

CIRCUIT COURT OF CLAY COUNTY, MISSOURI
PROBATE DIVISION

Estate No. _____

IN THE ESTATE OF _____, Deceased.

AFFIDAVIT TO ESTABLISH TITLE OF DISTRIBUTE TO
PROPERTY IN ESTATE HAVING LESS THAN \$40,000.00

The undersigned, *(a person designated as personal representative under the will of the decedent presented for probate within the limitation periods specified in Section 473.050, RSMo.) * (a distributee entitled to receive property of the decedent), being first duly sworn, states:

Decedent's date of birth was _____, and died on _____.

Decedent resided at _____.

*(Decedent left a will that was presented for probate within the limitation periods specified Section 473.050, RSMo. which was duly admitted, to Probate by this Court on _____.)

*(No Will has been presented for Probate.)

All unpaid debts, claims or demands against the decedent or the decedent's estate and all estate taxes due, if any, on the property transfers involved, have been or will be paid, except that any liability by the affiant for the payment of unpaid claims shall be limited to the value of the property received.

Attached hereto as Appendix A is an itemized description and valuation of all of the property of said decedent, together with the names and addresses of the persons having possession of the same (including registrars or transfer agents of all corporate shares and bonds.)

Attached hereto as Appendix B are the names, addresses and relationship to the decedent of the persons entitled to and who will receive the property, and who are entitled at the present time to take a defeasible interest in said property, and the facts establishing their right to the real and personal property described in Appendix A attached hereto.

The value of the entire estate, less debits, liens and, encumbrances, does not exceed the amount of forty thousand dollars (if decedent's date of death is less than one year prior to filing the Affidavit and decedent's debts are used to reduce the value of decedent's assets to forty thousand dollars, petitioner must attach to the Affidavit a list of creditors along with the amount owed to each creditor).

Thirty days have elapsed since the death of the decedent and no application for letters testamentary or for administration or for refusal of letters under Section 473.090 RSMo, is pending or has been granted.

(A bond in the amount of \$ _____, with corporate surety has been filed with and approved by the Court.)

AFFIANT: _____
(Signature)

ADDRESS: _____

TELEPHONE: _____

Subscribed and sworn to before me on _____.

Notary commission expires

Notary Public

Division Clerk

The undersigned distributees hereby waive bond.

Subscribed and sworn to before me on _____.

Notary commission expires

Notary Public

Division Clerk

ATTORNEY FOR AFFIANT: _____

BAR #: _____

ADDRESS: _____

ZIP: _____

TELEPHONE: _____

APPENDIX A

<u>REAL PROPERTY</u> (Give legal description and street address)	<u>VALUE</u> (Less liens and encumbrances)	<u>PERSONS HAVING POSSESSION</u> (Give name and address)
	\$	
	\$	

<u>PERSONAL PROPERTY</u>	<u>VALUE</u> (Less liens and encumbrances)	<u>PERSONS HAVING POSSESSION</u> (Give name and address)
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	

APPENDIX B

NAME	RELATIONSHIP	BIRTH DATE	ADDRESS
Heirs or Legatee's. Include Spouse, Children, (Court will need to know if there is/is not a surviving spouse or minor children) Parents, Lineal Descendants, Guardians/Conservators, Trustees	(Thru whom)	(If under 18)	Complete
IF PREDECEASED, PLEASE INDICATE			

DISTRIBUTEES

NAME	RELATIONSHIP	COMPLETE ADDRESS

The facts establishing the foregoing named persons' right to decedent's real and personal property as prescribed by Section 473.097 RSMo are as follows:
