

C.J.S., Mortgages § 453

Treatises and Practice Aids

California Civil Practice, Real Property Litigation § 4:61

Miller & Starr, California Real Estate 3d, § 10:114

§ 2941.9 Form 1. Affidavit by beneficiaries for majority action

MAJORITY ACTION AFFIDAVIT

STATE OF CALIFORNIA

[NAME OF COUNTY]

} SS:

We, the undersigned, declare:

1. The following action has been authorized pursuant to Civ. Code, § 2941.9: *[description of action]*.

2. None of the undersigned is a licensed real estate broker or an affiliate of the broker that is the issuer or servicer of the obligation secured by the deed of trust.

3. The undersigned together hold more than 50 percent of the record beneficial interest of a series of notes secured by the same real property or of undivided interests in a note secured by real property equivalent to a series transaction.

4. Notice of the action was sent by certified mail, postage prepaid, with return receipt requested to each holder of an interest in the obligation secured by the deed of trust who has not joined in the execution of the substitution or this document.

We declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: *[date of declaration]*

Signed by:

[List of names of signors]

[Jurat]