



County of San Benito TRANSFER TAX AFFIDAVIT

Area for Recorder Use Only

Per San Benito County Ordinance Code 5.03.001

NOTICE: Any material misrepresentation of fact in this affidavit is a misdemeanor under section 5.03.016 of the San Benito County Real Property Transfer Tax code. Any person who makes such a representation is subject to prosecution for such offense and the County Clerk-Recorder reserves the right to report potentially fraudulent recordings to the District Attorney's Office.

This form must accompany any document that requires or may require Documentary Transfer Tax

LOCATION OF PROPERTY: Assessor's Parcel _____ City/Unincorporated: _____

Street Address: _____

IS THIS A FORECLOSURE OR TRUSTEE SALE IN FAVOR OF BENEFICIARY? Yes No

(If no, complete Taxable Transactions Table)(If yes, please complete below and Exemption Statement section)

Name of Trustee and recorded document reference:

IS THIS A LEASE, GREATER THAN 35 YEARS? Yes No

(If yes, complete Taxable Transactions Table)(If no, complete Exemption Section)

IS THIS A GIFT IN WHOLE OR IN PART? Yes No (If yes, give a complete explanation and complete Exemption Section)

Name of the Donor: _____

Name of the Donee: _____

Please be aware that certain gifts may trigger a Federal Gift Tax. In such cases, the Transferor/Donor may be required to fill out a Form 709 (Federal Gift Tax Return) with the Internal Revenue Service. Please also be aware that the information stated on this document may be given to and used by governmental agencies, including the Internal Revenue Service.

I, as the Transferor/Donor declare under penalty of perjury that I have read the above paragraph and acknowledge that a Federal Gift Tax may be triggered.

Signature of above named Donor _____

ARE YOU ADDING OR REMOVING A CO-OWNER FOR REFINANCING PURPOSES? Yes No

If yes, initial to the right to indicate your agreement with the statement below and sign on reverse. Initial here _____

The proportional ownership interest will revert back to its original holding within one (1) month from the date of recording; otherwise I will pay the applicable transfer tax.

ARE YOU MOVING TITLE INTO OR OUT OF A TRUST? Yes No

Name and date of Trust: _____

c. Name of Trustor(s): _____

Name(s) of Currently Active Trustee(s): _____

IS THIS A TRANSFER BETWEEN LEGAL ENTITIES? Yes No

If yes, transfers involving legal entities must provide, preferably one (1) week in advance, applicable documentation. Some examples are listed below. This type of transaction can require 1-3 business days to review.

Corporation, copy of the Articles of Incorporation amendments and any other documents showing the shares issued and share ownership; or **LLC**, copy of the Operating Agreement, amendments, and any other documentation showing the partners ownership percentage; or **Partnership**, copy of the Partner Agreement, amendments and any other documents showing the partners ownership percentage

EXEMPTION STATEMENT

I CLAIM THAT THIS TRANSACTION IS EXEMPT FROM DOCUMENTARY TRANSFER TAX BECAUSE:

(The Sections listed below are taken from the Revenue and Taxation Code. Please check one or explain in "Other".)

1. ___ Section 11911. The document is a lease for a term of *less* than thirty-five (35) years (including options).
2. ___ Section 11911. The easement is *not* perpetual, permanent, or for life.
3. ___ Section 11921. The instrument was given to secure a debt.
4. ___ Section 11922. The conveyance is to a governmental entity or political subdivision.
5. ___ Section 11925. The transfer is between individuals and a legal entity, or between legal entities, and does not change the proportional interests held.
6. ___ Section 11926. The instrument is from a trustor to a beneficiary, in lieu of foreclosure, and no additional consideration was paid.
7. ___ Section 11926. The grantee is the foreclosing beneficiary and the consideration paid by the foreclosing beneficiary does not exceed the unpaid debt.
8. ___ Section 11927. The conveyance relates to dissolution of marriage or legal separation.
9. ___ Section 11930. The conveyance is an *inter vivos* gift* or a transfer by death.
10. ___ Section 11930. The conveyance is to the grantor's revocable living trust.
11. ___ Other (Include explanation and authority) _____

TAXABLE TRANSACTIONS

Complete the following and calculate the tax below. Tax is calculated as \$0.55 per \$500 of line D.
 Example, \$100,000 value/\$500 increments = 200. 200 increments x \$0.55 = \$110 in tax due. You may also use \$1.10 per \$1000 of line 9D. Always round up to the next 500.

A)	Consideration paid or value	\$ _____
B)	(<input type="checkbox"/> Full cash value <input type="checkbox"/> less liens)	\$ _____
C)	If less liens, loan amount assumed	\$ _____
D)	Total consideration or value less liens (Line A minus line C)	\$ _____
	Tax due	\$ _____

I DECLARE OR AFFIRM UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Are you the Transferee, Transferor, both, or Representative with full knowledge of foregoing. Signature still required.

SIGNATURE(S) OF NAME OF BUYER/TRANSFEREE/REPRESENTATIVE	DATE
NAME(S) OF BUYER/TRANSFEREE/REPRESENTATIVE (PLEASE PRINT)	