

How to fill out Decedent Affidavit — Affidavit for Transfer of Decedent's Vehicle/Motorboat

sellmycarhub.com

Nebraska · written against Decedent Affidavit (Rev 09/2024), issued under Neb. Rev. Stat. s. 30-24,125, collection of personal property by affidavit; filed with the county treasurer where the successor resides

/forms/nebraska/affidavit-for-transfer-of-decedents-vehicle/

Nebraska's route around probate for a car in a dead relative's name, and the statute is printed under the form's own title: s. 30-24,125. A claiming successor swears five numbered things - that the value of all personal property in the decedent's estate, wherever located, less liens and encumbrances, does not exceed one hundred thousand dollars (real estate not counted); that thirty days have elapsed since death with the death certificate or abstract of death attached; the relationship, or the basis of the claim where there is none; that no other person has a right to the decedent's interest; and that the claimant is entitled to the title. Two conditions ride below the oath: no application or petition for the appointment of a personal representative is pending or has been granted, or ten years have elapsed since the estate closed. The successor's signature is notarised - the DMV's page says so in terms - and the title issues in the successor's name only. It cannot issue to a purchaser, however ready the purchaser is.

This sheet is not the form. Download the blank Decedent Affidavit from the Nebraska Department of Motor Vehicles, Driver and Vehicle Records Division at <https://dmv.nebraska.gov/sites/dmv.nebraska.gov/files/doc/dvr/forms/affdecendent.pdf> — always take the current revision from the agency rather than a copy. Print this and keep it beside you while you complete theirs.

Every line, in the order you meet it

1	YOU	Gather before you write: death certificate, title, day count	The death certificate or abstract of death must attach; the Nebraska title attaches if available; thirty days must have passed since the death. Watch out: If the title cannot be found, call the DMV before filing so a record search confirms a Nebraska title exists - and add the odometer statement to the packet for a motor vehicle.
2	YOU	Venue and claimant lines	The county where you will swear it, then each claiming successor's name and full address. Watch out: Two successors can claim together on one affidavit, and both then appear on the new title - decide the ownership answer before the notary, not at the counter.
3	YOU	Name the decedent, and your relationship	The deceased owner's name in the claiming sentence, then the relationship line - or the basis of the claim where no relationship exists. Watch out: Write the relationship as the death certificate and your own documents would support it. This is the line a county compares against the surname that does not match.
4	YOU	Tick the condition that is true	No personal-representative petition pending or granted, or the estate closed more than ten years ago. Watch out: If neither box is honestly tickable, the affidavit route is closed and the estate needs the courthouse - a court-appointed representative then assigns the title with their letter of appointment attached.
5	YOU	Describe the vehicle	Title number if known, the VIN, year, make and model. Watch out: The registration certificate in the decedent's papers carries the title number and VIN both - worth finding before the notary visit.
6	YOU	Swear it, stamp it, file it where you live	Sign before a Notary Public or designated County Official, then file with the county treasurer where the successor resides, attachments and all. Watch out: The title that issues names you. Selling the car is then a second transfer with its own Seller's section, odometer certification and Form 6 - plan the timeline as two transactions, because Nebraska will not compress them into one.

What gets this one rejected

- Skipping straight to the buyer. The instruction is unambiguous - the title must be issued in the name of the successor(s); it cannot be issued in the name of the purchaser - so the sale is a second, ordinary transfer after this one completes.
- Filing before day thirty. The statute and the form both require that thirty days have elapsed since death, and the county counts from the death certificate attached to the affidavit.
- Swearing it while a probate petition is pending. The affidavit route exists only where no personal representative has been sought or appointed - a pending petition, even one the family plans to withdraw, makes the box untickable.
- Leaving the Nebraska title off without telling anyone. The certificate must be attached if available; if it cannot be found, the DMV must be contacted first to search for the record, and an Odometer Disclosure Statement joins the packet for a motor vehicle.
- Treating an unreleased lien as the estate's problem to ignore. The form's first instruction warns that any unreleased lien on the title will transfer to the new title - the successor takes the car with the debt still noted on it.

☒ Amber is what you write

☐ Grey is a block somebody else completes

The completed example follows overleaf.

NEBRASKA

DEPARTMENT OF MOTOR VEHICLES

AFFIDAVIT FOR TRANSFER OF DECEDENT'S VEHICLE/MOTORBOAT

Neb. Rev. Stat. §30-24,125

1. Nebraska Certificate of Title must be attached, if available.
 - Any unreleased lien on the title will transfer to the new title.
2. Death Certificate or Abstract of Death must be attached.

AFFIDAVIT

State of Nebraska)

County of Madison) ss.

I, Ramona L. Svoboda

(Claimant Name)

1912 Cottonwood Ave

Norfolk

NE

68701

(Address)

(City)

(State)

(Zip)

and

(Claimant Name)

(Address)

(City)

(State)

(Zip)

claim the vehicle/motorboat of Lavern A. Svoboda deceased, and swear as follows: (Decedent's Name)

1. value of all personal property in decedent's estate, wherever located, less liens and encumbrances, does not exceed one hundred thousand dollars (\$100,000) – this does not include real estate;
2. thirty (30) days have elapsed since death and a certified/authenticated copy of Death Certificate or Abstract of Death is attached;
3. I am related to the decedent as his or her Daughter, or if there (Relationship) is no relationship, the basis of my claim is: _____.
4. no other person has a right to the interest of decedent in the vehicle/motorboat; and
5. I am entitled to the title for the vehicle/motorboat.

☒ No application/petition for the appointment of a personal representative is pending or has been granted.

☐ Ten years have elapsed since the estate has closed.

VEHICLE/MOTORBOAT INFORMATION

Title # 2190356408

VIN/HIN 1Y3FPB8D7GL730914

Year 2016 Make Ford

Model Escape SE

I, or we, the person or persons claiming as successors under this affidavit, hereby swear or affirm under penalty of perjury under Neb. Rev. Stat. §28-915, that the preceding is true and material.

(Claimant's signature)

(Claimant's signature)

Subscribed and sworn to before me this _____ day of _____, _____.

(Notary Public or designated County Official)

Seal