

No. _____

ESTATE OF _____,
DECEASED

§
§
§

PROBATE COURT NUMBER ONE
OF
TARRANT COUNTY, TEXAS

Affidavit of Waiver of Notice and Citation
Probate of a Will Not Produced in Court
(Tex. Est. Code § 258.002)

State of Texas
County of _____

BEFORE ME, the undersigned authority, personally appeared _____, who, by me duly sworn, on oath stated:

1. I, _____, am an heir of _____, the "Decedent" in this case.
2. I have been given a copy of the Will of the Decedent dated _____ ("Will") which that has been filed in this case as well as the Application for Probate of a Will Not Produced in Court that that the applicant is seeking to have probated.
3. I have read the application and understand the original of the Will cannot be produced in court for the reasons stated in the application.
4. I understand that the Decedent's property will pass to the Decedent's heirs if the Will is not admitted to probate.
5. I understand that, as one of Decedent's heirs, my right to inherit property may be affected if the Will is probated.
6. Although I understand I have a right to object to the application to probate of a will not produced in court, I do not object to the probate of the Will.
7. I understand that the person who prepared this affidavit (along with the application and the Will) is the applicant's attorney and does not represent me in this matter. I am aware that I may consult my own attorney before I sign this affidavit.
8. I understand that, by signing this affidavit waiving citation and waiving objection, I enter my appearance in this case for all purposes, and I hereby waive the issuance and service of process, enter my appearance in this cause for all purposes and further agree that the case may be considered by the Court without further notice to me.
9. I have signed this affidavit voluntarily, without fraud, duress, or threat by any person.

Signed on _____.

SWORN TO AND SIGNED before me on _____ by _____.

Notary Public, State of _____