

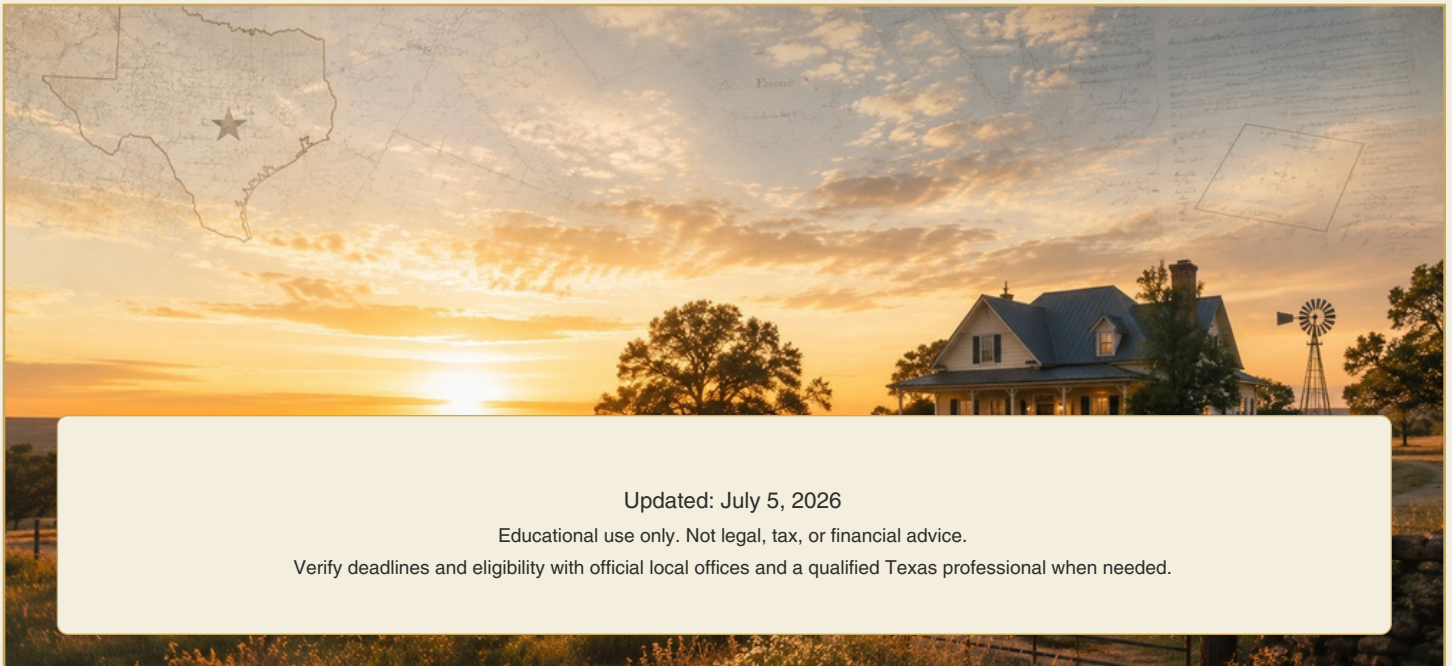


Texas Homestead Law

Helping Texans Understand Homestead Rights, Land, and Legacy.

Heirs & Family Land Question List

Questions to work through before selling, leasing, dividing,
or signing documents involving inherited or family land.



Updated: July 5, 2026

Educational use only. Not legal, tax, or financial advice.

Verify deadlines and eligibility with official local offices and a qualified Texas professional when needed.

Pause Before Signing

Family land can involve title, probate, taxes, exemptions, occupancy, leases, easements, mineral rights, and relationships.

This question list is designed to help families slow down and organize facts before making decisions.

Family land snapshot

County

Property address / location

Appraisal district account/property ID

Legal description

Current occupants

Known owners or heirs

Who has copies of deeds, wills, probate filings, or affidavits?

Ownership and Title Questions

- ☐ Whose name is currently on the deed or appraisal record?

- ☐ Did the land pass by will, transfer on death deed, lady bird deed, trust, intestacy, or another document?

- ☐ Has any probate, muniment of title, heirship proceeding, affidavit of heirship, or court order been completed?

- ☐ Are all heirs known, living, and reachable?

- ☐ Has anyone sold, deeded, leased, mortgaged, or promised an interest in the property?

- ☐ Are there unpaid taxes, tax suits, judgments, mortgages, contractor liens, Medicaid estate recovery questions, or other claims?

- ☐ Are mineral, water, access, or easement rights separated from surface ownership?

- ☐ Do family members agree on whether to keep, sell, partition, lease, or improve the land?

Homestead and Tax Questions

- ☐ Does someone currently use the property as their principal residence?

- ☐ Is a residence homestead exemption active on the property? For which owner and tax year?

- ☐ Is this an heir property exemption situation, and what documents does the appraisal district require?

- ☐ Are age 65 or older, disabled person, disabled veteran, or surviving spouse exemptions involved?

- ☐ Are property taxes current? If not, who is responsible for addressing them?

- ☐ Is the property receiving agricultural, open-space, timber, wildlife, or other special appraisal?

- ☐ Would selling, dividing, changing use, or failing to file paperwork affect taxes or trigger rollback issues?

Before Selling, Leasing, or Signing

☐ Do I understand exactly what I am signing: deed, contract, option, lease, easement, right of entry, power of attorney, settlement, or release?

☐ Does the document cover the whole property or only part of it?

☐ How long does the agreement last, and how can it be ended?

☐ Does it affect access roads, water, fences, gates, hunting, grazing, crops, minerals, solar, transmission, pipelines, data centers, or reservoirs?

☐ Who pays taxes, insurance, maintenance, legal fees, closing costs, surveys, and title costs?

☐ Will the agreement bind heirs or future owners?

☐ Has a Texas real-estate/probate/title attorney reviewed the document before anyone signs?

☐ Has every owner or required signer been identified?

Family meeting notes / action items
