

TEXAS INTESTACY CHART

(REAL PROPERTY ONLY)

Intestate succession laws determine who inherits property of a deceased person that did not leave a will. Several fact patterns and the corresponding Texas statutes are described below for reference purposes to establish heirs at law of a decedent.



TRINITY TITLE
OF TEXAS

Married person with children* and death prior to September 1, 1993:

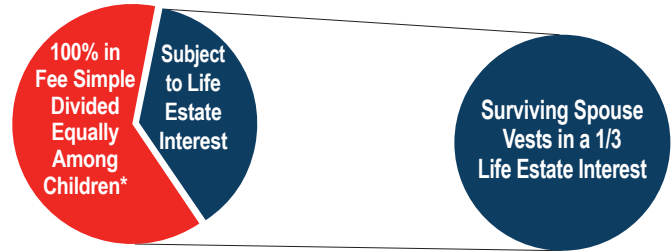
COMMUNITY PROPERTY

Tex. Probate Code §45



SEPARATE PROPERTY

Tex. Probate Code §38(b)(1)



Married person with children* that are all from current marriage and death after September 1, 1993:

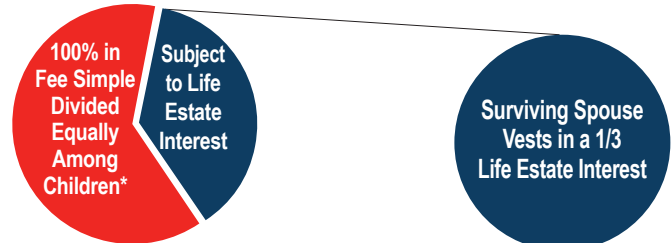
COMMUNITY PROPERTY

Tex. Estates Code §201.003(b)(2)



SEPARATE PROPERTY

Tex. Estates Code §201.002(b)



Married person with children* outside of current marriage and death after September 1, 1993:

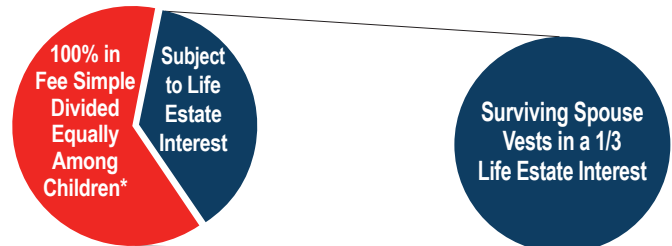
COMMUNITY PROPERTY

Tex. Estates Code §201.003(c)



SEPARATE PROPERTY

Tex. Estates Code §201.002(b)



***Note: Descendants of a predeceased person that would otherwise be an heir take their parent's share.**

TEXAS INTESTACY CHART

(REAL PROPERTY ONLY) CONTINUED



TRINITY TITLE
OF TEXAS

Married person with no children*:

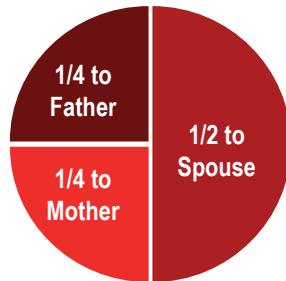
COMMUNITY PROPERTY

Tex. Estates Code §201.003(b)(1)



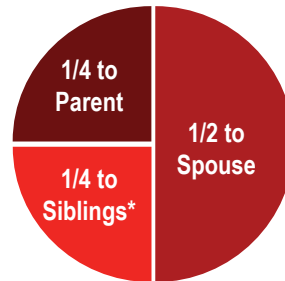
SEPARATE PROPERTY

Survived by Both Parents
Tex. Estates Code §201.001(c) & §201.002(c)(2)&(3)



Survived by One Parent/Siblings*

Tex. Estates Code §201.001(d) & §201.002(c)(2)&(3)



No Surviving Children*, Parents or Siblings*

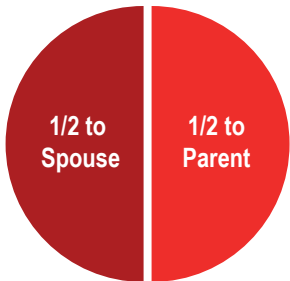
Tex. Estates Code §201.002(d)



SEPARATE PROPERTY – CONTINUED

Survived by One Parent/ No Siblings*

Tex. Estates Code §201.001(c) & §201.002(c)(2)&(3)



Survived by Siblings* Only

Tex. Estates Code §201.001(e) & §201.002(c)(2)&(3)



A single or widowed person:

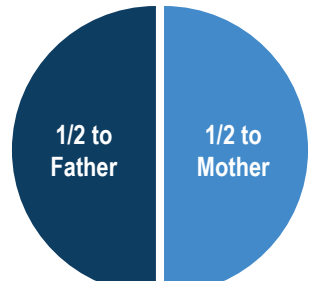
Survived by Children*

Tex. Estates Code §201.001(b)



No Children*, Survived by Both Parents

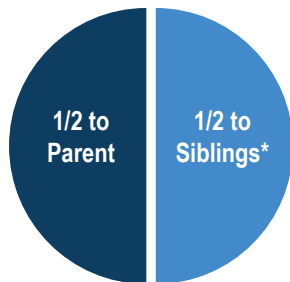
Tex. Estates Code §201.001(c)



A single or widowed person: Continued

No Children*, Survived by One Parent/Siblings*

Tex. Estates Code §201.001(d)(1)



No Children/Siblings*, Survived by One Parent

Tex. Estates Code §201.001(d)(2)



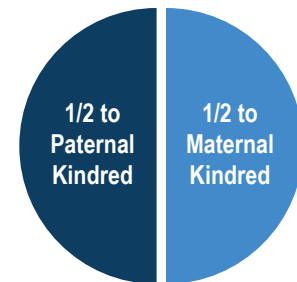
No Children*/Parents, Survived by Siblings* Only

Tex. Estates Code §201.001(e)



No Surviving Children*, Parents or Siblings*

Tex. Estates Code §201.001(f)



*Note: Descendants of a predeceased person that would otherwise be an heir take their parent's share.