

Notice of Confidentiality Rights: if you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

After filing, return to:

MICHAEL A. KOENECKE
ATTORNEY AND COUNSELOR
P.O. BOX 830190
RICHARDSON, TEXAS 75083-0190

AFFIDAVIT OF FACTS CONCERNING THE IDENTITY OF HEIRS
RE: [NAME]

STATE OF TEXAS §
 §
COUNTY OF [COUNTY OF DEATH] §

Before me, the undersigned authority, on this day personally appeared [APPLICANT], who first being by me duly sworn, upon his oath deposes and says:

“1. My name is [APPLICANT], and I live at [ADDRESS], [CITY, STATE, ZIP]. I am personally familiar with the family and marital history of [NAME] (“Decedent”), and I have personal knowledge of the facts stated in this affidavit.

“2. I knew Decedent from [DATE₁] until [DATE₂]. Decedent died on [DATE OF DEATH]. Decedent’s place of death was [CITY, COUNTY] County, Texas. At the time of Decedent’s death, Decedent’s residence was [ADDRESS].

“3. Decedent’s marital history was as follows: Decedent married [SPOUSE], and stayed married to HIM/HER until her death on [DATE OF DEATH]. Decedent had no other marriages.

“4. Decedent had the following children:

<i>Child</i>	<i>Birth Date</i>
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“5. Decedent did not have or adopt any other children and did not take any other children into decedent’s home or raise any other children.

“6. Decedent died without leaving a written will.

“7. There has been no completed, pending, or contemplated administration of decedent's estate

“8. To the best of my knowledge, decedent owned an interest in the following real property:

[LEGAL DESCRIPTION]

“9. [HEIR] is the sole heir of Decedent.

“10. All debts of the Estate have been paid, including expenses of last illness and funeral. I am unaware of any claims or allegations made or threatened by any third party contrary to the claims contained in this Affidavit. There are no unpaid estate or inheritance taxes. Further, the statute of limitations has run on any claims of third parties to the Estate of the Deceased.

“11. This Affidavit may be relied upon by any third party, including, but not limited to any title companies issuing policies of title insurance with respect to the property and any other party dealing with the Property.

“12. I indemnify and agree to hold harmless any title company from and against any and all liability, loss or damage of any nature, including, but not limited to reasonable attorneys' fees and expenses, sustained or incurred under or pursuant to any policy of title insurance issued by such title company (including, but not limited to, costs in defending any insured) that may arise or result from or in connection with any claim or allegation made by any party (regardless of whether such claim or allegation is true or has any basis in law or fact), now or hereafter asserted, that any of the statements contained in this Affidavit is in any way not true (and regardless of whether the statement is of a factual or legal matter, or both).

“13. I HAVE PERSONAL KNOWLEDGE THAT ALL STATEMENTS CONTAINED IN THIS AFFIDAVIT ARE TRUE. I UNDERSTAND THAT I AM MAKING THIS AFFIDAVIT UNDER PENALTY OF PERJURY AND THAT CIVIL AND CRIMINAL PENAL TIES MAY APPLY IF I MAKE A FALSE AFFIDAVIT.

“14. **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. I am also aware that perjury in the execution of a false**

affidavit is a criminal act pursuant to Section 37.02 of the Texas Penal Code. Finally I am also aware that under Section 32.46 of the Texas Penal Code, a person commits an offense, if with intent to defraud or harm a person, he, by deception, causes another to sign or execute any document affecting property or service of the pecuniary interest of any person, and that an offense under such Section is a felony of the third degree which is punishable by a fine of \$5,000 and confinement in the Texas Department of Corrections for a term of not more than 10 years or less than 2 years.

EXECUTED on this the 30th day of December, 2021.

[APPLICANT], Affiant

SUBSCRIBED AND SWORN TO before me, the undersigned authority, this 30th day of December, 2021.

Notary Public, State of Texas

VERIFICATION OF INDEPENDENT WITNESS

Before me, the undersigned authority, on this day personally appeared [NAME OF INDEPENDENT WITNESS], who after being duly sworn, upon oath deposes and states as follows:

I am the [RELATIONSHIP] of [NAME] (“Decedent”). I have no interest in the Estate of Decedent. The statements in the foregoing Affidavit of Heirship by [APPLICANT] are true and correct. I am not aware of any claims or allegations made, asserted, or threatened by any third party contrary to the statements contained in said Affidavit of Heirship.

THE STATE OF TEXAS §
 §
COUNTY OF DALLAS §

SUBSCRIBED AND SWORN TO before me, the undersigned authority, this 30th day of December, 2021.

Notary Public, State of Texas

VERIFICATION OF INDEPENDENT WITNESS

Before me, the undersigned authority, on this day personally appeared [NAME OF INDEPENDENT WITNESS], who after being duly sworn, upon oath deposes and states as follows:

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THE STATE OF TEXAS §
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COUNTY OF DALLAS §

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