

IN THE PROBATE COURT OF _____ COUNTY, ALABAMA

THE ESTATE OF _____
Deceased

}
}
}

CASE NO. _____

PETITION FOR FINAL SETTLEMENT BY CONSENT

TO THE JUDGE OF SAID COURT, THE HONORABLE [_____]:

Comes your petitioner, _____, and respectfully shows unto Your Honor the following facts:

1. _____, died on or about _____, and was a resident of _____ County, Alabama, at the time of his/her death.

2. By letters testamentary granted on _____, your petitioner was appointed as personal representative of the estate of the decedent. Notice of said appointment has been given as required by law.

3. More than six months have elapsed since said appointment. All debts of the decedent and all legal charges against the estate have been paid in full. Notice was provided pursuant to Ala. Code § 43-2-61.

4. The following is a true, correct and complete list of names, ages, conditions, relationships and addresses of the beneficiaries of the decedent's estate [decedent's heirs and next of kin if intestate]; namely,

<u>NAME, AGE, CONDITION, RELATIONSHIP</u>	<u>ADDRESS</u>
_____, over 19, of sound mind, and relationship is _____.	Address: _____ _____
_____, over 19, of sound mind, and relationship is _____.	Address: _____ _____
_____, over 19, of sound mind, and relationship is _____.	Address: _____ _____

5. [If testate] Item ___ of the decedent's Will gives, devises and bequeaths _____. Your petitioner has duly delivered _____ described in Item ___ of the decedent's Will to _____. A separate Consent to Settlement is filed contemporaneously herewith on behalf of _____. [Continue with paragraph for each separate bequest, legacy, devise and residuary devisees].

6. Each of the devisees and legatees [intestate heirs and next-of-kin] is over the age of majority and competent to act, and each has executed a separate verified Consent to Settlement that is filed contemporaneously with this petition.

7. [If intestate or if bond required of PR] The surety's waiver of notice is filed contemporaneously herewith.

WHEREFORE, your petitioner prays that this petition and the contemporaneously filed Consent(s) to Settlement be taken and accepted as, for an in lieu of a formal account or report of final settlement, that this court will approve this consent settlement without notice or publication or posting, as provided for in Ala. Code § 43-2-506, and that your petitioner be henceforth discharged as personal representative of said estate and from all other and further liability for or on account of the administration of said Will and said estate.

[PETITIONER], as personal representative of the
Estate of _____, deceased

_____, _____
Firm name, address and telephone number

Attorney for Petitioner

STATE OF ALABAMA)
 :
_____ COUNTY)

Before me, _____, a Notary Public for said County in said State, personally appeared _____, who, being first duly sworn, makes oath that he/she has read the foregoing Petition and knows the contents thereof and is informed and believes, and upon such information and belief avers, that the facts alleged therein are true and correct.

[PETITIONER]

Sworn to and subscribed before me this the ____ day of _____, 20 ____.

[SEAL]

NOTARY PUBLIC
My Commission Expires: