

PROBATE, SUMMARY DISTRIBUTION & INTESTACY IN ALABAMA



MARTINSON & BEASON, PC

■ ATTORNEYS AT LAW ■

Douglas C. Martinson, II
Martinson & Beason, P.C.
115 North Side Square
Huntsville, Alabama 35801
256.533.1667
dougii@martinsonandbeason.com

DOUGLAS C. MARTINSON, II

Douglas C. Martinson, II, born in Tuscaloosa, Alabama, on November 4, 1963, was admitted to the Alabama Bar Association in 1989; the Washington, D.C. Bar in 1991; the U.S. District Court in 1991; the U.S. Tax Court in 1991; and is admitted to practice before the 11th Circuit Court of Appeals. Preparatory education was at the University of Alabama where he received a B.S. Degree in Corporate Finance and Investment Management in 1986. His legal education was at Washington and Lee University School of Law in Lexington, Virginia where he received a Juris Doctor in 1989. He was graduated from Boston University School of Law with an LL.M in Taxation in June of 1990.

On August 27, 2002, he was elected to a four year term on the Huntsville City School Board of Education, he was re-elected on August 22, 2006 for another four year term, receiving 72% of the vote. He was elected President of the School Board from 2005, through 2010. He is Town Attorney for the Town of Triana and he has served on the Executive Committee and as Secretary of the Madison County Bar Association.

In 2007-08, he served as President of the Rotary Club of Huntsville. He serves as a Mentor in the Rotary STRIVE where he meets weekly with a student in the bottom third academic ranking of their class at an economically disadvantage high school. He has also served on the Board of the Madison County Red Cross and the Boys and Girls Club of Huntsville/Madison County.

He has served as the Huntsville Chairman for the University of Alabama Commerce Executive Society and served as President of the Financial and Estate Planning Council of Huntsville. He also served as Vice-Chairman of the Huntsville Public Library Foundation.

He served as Chairman of the Board of the First United Methodist Church's Day Care, the Susanna Wesley Early Education Ministry (SWEEM). He also taught Sunday School and was a Methodist Youth Fellowship Counselor. He has been a faculty member for a National Business Institute Seminary for attorneys, accountants and bankers on "Basic Drafting of Wills and Trusts in Alabama" and has spoken on Estate Planning at Federal Employees Retirement Seminars for the Office of Personnel Management (OPM), Dean Witter, Madison County Baptists Association and the Alabama Cooperative Extension Service for farmers and various churches.

He was appointed by the Madison County Probate Judge as the County Conservator. He has also served as the Administrative Hearing Officer for the Madison and Cullman County Sales Tax Offices and the City of Madison Police Department. He was appointed as an Assistant Attorney General by Attorney General Bill Pryor to represent ALDOT in eminent domain condemnation cases.

He enjoys refereeing ice hockey and is a certified NCAA referee. In addition, he enjoys snow skiing, tennis, reading and watching his children's sporting events.

His law practice concentrates on estate planning, probate, corporate, municipal law, appellate practice, business litigation and contracts.



I. Probating A Self-Proving Will

a. Very Brief Explanation of what a Self-Proving Will is versus Non-Self Proving

i. Ala. Code §43-8-132

1. Any will may be simultaneously executed, attested, and made self-proved, by acknowledgment thereof by the testator and affidavits of the witnesses, each made before an officer authorized to administer oaths under the laws of the state where execution occurs and evidenced by the officer's certificate, under official seal, in substantially the following form:

a. TESTATOR: "I, _____, the testator, sign my name to this instrument this _____ day of _____, 19____, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my last will and that I sign it willingly (or willingly direct another to sign for me), that I execute it as my free and voluntary act for the purposes therein expressed, and that I am 18 years of age or older, of sound mind, and under no constraint or undue influence."

b. TWO WITNESSES: "We, _____, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the testator signs and executes this instrument as his last will and that he signs it willingly (or willingly directs another to sign for him), and that each of us, in the presence and hearing of the testator, hereby signs this will as witness to the testator's signing, and that to the best of our knowledge the testator is 18 years of age or older, of sound mind, and under no constraint or undue influence." (See Ala. Code §43-8-134 for who may witness a will).

ii. If the will is self-proved, as provided in this section, compliance with signature requirements for execution is conclusively presumed, other requirements of execution are presumed subject to rebuttal without the testimony of any witness, and the will shall be probated without further proof, unless there is proof of fraud or forgery affecting the acknowledgment or affidavit. Ala. Code §43-8-132(c)

b. Hypo: Widow/widower walks into your office and says, "My husband/wife died and I am not sure what to do now."



