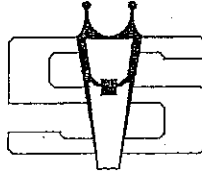


### AFFIDAVIT OF HEIRSHIP

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 were born of each marriage.
    - h. A positive statement that only the children listed were 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 of heirship 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.



*Sancity of Contract*

**Stewart Title Company of Illinois**  
**AFFIDAVIT OF HEIRSHIP**

STATE OF ILLINOIS            )  
  ) ss  
COUNTY OF                    )

ESTATE OF \_\_\_\_\_, Deceased.

And now on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_, after being first duly sworn under oath, testifies and deposes as follows, to wit:

1. My name is \_\_\_\_\_, I am over the age of twenty-one (21) years of age and, to my understanding, am otherwise competent to give testimony.

2. I reside at \_\_\_\_\_.

3. I \_\_\_\_\_ (*state relationship to deceased*) and knew him/her in his/her lifetime.

4. \_\_\_\_\_, owner of the property commonly known as \_\_\_\_\_, (see legal description attached) died on \_\_\_\_\_ in the City of \_\_\_\_\_, County of \_\_\_\_\_, State of Illinois.

5. The decedent was married one ( ) time(s), to \_\_\_\_\_.

6. \_\_\_\_\_ ( ) children were born to the decedent and \_\_\_\_\_, as follows, and are assumed to be of majority age, unless otherwise noted:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

7. No persons were adopted by the decedent.

8. The parents of the decedent were \_\_\_\_\_

\_\_\_\_\_, both said parents are now deceased.

9. a) Pursuant to the Last Will and Testament of \_\_\_\_\_, the decedent  
herein, left his/her entire estate, both real and personal, to

b) The decedent died intestate.

10. That the total value of the estate of the deceased, including both real and personal property owned by the deceased either individually or in joint tenancy at the time of the death of the deceased, does not exceed the sum of \_\_\_\_\_ dollars.

11. The foregoing is based upon my own personal knowledge and belief, is true, and if called upon as a witness I would competently and consistently testify thereto.

FURTHER AFFIANT SAYETH NOT.

\_\_\_\_\_  
*AFFIANT*

SUBSCRIBED AND SWORN TO  
BEFORE ME THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_ 20\_\_.

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