

**CIRCUIT COURT OF    COUNTY, MISSOURI**  
**PROBATE DIVISION**

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

In the Estate of:

Estate No. \_\_\_\_\_

\_\_\_\_\_

The undersigned, (check one)

a person designated 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 that:

\_\_\_\_\_, (Date of Birth: \_\_\_\_\_) whose domicile and last residence address was \_\_\_\_\_  
Deceased \_\_\_\_\_,

\_\_\_\_\_ in the County of \_\_\_\_\_, State of Missouri

died on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_; that 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 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 I 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 the decedent's assets for forty thousand dollars, petitioner must attach to the Affidavit a list of creditors along with the amount owned 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.

Publication of Notice to Creditors is required on estates with assets \$15,000 to \$40,000.00.

Newspaper for Publication \_\_\_\_\_

That decedent has left no will.

That decedent left a will dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**SURETY BOND**

A bond in the amount of \$ \_\_\_\_\_, with corporate surety has been filed with and approved by the court.

Waiver of bond signed by all distributees is attached by separate motion.

**Subscribed and sworn before me on:**

\_\_\_\_\_

\_\_\_\_\_ **Affiant (Printed Name)**

\_\_\_\_\_ **Notary Public**

\_\_\_\_\_ **Affiant Signature**

**My commission expires:**

\_\_\_\_\_ **Street Address**

\_\_\_\_\_

\_\_\_\_\_ **City, State, Zip**

\_\_\_\_\_ **Division Clerk**

\_\_\_\_\_ **Date**

\_\_\_\_\_ **Telephone**

**ATTORNEY FOR AFFIANT** \_\_\_\_\_

**BAR#** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**CITY, STATE, ZIP** \_\_\_\_\_

**TELEPHONE** \_\_\_\_\_

IN THE CIRCUIT COURT OF

COUNTY, MISSOURI

PROBATE DIVISION

In the Estate of:

Estate No. \_\_\_\_\_

\_\_\_\_\_

MOTION TO WAIVE BOND

We, the undersigned entitled to administer the estate of \_\_\_\_\_, deceased, consent to \_\_\_\_\_ serving as the affiant in filing the Affidavit to Establish Title of Distributee To Property in Estate Having Less Than \$40,000.00 and hereby move that the Court dispense with filing of a bond by \_\_\_\_\_.

<u>SIGNATURE</u>	<u>RELATIONSHIP TO DECEASED</u>	<u>COMPLETE ADDRESS</u>

**APPENDIX A**

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

<b><u>PERSONAL PROPERTY</u></b> (Include account numbers when applicable)	<b><u>VALUE</u></b> (Less liens and encumbrances)	<b><u>PERSONS HAVING POSSESSION</u></b> (Give name and address)
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	

**APPENDIX B**

NAME	RELATIONSHIP	BIRTH DATE	COMPLETE ADDRESS
<b>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,                      Trustess.                      IF PREDECEASED,                      PLEASE INDICATE</b>	<b>(Thru whom)</b>	<b>(If under 18)</b>	

**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:

**APPENDIX C**

If decedent's date of death is less than one year at the time of filing this affidavit, list all known creditors.

<b>CREDITOR</b>	<b>ADDRESS</b>	<b>AMOUNT OWED</b>
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$