

CAUSE NO. SE-_____

IN THE ESTATE OF

_____ ,

DECEASED

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§

IN THE PROBATE COURT

OF

GALVESTON COUNTY, TX

**AFFIDAVIT OF DISTRIBUTEES • SMALL ESTATE • ORDER OF APPROVAL
§137 of the TEXAS PROBATE CODE**

To the Honorable Judge of said Court:

This, the affidavit of all of the distributees of the estate of _____ deceased, is respectfully submitted and shows:

1. That _____ died on or about _____ (Date) without leaving a Will, at _____ (City and State).
2. That the domicile of the decedent at the time of death was _____ County, Texas. *(or state other facts showing venue in this county)*
3. That no petition for the appointment of a personal representative of the decedent's estate is pending nor has an appointment been granted, by this Court or any other Court.
4. That more than thirty (30) days have elapsed since the death of the decedent.
5. That the value of the entire estate, not including homestead and exempt property, does not exceed fifty thousand dollars (\$50,000.00).
6. That the assets of the decedent are as follows: (include bank accounts, cd's, money markets, etc.; VIN # as well as make, model and year of vehicle; any data needed to properly identify assets)

NOTE: Community Property is that which is acquired during marriage other than by gift or inheritance. Separate Property is that which is owned before marriage or acquired by gift or inheritance during marriage.

Description of Assets	Indicate Community or Separate	Value

Description of Assets (Continued)	Indicate Community or Separate	Value

7. That all the known liabilities of the decedent's estate are as follows:

Description of Liabilities	Amount

8. That the names, addresses, and telephone numbers of all distributees, and their right to receive money or property or to have such evidences of money, property or other rights, to the extent that the assets, exclusive of homestead and exempt property, exceed the known liabilities of the estate are as follows:

Names, addresses, and phone numbers of distributees (Inheritors)	Capacity in which claim is made	Portion of estate to which entitled (To be completed by the Court)
<i>(Example: John Doe ▪ 1000 Main St. ▪ Galveston, Texas 77550 (409) 777.1234</i>	<i>Son</i>	Community Share Separate Share

9. The legal description of the decedent's homestead is: Lot ___ Block ___ Subdivision_____
10. **§137 of the Texas Probate Code does not affect the disposition of property under the terms of a Will or other testamentary document, nor does it transfer title to real property other than the Decedent's homestead.**

Wherefore the distributees of the estate pray that the court enter an order and approve the distribution of that part of the estate to which each distributee is entitled without awaiting the appointment of a personal representative.

Signature of Distributee(s) as signed before the Notary Public identified below	

Before me, the undersigned authority, on this day personally appeared: <i>Print name(s) of Distributee(s)</i>	

who being by me duly sworn upon oath states that the foregoing affidavit is true and correct in every respect.

Sworn and subscribed to by the named distributees on: _____
(Date)

(Seal)

Notary Public in and for the State of Texas

NOTE: This page may be reproduced in order to properly notarize all signatures of the distributees.

COUNTY OF GALVESTON §
STATE OF TEXAS §

HEIRSHIP AFFIDAVIT

(To be filled out and signed by two disinterested witnesses. NOTE: A disinterested witness is someone who does not inherit from the decedent.)

Before me, the undersigned authority, on this day personally appeared _____
and _____, who being first by me duly sworn on oath state:

I.

I, _____, reside at _____,
(first disinterested witness)
_____, County, _____. I am personally acquainted
with the family history and facts of heirship of _____, deceased, hereinafter called
“Decedent” who was my _____. I knew the Decedent for _____ years.

I, _____, reside at _____,
(second disinterested witness)
_____, County, _____. I am personally acquainted
with the family history and facts of heirship of _____, deceased, hereinafter called
“Decedent” who was my _____. I knew the Decedent for _____ years.

II.

(Choose one of the following)

Decedent was married to _____ on _____,
(Surviving Spouse) *(Date)*
and remained married until decedent’s death and was never divorced.

OR

Decedent was never married.

OR

Decedent was not married at the time of death but was married to _____ on
_____, and was widowed/ divorced on _____.

III.

Decedent died on _____, in _____, County, State of _____, without leaving a Will.

IV.

(Choose one of the following)

1. Decedent had no children

OR

1. Decedent had the following children by birth or adoption: (List all children living or deceased)

Name	Address	Age or date of Death	Alive or Deceased

Decedent never adopted any children nor cared for any children in the home other than the above named children.

Is the surviving spouse the biological or adoptive parent of all children listed above? ____ Yes ____ No

2. If any child of Decedent is deceased, list all children of the deceased child or children.

First Deceased child: _____

Children of first deceased child

Name	Address	Age or date of Death	Alive or Deceased

Second Deceased child: _____

Children of second deceased child

Name	Address	Age or date of Death	Alive or Deceased

3. *(If decedent was not survived by children or grandchildren, then complete.)* Decedent had the following parents.

Name	Address	Age or date of Death	Alive or Deceased

4. *(If decedent was not survived by his/her parents or only one parent, then complete.)* Decedent had the following brothers(s) and/or sister(s):

Name	Address	Age or date of Death	Alive or Deceased

5. If any brother(s) or sister(s) has predeceased decedent then complete.

Names of deceased brother/sister: _____

Children of deceased brother/sister

Name	Address	Age or date of Death	Alive or Deceased

The above statements are true and correct.

Executed on _____
(Date)

Signature of first disinterested witness

Signature of second disinterested witness

Subscribed and sworn before me, by _____, first disinterested witness, on _____, to certify which witness my hand and seal of office.
(Date)

(Seal)

Notary Public in and for the State of Texas

Subscribed and sworn before me, by _____, second disinterested witness, on _____, to certify which witness my hand and seal of office.
(Date)

(Seal)

Notary Public in and for the State of Texas