

ESTATE OF	§	PROBATE COURT
ROBERT MALLORY,	§	NUMBER ONE OF
DECEASED	§	TARRANT COUNTY, TEXAS

ORDER ADMITTING WILL TO PROBATE AS A
MUNIMENT OF TITLE

On this date came on to be heard the Application for Probate of Will as a Muniment of Title filed by JAMES MALLORY in the Estate of ROBERT MALLORY, Deceased (“Decedent”).

The Court, having heard the evidence and having reviewed the Will and other documents filed herein, finds as follows:

1. The Application complies with the Texas Estates Code;
2. Notice and citation have been given in the manner and for the length of time required by law;
3. Decedent died in Tarrant County, Texas, on October 26, 2012, at the age of forty-nine (49) years;
4. Four (4) years have elapsed since the date of Decedent's death; the Applicant is not in default for failing to present the Will for probate during the four-year period immediately following the testator's death;
5. This Court has jurisdiction and venue over the estate because Decedent was domiciled in Texas and had a fixed place of residence in Tarrant County, Texas at the time of death;
6. Decedent left a written Will dated April 22, 2017, (“the Will”) executed with the formalities and solemnities and under the circumstances required by law to make it a valid will; on the date of execution of the Will the Decedent had attained the age of eighteen (18) years and was of sound mind; the Will was not revoked by Decedent;
7. No objection to or contest of the probate of the Will has been filed;
8. All of the necessary proof required for the probate of the Will has been made;
9. The Will is entitled to probate;
10. Neither the state, a governmental agency of the state, nor a charitable organization is named by said Will as a devisee;
11. The Decedent neither applied for nor received Medicaid Benefits after March 1, 2005;

12. There are no unpaid debts owed by the Decedent's estate, excluding debts secured by liens on real estate;
13. An administration of the estate is unnecessary;
14. The Will should be admitted to probate as a Muniment of Title; and
15. The compliance affidavit required under Section 257.103 of the Texas Estates Code should be waived.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Decedent's Will dated May 25, 1977 is admitted to probate as a Muniment of Title only. The Clerk of this Court is ordered to record the Will, together with the application for probate and the testimony given in these proceedings, in the Judge's Probate Docket of this Court. This order shall constitute sufficient legal authority to all persons owing any money, having custody of any property, or acting as registrar or transfer agent of any evidence of interest, indebtedness, property, or right belonging to the Decedent's estate and to persons purchasing from or otherwise dealing with the estate, for payment or transfer to the persons described in this Will as entitled to receive a particular asset without administration, and further, the persons entitled to property under this Will shall be entitled to deal with the properties to which they are so entitled in the same manner as if the record of title to those properties were vested in their names.

IT IS FURTHER ORDERED that the filing of a compliance affidavit required under Section 257.103 of the Texas Estates Code is hereby WAIVED.

SIGNED _____.

JUDGE PRESIDING

Order Submitted by:

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