

ATTORNEY OR PARTY WITHOUT AN ATTORNEY (Name, State Bar number, and address): NAME: STREET ADDRESS: CITY, STATE, ZIP: TELEPHONE NO: FAX NO. (Optional): EMAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FOR COURT USE ONLY
<p>SUPERIOR COURT OF CALIFORNIA COUNTY OF SANTA CRUZ 701 Ocean Street, Room 120 Santa Cruz, CA 95060 Santa Cruz Branch</p>	
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT:	
<p>APPLICATION FOR REAL PROPERTY EQUITY BOND AND DECLARATION OF PROPERTY OWNER</p>	CASE NUMBER: DATE: TIME: DEPT:

1. The above-named defendant, having been arrested, has had bail set in the amount of \$ _____.
2. I/We desire to post a “property bond” consisting of real estate equity pursuant to the provision of Section 1298 of the Penal Code.
3. I/We own real property located at _____, which has a present market value of \$ _____. The legal description of the which is provided on Attachment A.
4. Attached to this declaration is a certified appraisal of the property as Attachment B.
5. The property is subject to liens and encumbrances totaling \$ _____ on the property, which are listed on Attachment C. Financial statements from all persons who have liens and encumbrances against the property verifying how much is presently owed on the property and that all obligations are current are also attached and incorporated as part of Attachment C.
6. I/We have not previously qualified such property for a property bond within the prior 12 months.
 - I/We have previously qualified such property for a property bond within the prior 12 months (in the amount of \$ _____, not exonerated).
7. Attached to this declaration is an original Preliminary Title Report as Attachment D.
8. Attached to this declaration is proof of required insurance as Attachment E.
9. I/We agree to maintain the insurance on the property and keep all property taxes and obligations listed in paragraph four (4) current while the property bond is in force. I/We further agree not to further encumber the property without prior approval of the Court.
10. I/We desire that the court approve my/our application for a “property bond” and make this declaration in support of such application.

PEOPLE OF THE STATE OF CALIFORNIA DEFENDANT:	CASE NUMBER:
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11. **I/WE UNDERSTAND THAT IN THE EVENT THE PERSON FOR WHOM THIS BOND IS TO BE POSTED FAILS TO MAKE ANY NECESSARY COURT APPEARANCE, THE PROPERTY MAY BE SOLD TO SATISFY THE PAYMNET OF THE AMOUNT OF THE BOND.** Initials of all property owners: _____
12. I/We understand that if this application is granted it is my/our responsibility to record the deed of trust in the county where the real property is located and to pay the fees for recording the documents.
13. I/We understand that after recording I/we must provide proof of the recording to the Court and only upon such proof of recording being submitted to the Court, will the Court make an order to release the defendant.
14. I/We understand that if bail is exonerated it is my/our responsibility to prepare and submit the Reconveyance for signature and to submit the same to the Trustee for Reconveyance.
15. I/We understand that I/we must pay in advance for any costs incurred or to be incurred in connection with the property bond application.

I/We declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this document was executed at (city) _____, California on _____.

Print/type your name: _____

Signature: _____

Print/type your name: _____

Signature: _____

PROOF OF SERVICE

1. I am over the age of 18 and not a party to this action. I served copies of the following documents:
 - a. Application for Real Property Equity Bond and Declaration of Property Owner(s) including all required attachments.
 - b. Promissory Note
 - c. Deed of Trust
 - d. Order Approving Property Bond and Release of Defendant

2. These documents were served on:

District Attorney of Santa Cruz County
701 Ocean Street, Room 200
Santa Cruz, CA 95060

3. I personally delivered the copies on (date) _____ at (time) _____.

4. I am

- not a registered process server.
- a registered process server
Registration number & County:

- an employee or independent contractor of a registered California process server.
- exempt from registration under Business & Professions Code section 22350(b)

5. My name, address, and phone number:

Name: _____

Address: _____

Phone number: _____

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

7. I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

Date: _____

Print/Type Name

Signature