Affidavit to Establish Title of Distributee to Property in Estate of Less than $40,000 – Small Estate – Testate

IN THE _____ JUDICIAL CIRCUIT, _____ COUNTY, MISSOURI

Probate Division **Case Number: _____**

In the Matter of _____, Deceased.

(Date File Stamp)

The undersigned, a person designated as personal representative under the last will and testament of the above-named Decedent presented for probate within the limitation periods specified in section 473.050, RSMo, being first duly sworn, states:

Decedent, resided in _____ County and died on _____ (date).

All unpaid debts, claims or demands against Decedent or 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 of Affiant for the payment of unpaid claims shall be limited to the value of the property received.

Attached hereto as Exhibit A is an itemized description and valuation of all Decedent's property, together with the names and addresses of the persons having possession of the same (including registrars or transfer agent of all corporate shares and bonds).

Attached hereto as Exhibit B are the names, addresses, and relationships to Decedent of the persons entitled to and who will receive the specific items of property remaining after payment of claims and debts of Decedent. Included in the affidavit are the facts establishing their rights to such specific items of property described in Exhibit A attached hereto.

The value of the entire estate, less liens and encumbrances, is $_____. This amount does not exceed $40,000 (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 $40,000, Affiant must attach to Exhibit A a list of creditors along with the amount owed to each creditor).

Thirty days have elapsed since Decedent's death, 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.

BOND – Select the first one that applies.

- ☐ A bond in the amount of $_____ with corporate surety has been filed.
- ☐ The bond is waived pursuant to the will.
- ☐ Bond is waived for good cause shown.

WILL – Select the one that applies.

Decedent left a last will and testament:

☐ that was duly admitted to/presented for probate within the limitation periods specified in section 473.050, RSMo, in Cause Number _____; or

☐ for which a Petition to Admit Will was filed contemporaneously with this affidavit.

The undersigned swears that the matters set forth in the foregoing affidavit are true and correct according to the undersigned's best knowledge and belief, subject to penalty for making a false affidavit or declaration.

Subscribed and sworn to me on the _____ day of _____, 20____ by:

_____
Affiant's Name

_____
Notary Public Signature

_____ _____
Signature of Affiant Signature of Attorney

_____ _____

_____ _____

_____ _____

_____ _____
(Name/Address/Telephone/Email) (Name/Bar Number/Address/Telephone/Email)