMPLE: Granting ownership of a property as a wedding present.

EXPLANATION OF EXEMPTION CODES

Under SECTION B, the Affidavit does not apply to the following transfers of title:

- B1.** A transfer **solely** in order to provide or release **security** for a debt or obligation, including a trustee's deed pursuant to power of sale under a deed of trust.
EXAMPLE: Party #1 transfers title to party #2 to provide security for a loan from party #2.
EXAMPLE: Party A transfers title to Party B to gain release from a debt owed to Party B.
- B2.** A transfer that **confirms** or **corrects** a deed **previously** recorded.
EXAMPLE: name on the original deed was misspelled.
- B3.** A transfer between **husband and wife**, or **parent and child**, with no money changing hands, or with only nominal consideration changing hands.
EXAMPLE: *Transfer must be between husband and wife or parent and child.*
NOTE: Nominal consideration is less than \$100.00
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- B4.** A transfer of title on a sale for **delinquent** taxes or assessments.
EXAMPLE: Property sold in a Sheriff's sale.
NOTE: This type of sale usually involves a Treasurer's Deed.
- B5.** A transfer of title **on partition**. Partition, in this case, means a division of a property between co-owners or co-proprietors.
EXAMPLE: Dividing a large parcel into smaller parcels to be distributed among the heirs of an estate so that each owns their parcel. *You are doing a lot split and there are no new owners involved.*
NOTE: If an owner divides a parcel in such a manner that the new parcels remain in his ownership, in essence there is no transfer of title, and thus **no need** for an Affidavit **nor** an Exemption Code. **Yet if the Recorder desires** the B5 Exemption Code can be utilized in this situation. For instance, an owner of a 10-Acre parcel divides it into a 1-Acre parcel and a 9-Acre parcel, and he retains ownership of the two new parcels.
- B6.** A transfer of title pursuant to a **merger** of corporations.
EXAMPLE: Title of property owned by Corporations X and Y changing to Corporation Z, when Corporations X and Y merge to form Corporation Z.

EXPLANATION OF EXEMPTION CODES

- B7.** A transfer by a **subsidiary** corporation to **its parent** corporation for no consideration, nominal consideration, or in sole consideration for canceling or surrendering the subsidiary's stock.
EXAMPLE: Parent Company X absorbing subsidiary Company Y's assets.
- B8.** A transfer from a person to a trustee, or from a trustee to a trust beneficiary, with only nominal consideration.
EXAMPLE: Transfer of property under the terms of a will. You are transferring your property into a trust.
- B9.** A transfer of title to **and** from an **intermediary** for the sole purpose of creating a Joint Tenancy Estate, or some other form of ownership.
EXAMPLE: Transfer to and from a straw man. A straw man is a disinterested third party, usually used to change the form of ownership, for example, creating a Joint Tenancy Estate.
- B10.** A transfer of title **from** a husband and wife, or **from** one of them, **to both husband and wife to create an Estate in Community Property with right of survivorship.**
Example: You and/or your spouse already own the property and you are recording a Community Property With Rights of Survivorship Deed.
- B11.** A transfer of title **from** two or more persons **to** themselves, to create an **Estate in Joint Tenancy with rights of survivorship.**
EXAMPLE: Two individuals convey ownership to themselves in a Joint Tenancy Estate with the right of survivorship. You already own the property, and you are recording a Joint Tenancy With Rights of Survivorship Deed.
- B12.** A transfer of title pursuant to a **Beneficiary Deed** with only nominal consideration for the transfer.
Example: You are recording a Beneficiary Deed.
- B13.** A transfer from an **owner to itself** or a related entity for no or nominal consideration solely for the purpose of **consolidating or splitting parcels.**
Example: You are combining or splitting parcels.
- B14.** A transfer due to a **legal name change.**