

CHICAGO TITLE INSURANCE COMPANY
COMPLETION GUIDELINES FOR AFFIDAVIT OF HEIRSHIP

The following constitute the elements of a proper affidavit or table of heirship of a deceased owner of real estate for title insurance purposes.

1. An affidavit in form which is signed and sworn to by a person in a position to know the facts, such as a close relative or close acquaintance. The affidavit must be notarized and the affiant's address should appear on the instrument.
2. Where the affiant claims to be the sole heir, then a corroborative affidavit by a disinterested person should be provided.
3. The affidavit should contain the following facts:
 - a) The date of death.
 - b) A recital that the decedent was the owner of the land.
 - c) The value of the decedent's estate for Federal Estate Tax purposes.
 - d) Whether the decedent died testate or intestate.
 - e) The number of times the decedent was married, the name of each spouse, and whether the marriage ended by death or dissolution.
 - f) The number of children born of each marriage, the name of each child, and his or her age and marital status.
 - g) A positive statement that only the children listed was born of each marriage.
 - h) A positive statement that the only children listed was born of the deceased.
 - i) Whether any child of the decedent has died, if so, the date of death and all of the information necessary to determine whether there may be per stirpes distribution.

NOTE: If a child or spouse died after the deceased owner, that heir's share will pass through the heir's estate. Therefore, the heir's estate will have to be examined separately to determine the devolution of that share. If the heir's estate is not probated, a separate table should be provided.
 - j) Whether the decedent did or did not adopt any children.
 - k) If the decedent left no descendants or spouse, the affidavit must affirmatively so state before listing ancestors or collaterals.