

GIFT AFFIDAVIT

STATE OF [STATE])) ss. COUNTY OF [COUNTY WHERE THE AFFIDAVIT IS SIGNED])

1. Donor / Affiant

I, [AFFIANT NAME], residing at [AFFIANT ADDRESS], being first duly sworn, depose and state:

1. I am over eighteen (18), of sound mind, under no legal disability, and am competent to make this Gift Affidavit.
2. I have personal knowledge of the facts stated herein.

2. Purpose

This Affidavit is made to document a completed inter vivos gift from the Donor to the Recipient, for the following purpose: [PURPOSE OF THIS AFFIDAVIT]

3. Parties

1. **Donor.** [DONOR S FULL LEGAL NAME], residing at [DONOR S ADDRESS].
2. **Recipient (Donee).** [RECIPIENT S FULL LEGAL NAME], residing at [RECIPIENT S ADDRESS].
3. **Relationship.** The Recipient is the Donor's [RELATIONSHIP BETWEEN DONOR AND RECIPIENT].

4. The Gift

1. **Description.** The subject of this gift (the "Gift") is described as follows:
[DESCRIPTION OF THE GIFT PROPERTY VEHICLE]
2. **Fair-market value.** The fair-market value of the Gift as of the date of transfer is ****.
3. **Date of transfer.** The Gift was delivered and accepted on .

5. Donative Intent and No Consideration

1. The Donor made the Gift freely and voluntarily, out of natural love and affection and/or generosity, with present donative intent.
2. **No consideration.** No consideration of any kind — monetary, in-kind, services, or otherwise — has been paid or is expected to be paid by the Recipient to the Donor in exchange for the Gift, whether now or in the future.

3. **Not a loan.** The Gift is not a loan. There is no express or implied obligation, written or oral, for the Recipient to repay any portion of the Gift at any time.

6. Delivery, Acceptance, and Title

1. The Gift has been fully and unconditionally delivered to, and accepted by, the Recipient.
2. The Donor retains no dominion, control, reversionary interest, or right of recall over the Gift.
3. At the time of transfer, the Donor owned the Gift free and clear of all liens, security interests, and encumbrances, except as expressly disclosed in this Affidavit.

7. Purpose of Affidavit

This Affidavit is made in connection with the transfer of motor-vehicle title at the applicable department of motor vehicles and in support of any available family-transfer sales- or use-tax exemption.

⚠ Vehicle-gift tax exemption. Many states provide a sales- or use-tax exemption for vehicle transfers between immediate family members only (e.g., spouse, parent, child, sibling). Eligibility should be verified with the state department of motor vehicles before filing.

⚠ IRS Form 709 notice. A gift to a single recipient in a calendar year that exceeds the federal annual gift-tax exclusion generally requires the Donor to file IRS Form 709. This Affidavit documents the Gift but does NOT substitute for Form 709.

8. Additional Facts

[NUMBERED FACTS ONE FACT PER PARAGRAPH]

Oath and Penalty of Perjury

I certify under penalty of perjury under the laws of the State of [STATE] that I know the contents of this Affidavit signed by me and that the statements set forth above are true and correct to the best of my knowledge.

Signature of Affiant

Affiant

PRINTED NAME

SIGNATURE

DATE

Notary Jurat

State of [STATE] County of [COUNTY WHERE THE AFFIDAVIT IS SIGNED]

Subscribed and sworn to before me this _____ day of _____, **20**, by [AFFIANT NAME], who is personally known to me or who produced _____ as identification.

Notary Public: _____ My commission expires: _____

[NOTARY SEAL]

***Jurat vs. acknowledgment.** This certificate is a **jurat** — the correct notarial certificate for an affidavit. A **jurat** (i) requires the affiant to appear before the notary, (ii) requires the affiant to sign in the notary's presence (no pre-signing), and (iii) includes administration of an oath or affirmation. An **acknowledgment** (used for deeds, powers of attorney, and contracts) does NOT include an oath and is the wrong certificate for an affidavit. Using an acknowledgment in place of a jurat may cause a court to reject the affidavit as defective.*