



## Instruction letter for completion of an Affidavit of Heirship form

The purpose of an Affidavit of Heirship is to put the county records on notice for mineral owners who are deceased that did not have probate proceedings administered to their estate. When a search is performed in an area to be developed, the affidavit will tell the title examiner that the mineral owner is deceased and that they need to contact the heirs. This form is used as a tool by oil and gas companies to support a title change.

All of the questions must be completed to the best of the affiant's knowledge. If the person completing the affidavit does not know the answer to a question asked, it should be stated on the affidavit.

If any heirs of the decedent are deceased, a separate Affidavit of Heirship will be required for each heir.

If more space is needed to adequately supply the information requested, please attach a separate sheet of paper.

For complete details on this process, please see the following:

- 1) Have the form filled out by a disinterested third party, someone who will not benefit from the estate.  
Example: Banker, Lawyer, Neighbor, Family Friend or Relative
- 2) Attach a copy of the Death Certificate and the Last Will and Testament to the affidavit.
- 3) Send the original, a check and a self-addressed stamped envelope to the county clerk office where the property is located for recording.  
Phone numbers and addresses for county courthouses can be found at [www.courthousedirect.com](http://www.courthousedirect.com). If you cannot locate the information you need please contact us for assistance.
- 4) Upon receipt of the recorded documentation, mail a COPY to Lilis Energy, Attn: Land Department, 201 Main Street, Suite 1351, Fort Worth, TX 76102

Should you have any questions or concerns please feel free to contact the Land Department at (817) 585-9001 or [land@lilisenergy.com](mailto:land@lilisenergy.com).

### IMPORTANT

1. If decedent left a Will, but said Will was NOT probated in the state where the property is located, the laws of Intestate Descent and Distribution will apply, and NOT the terms of the Will.
2. 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.

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# AFFIDAVIT OF HEIRSHIP

*This form is to be completed by a disinterested third party*

INFORMATION CONCERNING \_\_\_\_\_ (DECEDENT).

I, \_\_\_\_\_ (affiant) being of lawful age, being first duly sworn, upon oath disposes and says: That I was personally well acquainted with the above named decedent, during his/her lifetime, having known him/her for \_\_\_\_\_ years, and that I bear 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/her death.

2. Said Decedent owned, at the time of his/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 he/she 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? Yes / No (If so, attach a copy thereof)  
(circle one)

2. Has Will been probated or admitted to record in the state where the above described land is situated? Yes/No  
(circle one)

If so, give date, name of court and county \_\_\_\_\_.

3. Where was Will first admitted to probate? Give name of court, and also of the city, county, and state in which court is located: \_\_\_\_\_.

4. Is administration pending on the estate of decedent? Yes / No  
(circle one)

If so, in what court, county/parish and state? \_\_\_\_\_.

5. Has an executor or administrator been appointed for the estate of the decedent? Yes / No  
(circle one)

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) \_\_\_\_\_.

Has administration been completed? Yes / No  
(circle one)

If so, has final order or decree of distribution been rendered by the Court? Yes / No  
(circle one)

7. Were you acquainted with decedent's business affairs? Yes / No  
(circle one)

Did decedent leave any debts or obligations unpaid? Yes / No  
(circle one)

Have all such debts or obligations been paid? Yes / No  
(circle one)

If not, how much remains unpaid? \_\_\_\_\_.

What is reason these debts have not been paid? \_\_\_\_\_.

### INFORMATION CONCERNING HEIRS OF DECEDENT

8. Did decedent leave a surviving wife or husband? Yes / No  
(circle one)

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 ITEM'S #10 – 13 ABOVE**

14. (If land is in Oklahoma) Did decedent file in County Clerk’s office election to come under the Community Property Act? Yes / No  
(circle one)

15. Did the decedent own any property? Yes / No  
(circle one)

If yes, give a short description: \_\_\_\_\_.  
(Mandatory Response)

\_\_\_\_\_  
**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