

INSTRUCTIONS FOR COMPLETING HEIRSHIP AFFIDAVIT.

READ INSTRUCTIONS BELOW BEFORE COMPLETING THIS FORM.

IMPORTANT – REMOVE THIS PAGE BEFORE RECORDING DOCUMENT. FAILURE TO REMOVE THIS PAGE WILL RESULT IN ADDITIONAL RECORDING FEES BY THE COUNTY CLERK.

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.

Instructions for completing Affidavit:

1) The first signature to this form may be signed by a member of the family, as long as they are NOT an heir/beneficiary to the deceased.

2) The Corroborating Affidavit (2nd signature) **MUST be signed by a person not a member of the family.**

This form must be signed in the presence of a Notary Public.

After signed and notarized, we require that you have it recorded in the county/parish where the well(s)/land(s) are located.

Once the affidavit has been recorded and returned to you, a recorded copy must be furnished to our office via fax (832-242-9709) or mailed to:

ATTN: DIVISION ORDERS

1415 Louisiana Suite 1600

Houston, TX 77002

You should retain the original Affidavit and submit to our office a recorded copy.

When sending the recorded Affidavit to our office, we must be provided with addresses and social security numbers for all heirs/beneficiaries. Failure to provide this information will delay processing.

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 homstead 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.
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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.