

Affidavit of Descent, Affidavit of Heirship KRS 382.120

Filed when a person dies intestate

The document requires:

- Name of the deceased
- Date of the deceased death
- The marital status of the deceased and, if married, the name of the surviving spouse and his or her mailing address.
- The place of residence of the deceased at time of death
- The fact that the deceased died intestate (without a will)
- The names, ages and address, as far as is known, of each heir at law and next of kin who by the ancestor's death inherited such real property and the relationship of each to the deceased and the interest in such real property inherited by each
- Signed by the affiant and signature notarized (KRS 382.130)
- Preparation Statement KRS 382.335(1)
- The clerk shall request a return mail address (KRS 382.240)

Note: OAG 91-165 clarifies Affidavit of Descent: An affidavit of descent must be filed when a grantor conveys property that the grantor has acquired under the laws of descent. An affidavit of descent merely supplies a source of title for the grantor. Since the grantor's deed to the grantee must include a statement of value, there is no need for the affidavit of descent to contain such a statement.