

# AFFIDAVIT OF HEIRSHIP

INFORMATION CONCERNING \_\_\_\_\_ DECEDENT.

I, \_\_\_\_\_ (affiant) being of lawful age, being first duly sworn, upon oath deposes and says:

That I was personally well acquainted with the above named decedent, during his/her lifetime, having known him (or her) for \_\_\_\_\_ years, and that affiant bears the following relationship to said decedent, to-wit: \_\_\_\_\_

1. Said decedent departed this life at \_\_\_\_\_ in \_\_\_\_\_ County/Parish, State of \_\_\_\_\_, on or about \_\_\_\_\_ day, being \_\_\_\_\_ years old at the date of his (or her) death.
2. Said Decedent owned, at the time of his (or her) death, the land situated in \_\_\_\_\_ County/Parish, State of \_\_\_\_\_.
3. The land described above was / was not occupied as the homestead of the deceased.  
(circle one)
4. The land described above is / is not now occupied as homestead of deceased's surviving husband / wife.  
(circle one) (circle one)
5. The land described above is / is not community property  
(circle one)

Affiant further states that affiant was well acquainted with the family and near relatives of the said decedent, and the following statements and the answers to the following questions are based upon the personal knowledge of affiant and are true and correct:

1. Did decedent leave a Will? \_\_\_\_\_ (If so, attach a certified copy thereof.)
2. Where was Will first admitted to probate? Give name of court, and also of the city, county, and state in which court is located:  
\_\_\_\_\_
3. Has Will been probated or admitted to record in the state where the above described land is situated? \_\_\_\_\_ If so, give date, name of court and county \_\_\_\_\_
4. Is administration pending on the estate of decedent? \_\_\_\_\_ If so, in what court, county/parish and state? \_\_\_\_\_
5. Has an executor or administrator been appointed for the estate of the decedent? \_\_\_\_\_ If so, give his/her name and address \_\_\_\_\_
6. What is the present condition of the administration? (Answer this question regardless of whether or not decedent left a Will.)  
\_\_\_\_\_
7. Has administration been completed? \_\_\_\_\_ If so, has final order or decree of distribution been rendered by the Court? \_\_\_\_\_
7. Were you acquainted with decedent's business affairs? \_\_\_\_\_ Did decedent leave any debts or obligations unpaid? \_\_\_\_\_  
Have all such debts or obligations been paid? \_\_\_\_\_  
If not, how much remains unpaid? \_\_\_\_\_ What is reason these debts have not been paid? \_\_\_\_\_

*Note: If decedent left a Will, but said Will was NOT probated, the laws of Intestate Descent and Distribution will apply, and NOT the terms of the Will.*

INFORMATION CONCERNING HEIRS OF DECEDENT

8. Did decedent leave a surviving wife or husband ? \_\_\_\_\_ If so, give name & address \_\_\_\_\_  
 \_\_\_\_\_ Date of marriage: \_\_\_\_\_ . If not  
 living, give date of death. \_\_\_\_\_

9. If the decedent was married more than once, give name or names of former spouse or spouses, and state whether any such former spouse is  
 dead or divorced, together with the date of death or divorce: \_\_\_\_\_  
 \_\_\_\_\_

10. Give following information concerning all children born to decedent, or legally adopted children of decedent, who were living at the time  
 of decedent's death.

Name		Address		Date of Birth

11. Give below the names of any deceased children of decedent:

Name		Date of Birth & Date of Death	Surviving Spouse		Surviving Spouse Address

12. Give below the names of the living children of any deceased son or daughter (those listed above in Item #11) of the decedent:

Name		Date of Birth	Name of Mother or Father from Item #11 above		Address

**IF DECEDENT LEFT SURVIVING SPOUSE OR CHILDREN, THEN ITEM #13 BELOW MAY BE DISREGARDED –**

**PROCEED TO ITEM #14**

13. If decedent left no surviving spouse or children, give the following information in the following order:

- 1) List parents, if living. If parents not living,
- 2) List all brothers and sisters;
- 3) If any brother or sister died before decedent, also list his or her children.
- 4) If no parent, brother or sister survived decedent, list following if any surviving: grandparents, nephews and nieces; uncles and aunts; cousins; if none of foregoing survived, list nearest of kin surviving.

Name	Address	Date of Birth	Date of Death / Relationship to Decedent

**ATTACH ADDITIONAL PAPER IF NEEDED TO COMPLETE SECTION ABOVE**

14. (If land is in Oklahoma) Did decedent file in County Clerk's office election to come under the Community Property Act? \_\_\_\_\_

\_\_\_\_\_  
**Signature of Affiant**

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My commission expires:  
 \_\_\_\_\_

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

**CORROBORATING AFFIDAVIT**

State of \_\_\_\_\_

**(TO BE SIGNED BY SOME PERSON OTHER THAN  
THE ONE MAKING THE FOREGOING AFFIDAVIT)**

County/Parish of \_\_\_\_\_

**AFFIANT MAY NOT BE AN HEIR NAMED ABOVE**

\_\_\_\_\_, of lawful age, being first duly sworn, upon his oath states: That the information given in the above and foregoing affidavit is true, and accurate, to the personal knowledge of this affiant.

\_\_\_\_\_  
**Signature of Corroborating Affiant**

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My commission expires:

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

**IMPORTANT**

**ATTACH FOLLOWING PAPERS:**

1. IF ANY HEIRS OF DECEDENT HAVE DIED since his (or her) death, secure separate proof of heirship as to each.
2. If decedent left a Will, attach a certified copy thereof.
3. If executor or administrator has been appointed for estate of decedent, attach a certificate of appointment from the Court which made the appointment (example: Letters Testamentary)
4. If administration on decedent's estate has been completed and final order or decree of distribution has been rendered, attached certified copy of such order or decree.

**NOTE: This form may be signed by a member of the family, as long as they are not an heir to the deceased, but the Corroborating Affidavit MUST be signed by a person not a member of the family. This form must be notarized and recorded in county/parish records where lands are located and a recorded copy furnished to the company so requesting it.**