

**AFFIDAVIT OF DEATH AND HEIRSHIP**

DECEASED:	
DATE:	
COUNTY/STATE:	
SECTION/TOWNSHIP/RANGE:	

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)




I am aware of the penalties of perjury under Federal Law, which includes the execution of a false affidavit, pursuant to 18 U.S.C.S., Section 1621 wherein it is provided that anyone found guilty shall not be fined more than \$2,000 or imprisoned not more than 5 years or both.

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

**ACKNOWLEDGMENT OF THE AFFIANT'S ABOVE 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\_\_\_\_\_.

**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\_\_\_\_.

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#### 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.**