

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1226

Page 2, line 1, after "2." insert "A person claiming to be a successor to the decedent's interest in unencumbered real property shall file the affidavit with the county recorder of the county the unencumbered real property of the decedent which is subject to the affidavit is located. The affidavit must be signed by all persons claiming to be successors or by legal parties legally acting on those person's behalf, and is prima facie evidence of the facts stated in the affidavit. The affidavit must include a certified or authenticated copy of the decedent's death certificate attached to the affidavit. In addition to the requirements under subsection 1, an affidavit for the collection of unencumbered real property must state:

- a. The claiming successor has made an investigation and has been unable to determine any subsequent will;
- b. Another person does not have a right to the interest of the decedent in the described unencumbered real property;
- c. The claiming successor's relationship to the decedent and the value of the entire estate of the decedent; and
- d. The person claiming to be a successor under the affidavit swears or affirms all statements in the affidavit are true and material and further acknowledges any false statement may subject the person to penalties under section 12.1-11-02.

3."

Re-number accordingly