**IN THE PROBATE COURT OF \_\_\_\_\_\_\_\_\_\_ COUNTY**

**STATE OF GEORGIA**

|  |  |  |
| --- | --- | --- |
| **IN RE THE ESTATE OF\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,DECEDENT** | **ESTATE No.** |  |

|  |
| --- |
| **PETITION FOR ORDER DECLARING NO ADMINISTRATION NECESSARY** |

This Petition is filed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ("Petitioner"). My address is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. My mailing address is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

The name of the decedent is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Immediately prior to the Decedent's death, the Decedent's primary residence was at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The Decedent died without a valid Last Will and Testament ("intestate") on \_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_. The Decedent owned property in the State of Georgia.

To the best of my knowledge, no other proceedings with respect to this estate have been commenced, are pending or have been completed in any other Probate Court in the State of Georgia.

The following are the Decedent's living heirs:

| **Name of Heir** | **Address** | **Relationship** | **Age** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

The following are the Decedent's deceased heirs:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name** | **Relationship** | **Date of Death** | **Personal Representative Name** | **Personal Representative Address** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

The following is the personal property (not real estate) the Decedent owned in the State of Georgia:

|  |
| --- |
| **Description of Property** |
|  |
|  |
|  |
|  |
|  |

The following is the real property (real estate) the Decedent owned in the State of Georgia:

|  |
| --- |
| **Description of Property** |
|  |
|  |
|  |
|  |
|  |

The estate of the Decedent: (Check one)

[ ]   Owes no debts.

[ ]   Owes no debts, other than to such creditor(s) as have consented in writing to the petition, as shown on the consent below.

[ ]   Owes no debts, other than an outstanding security deed held by the following who must be properly served in this matter unless such holder has consented in writing below to the petition.

|  |  |
| --- | --- |
| **Name of secured creditor** | **Complete address of secured creditor** |
| **\_\_\_\_\_\_\_\_\_\_** | **\_\_\_\_\_\_\_\_\_\_** |
| **\_\_\_\_\_\_\_\_\_\_** | **\_\_\_\_\_\_\_\_\_\_** |
| **\_\_\_\_\_\_\_\_\_\_** | **\_\_\_\_\_\_\_\_\_\_** |

[ ]  Owes no debts, other than those listed immediately below who have not consented in writing and must be served as provided by law.

|  |  |
| --- | --- |
| **Name of unsecured creditor** | **Complete address of unsecured creditor** |
|  |  |
|  |  |
|  |  |
|  |  |

As reflected in the attached schedules bearing the original signatures of all heirs and creditors and verified by a notary public or clerk of the probate court of Georgia, all the heirs and creditors of the Decedent have agreed as to the allocation of property from the Decedent’s estate.

THEREFORE, the Petitioner asks that this Court issue and serve any notice required by law and grant an order that no administration is necessary in the estate of the Decedent.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF GEORGIA THAT THE FOREGOING IS TRUE AND CORRECT.

PETITIONER'S SIGNATURE

|  |
| --- |
|  |
| Petitioner’s Name: \_\_\_\_\_\_\_\_\_\_ |

Address:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

My telephone number is \_\_\_\_\_\_\_\_\_\_.

STATE OF GEORGIA

COUNTY OF \_\_\_\_\_\_\_\_\_\_

On \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ before me, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, personally appeared \_\_\_\_\_\_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name is subscribed to the within Affidavit, of sufficient age and competence, and acknowledged to me that he/she executed the same in his/her authorized capacity, and who, being first duly sworn on oath according to law, states that the facts set forth in the foregoing Petition for Order Declaring No Administration Necessary (and the attached Exhibit(s)) are true and correct.

I certify under PENALTY OF PERJURY under the laws of the State of Georgia that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

|  |  |  |
| --- | --- | --- |
|  |   My commission expires: |  |
| Signature of Notary Public OR Clerk of Probate Court |  |  |

**IN THE PROBATE COURT OF \_\_\_\_\_\_\_\_\_\_ COUNTY**

**STATE OF GEORGIA**

|  |  |  |
| --- | --- | --- |
| **IN RE THE ESTATE OF\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,DECEDENT** | **ESTATE No.** |  |

**AGREEMENT AND**

**ACKNOWLEDGEMENT OF SERVICE AND CONSENT**

We, being all of the heirs and creditors of the Decedent, hereby agree to the following allocation of the assets of Decedent’s estate which would otherwise be determined in accordance with the rules of inheritance when a Decedent dies without a will.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Description of personal property (NOT real estate)** | **Party receiving this interest** | **Complete address of this party** | **Age** | **Extent of the interest in this property to this party** |
|  |  |  |  | **%** |
|  |  |  |  | **%** |
|  |  |  |  | **%** |
|  |  |  |  | **%** |
|  |  |  |  | **%** |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Description of real property (land and buildings** | **Party receiving this interest** | **Complete address of this party** | **Age** | **Extent of the interest in this property to this party** |
|  |  |  |  | **%** |
|  |  |  |  | **%** |
|  |  |  |  | **%** |
|  |  |  |  | **%** |
|  |  |  |  | **%** |

Each of the undersigned heirs or creditors (including any security deed holder) hereby acknowledges due and legal service of the foregoing Petition, waives copies of same and all further service and notice in this matter, and consents to this agreement the terms of which shall be included in the Final Order Declaring that No Administration is Necessary. For each individual named put the appropriate letter to show the relationship to the Decedent - Heir (H), or Creditor (C).

|  |  |  |  |
| --- | --- | --- | --- |
| **Name of party** | **Relationship to Decedent** | **Signature of party** | **Verification** |
|  |  |  | Sworn and subscribed to this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Notary/Clerk of Probate CourtMy commission expires\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |  | Sworn and subscribed to this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Notary/Clerk of Probate CourtMy commission expires\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |  | Sworn and subscribed to this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Notary/Clerk of Probate CourtMy commission expires\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |  | Sworn and subscribed to this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Notary/Clerk of Probate CourtMy commission expires\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |  | Sworn and subscribed to this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Notary/Clerk of Probate CourtMy commission expires\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |