

NO. - ____ - _____

Estate of

In the _____
(Court Number)

- Probate Court
- County Court/County Court at Law

of:

(Name of County) County,
Texas

(Full Name of Decedent followed by any akas)
Deceased

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Order Approving Small Estate Affidavit and Ordering Property of Minor Heirs Deposited into the Court Registry

On this day, the Court considered the averments contained in the Small Estate Affidavit filed on

_____ by the alleged Distributees of the Estate of
(Print date the Small Estate Affidavit was filed.)

_____, Deceased, ("the Affidavit"),
(Print full name of Decedent followed by any akas.)

and the Court finds the following:

1. This Court has jurisdiction and venue.
2. The Affidavit conforms to the terms of chapter 205 of the Texas Estates Code.
3. Based on the Affidavit, this estate qualifies under the provisions of the Estates Code as a Small Estate.
4. Pursuant to Texas Estates Code § 205.001, the Distributees named in the Affidavit are entitled to receive Decedent's property set forth in the Affidavit in the shares set forth in the Affidavit only to the extent that the assets of the Estate (exclusive of homestead and exempt property) exceed the known liabilities of the Estate (exclusive of liabilities secured by homestead or exempt property).
5. Decedent's below-listed heirs are minors, whose respective shares of Decedent's property should be directly deposited into the registry of the Court, in an interest-bearing account, according to Texas Estates Code Chapter 1355:

Minor heirs' names: <i>(Print full legal names of all minor heirs.)</i>

Nothing in this Order:

1. Affects the disposition of property under a will or other testamentary instrument;
2. Transfers title to any property of the Decedent not listed in the Affidavit;
3. Transfers title to real estate, except to realty that was the homestead of the Decedent and all Distributees on the date of death (as provided in Texas Estates Code § 205.006);
4. Deprives any creditor, whether disclosed or not, of any rights in any real or personal property transferred;
5. Deprives any heir, whether disclosed or not, of any ownership interest in any real or personal property transferred;
6. Establishes the separate or community nature of any property described in the Affidavit;
7. Constitutes a judicial determination of the legal heirs of the Decedent; or
8. Limits the personal liability of the Distributees to any person (including but not limited to undisclosed heirs and any person having a prior right to property of the Estate) for any damage or loss arising from any payment, delivery, transfer or issuance made in reliance on the Affidavit.

It is **ORDERED** by the Court that that the Affidavit in this estate is **APPROVED AS SET OUT ABOVE**.

It is **FURTHER ORDERED** by the Court that any person or entity owing money or property to the estate shall pay that money or property to:

Adult, non-incapacitated heirs' names: <i>(Print full legal names of all adult, non-incapacitated heirs.)</i>

outright, and shall pay money or property belonging to decedent's minor heirs –

Minor heirs' names: <i>(Print full legal names of all minor heirs.)</i>

into the registry of the Court into interest-bearing accounts for the benefit of each minor heir pursuant to Texas Estates Code Chapter 1355. (A W-9 for each minor heir is required to place the funds into an interest-bearing account.)

The Affidavit and this Order will be recorded in the records of the County Clerk, and the Clerk of this Court will issue certified copies of the Affidavit and Order to all persons entitled to them.

Signed _____, 20____.

PRESIDING JUDGE