Affidavit of Heirs

Title 58 O.S. §§ 393, 394

I/We being of lawful age having been duly sworn upon oath aver and state:

1. died on being a resident of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

2. The fair market value of property located in Oklahoma owned by and subject to disposition by (check one) [ ] will or [ ]intestate succession at the time of the decedent's death, less liens and encumbrances, does not exceed Fifty Thousand Dollars ($50,000.00);

3. No application or petition for the appointment of a personal representative is pending, nor has been granted in any jurisdiction;

4. I/We, the undersigning claimant/s are entitled to payment or delivery of the property in the respective percentage or amount pursuant to the (check one) [ ] attached will (highlight the provisions) or [ ] by intestate:

**Name, Address and Relationship to Deceased** **Amount or Percent**

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5. All taxes and debts of the estate have been paid or otherwise provided for or are barred by limitations;

6. Upon payment or transfer of property by (bank), the undersigned heir(s) understand(s) and agree(s) s/he will be answerable and accountable, hold harmless and indemnify (bank) with regard to any claims by a personal representative of the estate or by any other person having a superior right.

**That I/we understand the penalty for knowingly submitting and signing a false affidavit could be a fine of up to $3,000, imprisonment for up to six months, or both, and restitution of the amount fraudulently obtained.**

Further affiant(s) sayeth not.

 SIGNATURE DATE

 

STATE OF )

 ) ss:

COUNTY OF )

Before me, a Notary Public in and for the said County and State, on this day of \_\_\_\_\_\_\_ , 20\_\_\_, known to be the identical person(s) who executed the within and forgoing affidavit, and acknowledged to me that he/she/they executed the same as his/her/their free and voluntary act(s) for the uses and purposes set forth herein.

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** NOTARY PUBLIC

My Commission Expires:

(SEAL)

**[Note: If all heirs cannot be present to sign the affidavit at the same time, add additional notary section for each heir for execution before a notary and have the heirs coordinate mailing to those not present with instructions to return the executed form when all have signed. Alternatively, multiple original affidavits containing identical statements may be executed** **separately by each heir. In either case, no disbursement will be made until all heirs have signed and returned the affidavit(s) to the bank.]**