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How to Complete Your North Carolina Affidavit of Heirship

Affidavit of Heirship (North Carolina)

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR DOCUMENT.

About this form. An affidavit of heirship is a sworn statement of a deceased person's family history identifying the legal heirs. Title companies and institutions use it, often with a probate or small estate procedure.

1. **Who signs**
   Someone who knew the decedent and the family well, preferably a person who is not an heir. Title companies often want two such affiants.
2. **Complete every item (Pages 1–2)**
   Give full names, dates, and addresses. Write "None" where an item does not apply.
3. **Swear before a notary (Page 3)**
   Sign under oath before the notary with a current, government-issued photo ID.

After It's Signed

- Record the original with the Register of Deeds of the county where the property is located. if it relates to real estate.
- In North Carolina, heirs' title to inherited real estate can be affected by the estate's debts for two years after death (G.S. 28A-17-12), so title companies often require an estate proceeding or other proof. Ask a closing attorney what is required.

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North Carolina-Commissioned Notaries

SCAN TO BOOK

Questions about this document? Talk to an attorney. Gavrilov & Brooks Law Firm has attorneys licensed in multiple states. Phone and video consultations are available, wherever you are. **(916) 504-0529** · **www.gavrilovlaw.com**

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YOUR FORM BEGINS ON THE NEXT PAGE

AFFIDAVIT OF HEIRSHIP

(North Carolina)

Name of affiant | Address

The affiant, being first duly sworn, states:

1. I knew the decedent named below and am personally familiar with the decedent's family history.

Name of decedent | Date of death | Known for (years)

2. Marital history (each spouse, and how and when each marriage ended):

3. Children, including adopted children (name, date of birth, address; for any deceased child, date of death and that child's descendants):

Affiant's initials: _____

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4. If no descendants: parents, brothers and sisters, and descendants of deceased brothers and sisters:

5. Will and probate:

- [ ] The decedent left no will, and no probate case has been opened.
- [ ] Other (describe will or probate case):

Describe

6. The decedent’s heirs under North Carolina law, and their shares, are:

7. Real property owned by the decedent (county and legal description), if any:

8. I am not entitled to any part of the decedent’s estate, except as stated here:

Interest of affiant, or "None"

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Date

X

Affiant

Printed name

JURAT

STATE OF NORTH CAROLINA)
)
COUNTY OF)

Subscribed and sworn to before me on

(date)

by (name of affiant)

X

Notary Public

(Notary seal)

Notary's printed name

Notary Public, County of commission

My commission expires

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