

No. _____

ESTATE OF _____
DECEASED

§
§
§

PROBATE COURT NUMBER ONE
OF
TARRANT COUNTY, TEXAS

Affidavit of Waiver of Notice and Citation
Probate of a Will More than Four Years after Decedent's Death
(Tex. Est. Code § 258.051)

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 or beneficiary 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 More than Four Years after the Decedent's Death that that the applicant is seeking to have probated.
3. I understand that the Decedent's property will pass to the Decedent's heirs if the will is not admitted to probate.
4. I understand that, as one of Decedent's heirs, my right to inherit property may be affected if the Will is probated.
5. Although I understand I have a right to object to the probate of a will more than four years after Decedent's death, I do not object to the probate of the will.
6. I understand that the person offering the Will for probate may not be in default for failing to present the Will for probate during the four-year period immediately following the Decedent's death.
7. I understand that the Court will not grant the application to probate the Will in this case unless the applicant offers enough evidence to prove he was not in default for failing to probate the will sooner.
8. I understand that the person who sent me this affidavit (along with a copy of the application and the Will) is the applicant's attorney and that the applicant's attorney does not represent me in this matter. I am aware that before I sign this affidavit waiving citation and waiving objection, I may consult my own attorney to advise me regarding this estate or the affidavit.
9. 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 and further agree that the case may be considered by the Court without further notice to me.
10. I have signed this affidavit voluntarily, without fraud, duress, or threat by any person.

Signed and sworn to on _____.

SIGNED AND SWORN TO under oath before me on _____ by
_____.

Notary Public, State of _____