

## INSTRUCTIONS FOR FILING AFFIDAVIT OF DEATH & HEIRSHIP

Enclosed you will find an Affidavit of Death & Heirship form. This should be completed and signed by an unrelated party, or family member, who does not benefit from the estate (a disinterested party). If a disinterested party is unavailable or is unable to provide the necessary information, an interested party may complete the Affidavit. **All questions must be answered accurately and truthfully. This is a legal document.**

**It is important to use legal names for all parties named on the document. NO NICKNAMES.**

Current addresses should be furnished for all potential beneficiaries of the Estate on the 2<sup>nd</sup> page of the form.

The Affiant's signature must be properly acknowledged before a Notary Public and the Jurat and acknowledgement should be completed by the Notary Public.

If the decedent died with a Last Will & Testament ("LW&T"), ***it must be filed with the Affidavit.*** This requirement is pursuant to Oklahoma state statute **16 O.S. § 67**. This statute also requires that a Death Certificate be attached to a filed Affidavit of Heirship. Therefore, the following **must be** included when you send the Affidavit for filing:

- 1) Affidavit of Heirship – completed and signed
- 2) Copy of Death Certificate
- 3) Copy of LW&T

Send the above-listed items to:

**Okfuskee County Clerk**  
**P. O. Box 108**  
**Okemah, OK 74859**  
Phone #: (918) 623-1724

Recording fees are \$18 for the first page and \$2 for each additional page. Prior to mailing, it is advisable to contact the Okfuskee County Clerk to verify the total fees. Once filed, the Clerk will return the original, file-stamped document to you. As such, **please be sure to include your address at the end of the Affidavit.**

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**After recording**, provide us with a recorded **copy** of the Affidavit, including all items listed above. Once we've verified that the steps are complete and the Affidavit is sufficient to transfer the interest(s), we will do so, and issue Transfer Orders based on the LW&T (if applicable) or Oklahoma intestate succession laws.

Freedom Operating Company, LLC  
Land Department  
2250 East 73rd Street, Suite 500  
Tulsa, OK 74136

If you have any questions, please leave a message at (918) 935-2222 or email [division.order@fopcollc.com](mailto:division.order@fopcollc.com).