

# Affidavit of Heirship for a Vessel/Boat and/or Outboard Motor (PWD 738)



1. Vessel/Boat: TX: \_\_\_\_\_ Serial/Hull ID#: \_\_\_\_\_  
 Make: \_\_\_\_\_ Year Built: \_\_\_\_\_

Outboard Motor: TX/M# (if known): \_\_\_\_\_ Serial/ID#: \_\_\_\_\_  
 Make: \_\_\_\_\_ Year Built: \_\_\_\_\_

2. THE STATE OF TEXAS, COUNTY OF \_\_\_\_\_  
 I certify that \_\_\_\_\_ the recorded owner of record of the above described boat and/or motor, died on the \_\_\_\_\_ day of \_\_\_\_\_, year \_\_\_\_\_ in the county of \_\_\_\_\_, and the state of \_\_\_\_\_; that the deceased left (check one) **either**  no will **or**  a will; that no application for administration has been filed; that there is no necessity for an administration upon the estate; that the signed heirs herein are the sole and only known heirs at law of the deceased and are, therefore, authorized under the law to sell, transfer and assign the ownership to said boat and/or motor described above; that there are no other known heirs who have prior right to the estate of the deceased.

3. It is the desire of all of the signed heir(s) below that the following heir or heirs execute independently any and all papers in connection with the transfer of ownership for the above described boat and/or outboard motor:  
 Heir(s)  
 Name: \_\_\_\_\_

4. Title to the boat was found in deceased effects?  Yes  No  
 Title to the outboard motor was found in the deceased effects?  Yes  No  
 If yes to either question above, title must be properly assigned and attached to documents.

5. **Heir or Heirs Must Be Listed.** If more than four, please attach supplementary list. All signatures must be notarized.  
**I hereby certify that all statements in this document are true and correct to the best of my knowledge and belief.**

<p style="text-align: center;">Enter Name and Address of Surviving Spouse</p> <p>Name: _____                  Address: _____                  City &amp; State: _____                  Telephone: _____                  Signature: _____</p> <p style="text-align: center;">Subscribed and sworn to me this _____ day of _____, 20____.</p> <p style="text-align: center;">Signature of Notary: _____                  _____ County, State of Texas.</p> <p style="text-align: center; color: gray;">Notary Stamp/Seal</p>	<p style="text-align: center;">Enter Name and Address of Heir</p> <p>Name: _____                  Address: _____                  City &amp; State: _____                  Telephone: _____                  Signature: _____</p> <p style="text-align: center;">Subscribed and sworn to me this _____ day of _____, 20____.</p> <p style="text-align: center;">Signature of Notary: _____                  _____ County, State of Texas.</p> <p style="text-align: center; color: gray;">Notary Stamp/Seal</p>
<p style="text-align: center;">Enter Name and Address of Heir</p> <p>Name: _____                  Address: _____                  City &amp; State: _____                  Telephone: _____                  Signature: _____</p> <p style="text-align: center;">Subscribed and sworn to me this _____ day of _____, 20____.</p> <p style="text-align: center;">Signature of Notary: _____                  _____ County, State of Texas.</p> <p style="text-align: center; color: gray;">Notary Stamp/Seal</p>	<p style="text-align: center;">Enter Name and Address of Heir</p> <p>Name: _____                  Address: _____                  City &amp; State: _____                  Telephone: _____                  Signature: _____</p> <p style="text-align: center;">Subscribed and sworn to me this _____ day of _____, 20____.</p> <p style="text-align: center;">Signature of Notary: _____                  _____ County, State of Texas.</p> <p style="text-align: center; color: gray;">Notary Stamp/Seal</p>

**Warning-** Falsifying information on documents is a punishable offense- Texas Penal Code Chapter 37, Section 37.10. Any person who knowingly makes a false entry in or false alteration of a governmental record is guilty of a felony of the third degree, punishable by confinement in jail for any term of not more than 10 years or less than 2 years and punishable by a fine not to exceed \$10,000.

Texas Parks and Wildlife Department maintains the information collected through this form. With few exceptions, you are entitled to be informed about the information we collect. Under Sections 552.021 and 552.023 of the Texas Government Code, you are also entitled to receive and review the information. Under Section 559.004, you are also entitled to have this information corrected.

## Instructions for Affidavit of Heirship for a Vessel/Boat and/or Outboard Motor (PWD 738)

If the estate has been probated, the executor or administrator shall provide a certified copy of the probate proceedings or Letters Testamentary or Letters of Administration. Otherwise, the heirs may use this form to confirm their ownership interest.

1. Complete the vessel/boat and/or outboard motor description.
2. Complete the deceased owner information and indicate whether the deceased left no will or a will for which no application for administration has been filed or is necessary.
3. List the name of the heir who will be signing documents to transfer ownership.
4. Indicate whether the title was found in effects of the deceased. If the title was found it must be properly assigned and attached.
5. HEIRS OF ESTATE – The heir or heirs should be listed and their signatures notarized. The following represents some of the more typical situations and the resulting legal heir or heirs:
  - There is a surviving spouse and there are no surviving children that were born outside the marriage of the deceased and the surviving spouse (example: no step-children):
    - *Requires the signature of surviving spouse only.*
  - There is a surviving spouse and there are surviving children that were born from the marriage of the deceased and the surviving spouse:
    - *Requires the signature of the surviving spouse only.*
  - There is a surviving spouse and there are surviving children of the deceased born outside the marriage of the surviving spouse and the deceased (example: children from a previous marriage):
    - *Requires the signatures of the surviving spouse AND the surviving children.*
  - There is no surviving spouse but there are surviving children:
    - *Requires the signatures of all surviving children.*
  - There is no surviving spouse or child but there are surviving parents:
    - *Requires the signatures of all surviving parents.*
  - There is no surviving spouse, child or parent but there are surviving siblings:
    - *Requires the signatures of all surviving siblings.*

**Note: The foregoing is for information purposes only and does not cover all possible scenarios.** If legal advice is required in any matter, the heir(s) should make arrangements for legal advice.