

**AFFIDAVIT OF SURVIVING SPOUSE OR JOINT SURVIVOR (5302.17 O.R.C.)**

**State of Ohio  
County of Lake**

\_\_\_\_\_ being first duly sworn, deposes and says as follows:

That \_\_\_\_\_ and \_\_\_\_\_ are joint owners of real estate under a duly recorded survivorship deed. The original survivorship deed is recorded in the records of the Lake County Recorder as Document No. \_\_\_\_\_ and/or Volume \_\_\_\_\_, Page \_\_\_\_\_.

That \_\_\_\_\_ died on \_\_\_\_\_.

That by the death of \_\_\_\_\_, the following survivor, \_\_\_\_\_ is the fee simple owner of the described real estate (LEGAL DESCRIPTION ATTACHED), and requests that this fact be so indicated on the land and tax records of Lake County.

\_\_\_\_\_  
(Signature)

Sworn to before me and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**This instrument prepared by:**

\_\_\_\_\_

## Instructions for Affidavits

**WE CANNOT HELP YOU IN ANY WAY IN FILLING OUT THIS FORM. IT IS PROVIDED AS A COURTESY.**

**Fill out the Affidavit completely.**

**Sign in front of a Notary.**

**Attach a “certified” copy of the death certificate.**

**Also attach a “legal description” of the property to be transferred. (a copy of the survivorship or transfer on death deed will suffice.)**

**Take the prepared affidavit to the Auditor’s Transfer Department on the first floor of the County Administration Center. There will be a \$0.50 per parcel charge and you will have to fill out a tax exempt form.**

**Then take the affidavit to the Recorder’s Office in the lower level. There will be a recording fee: \$28 for the first 2 pages plus \$8 for each additional page. Most affidavits with the death certificate and legal attached will be \$36.00 to record. (check or cash only)**

**\*\*PLEASE NOTE: IF YOU ARE RECORDING A “TRANSFER ON DEATH” AFFIDAVIT YOU MUST ALSO FILL OUT AND SUBMIT A MEDICAID ESTATE RECOVERY FORM. (Per Section 5302.221 Ohio Revised Code)**