

AFFIDAVIT OF DEATH AND HEIRSHIP

This form is to be completed by a disinterested third party

NAME OF DECEASED:	
DATE:	
SPECIFIC PROPERTY DESCRIPTION:	
SECTION/TOWNSHIP/RANGE:	
COUNTY/STATE:	

STATE OF _____)
) Subscribed and Sworn Under Oath
 COUNTY OF _____)

I, _____ (first) _____ (MI) _____ (last), the affiant ("I" or "my" hereinafter), being of lawful age, being first duly sworn, upon oath deposes and states:
 I was well acquainted with the above named deceased individual ("deceased" hereinafter) for _____ number of years and the answers and statements given in the following questionnaire are based upon my personal knowledge, true, and correct. Further, I am not a direct heir of the named deceased individual.

1. What was your relationship to the deceased? _____
2. The deceased departed his/her life on _____ (month) _____ (day), _____ (year) in _____ (county or city), _____ (state). He/She was _____ years old.
3. The deceased owned the mineral property listed in the reference boxes above. YES / NO (circle one)
4. The described property was / was not (circle one) occupied by the deceased individual as his/her homestead.
5. The described property is / is not (circle one) occupied by the deceased's surviving spouse.
6. The described property was property acquired by the deceased before / during (circle one) his/her most recent marriage.
7. How was the described property acquired by the deceased? (circle one) Inherited / Purchased / Gifted

I was well acquainted with the deceased's surviving family members, and the following statements and answers to the following questions are based upon my personal knowledge and are true and correct:

8. Did the deceased leave a will? YES / NO (circle one)
9. In what states has the deceased's estate been probated? (if no probate, write "none")

10. The estate of the deceased currently DOES / DOES NOT (circle one) owe and debts to any person, business, or government entity, including any state or federal taxes.

11. If you circled DOES on question 10, please describe all debts owed, including taxes, of the estate:

12. At the time of death, the deceased was MARRIED / WIDOWED / DIVORCED / SINGLE-NEVER MARRIED (circle one)

13. If you circled married, what was the deceased's surviving spouse's name? _____

14. If you circled married, what is the address of the surviving spouse?
 _____ (street) _____ (city) _____ (state)

15. How many times was the deceased married? 0 / 1 / 2 / 3 / 4 / 5 / 6 / 7 / 8+ times (circle one)

16. What are the names of all surviving and former spouses, and list how many children, including adopted, the deceased had with each spouse.

Name of Spouse	Date of Divorce (if applicable)	Number of children, including adopted

17. What is the total number of the deceased's children, both natural and adopted? _____

18. Complete the following information concerning all children born or adopted to the deceased, who were living at the time of the deceased's death.

Name of Son or Daughter	Date of Birth	Other Parent	Present Mailing Address

19. Complete the following information concerning all children born or adopted to the deceased, who were not living at the time of the deceased's death.

Name of Son or Daughter	Date of Birth	Other Parent	Date of Death

Please complete an Affidavit of Death and Heirship for each deceased child that was listed on question 19.

CONFIRMATION OF AFFIDAVIT OF DEATH AND HEIRSHIP

(to be signed by a person other than the one making the foregoing affidavit and who is not a named heir or a family member of an heir)

I, _____ (first) _____ (MI) _____ (last), the confirming affiant, being of lawful age, being first duly sworn, upon oath deposes and states:

The information given in the above and foregoing affidavit is true, and accurate, to the personal knowledge of this confirming affiant.

Signature of Confirming Affiant
TO BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC

ACKNOWLEDGMENT OF THE CONFIRMING OF AFFIDAVIT

STATE OF _____)

) Subscribed and Sworn Under Oath:

COUNTY OF _____)

Subscribed and sworn to be this _____ day of _____, 20____.

Notary Public Signature _____

Commission number _____

My Commission expires: _____, 20____.

Notices Regarding the Affidavit of Death and Heirship

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 Confirming Affidavit **MUST be signed by a person who is **NOT** a member of the family or a direct heir. This form must be notarized for the AFFIANT and the CONFIRMING AFFIANT.**

NOTE: If the deceased left a will, and the will was **NOT probated in the state where the land/minerals are located, the laws of Intestate Descent and Distribution of that state will apply, and **NOT** the terms of the will.**