- i. What do YOU (the Attorney) do?
 1. Refer her/him out to another attorney; or
 2. Ask her/him about how the property is owned (i.e. any separate property out there or was it all owned jointly) and if she has a copy the will and (hopefully) a death certificate?
 - a. NOTE: If client does not have possession of will but will is believed to be held hostage by Cousin Larry; See Ala Code §43-8-270 to turn over the Last Will & Testament.
 - b. If no separate property: does your client really need to probate the will?
 - i. Life insurance policies with named beneficiaries
 - ii. He owned a truck just in his name—(consider using Alabama DMV forms)
 - iii. Value of the Estate? See Ala. Code §43-2-692
 1. Value of the Estate does not exceed \$25,000 (For 2014: \$27,583.00 Note: Actual number not contained in statute but statute does account for adjustment by linking figure to changes in Consumer Price Index (CPI))
 2. Decedent died a resident of Alabama
 3. At least 30 days have elapsed since the notice of filing of petition was published
 4. NOTE: only works for personal property (i.e. if real property in estate must petition for probate/administration)
 - c. She has the will and it looks like the deceased spouse held some separate property: NOW WHAT?
 - i. Brief explanation re: Need to Probate
 1. Imagine any property owned solely by the decedent spouse has now been locked away in a treasure chest.



2. You need to find the Key; in other words you need to get petition the Probate Court to issue you the key (a.k.a. Letters Testamentary) to open that treasure chest so your client can access those assets and distribute according to the decedent's Last Will & Testament
- ii. Can you probate the will?
 1. Upon the death of a testator, any executor, devisee, or legatee named in the will, or any person interested in the estate, or who has custody of such will may have the will proved before the proper probate court. Ala. Code §43-8-160.
 2. What was the date of death (fingers crossed it was not MORE than five years ago) See Ala. Code §43-8-161;
 3. 12-month rule for Bona Fide Purchaser (BFP) as to real property. See Ala. Code § 43-8-172
 - iii. Determine the value of the estate: Estate Tax is triggered (Form 706) over \$5.34 million
 - iv. Determine whether the will appointed a living, breathing personal representative, who is not disqualified from serving;
 - v. Does the will expressly waive the filing of an inventory and/or the furnishing of a bond? Ala. Code §43-2-311
 - vi. Ask in which county the decedent resided and died
 1. If decedent is not a resident of Alabama, ask where the decedent passed or where the decedent left property. See Ala Code §43-8-162.
 - vii. Ask client for the names and addresses of all known, living heirs at law/NOK. See generally, Ala. Code §§43-8-164, 165, & 166.
 1. Note: If any of the heirs at law or next of kin are minors or incapacitated you will need to request the appointment of a GAL in your petition for probate and include such language in your Order. See Ala. Code §43-2-504
 2. Out-of-state NOK or estranged family members who cannot be reasonably located may be served notice via publication once a week for three (3) consecutive weeks



3. Karen refuses to sign her Consent Form—you need to file Motion to Serve via Publication for any heirs who not consent and waive notice and ask Court to set hearing

d. Overview/Basics of the Petition to Probate Self-Proving Will

i. Petition

ii. Exempt Property & Allowances

NOTE: spouse is entitled whether she elects to take elective share. See infra; see also, Ala. Code §43-8-74.

1. Homestead Allowances

- a. Ala. Code §43-8-110 provides that “a surviving spouse of a decedent who has domiciled in this state is entitled to a homestead allowance of \$6,000.00.
- b. If no surviving spouse, each minor child and each dependent child of the decedent is entitled to a homestead allowance amount to \$6,000.00 divided by the number of minor and dependent children of the decedent.
- c. NOTE: Homestead allowance is exempt from & has priority over all claims against the estate AND is in addition to any share passing to the surviving spouse or minor or dependent child by decedent’s will unless otherwise provided in the will

2. Exempt Property

- a. Ala. Code §43-8-111 provides that if the decedent was domiciled in this state at the time of death the surviving spouse is entitled to receive, in addition to the homestead allowance, property of a value not to exceed \$3,5000.00 in excess of any security interests therein in household furniture, automobiles, furnishings, appliances and personal effects.
- b. If no surviving spouse, decedent’s children are entitled jointly to the same value.

3. Family Allowance

- a. Ala. Code §43-8-112 states that if the decedent was domiciled in Alabama, the surviving spouse and any minor



children whom the decedent owed a duty of support (and were in fact supported by him/her) are entitled to a reasonable allowance in money out of the estate for their maintenance during the period of administration

b. This allowance may be paid as a lump sum or in periodic installments

4. Marital Abode—Note: surviving spouse may retain possession of marital abode, free from rent, until homestead is assigned. See Ala. Code §43-8-114

iii. Consent Forms

1. Next of Kin—Ala. Code §43-8-164

a. Whenever an application is made to prove a will in this state, at least 10 days' notice must be given to the surviving spouse and next of kin, or either of them, residing and being within the state, before such an application is heard.

b. See Consent Form

2. Minors—Ala. Code §43-8-165

a. Ask Court to appoint a GAL to represent interests of minor child. Notice must be served on GAL.

b. Add language to Petition & Order regarding the appointment of GAL for any minors

3. Notice via Publication—Ala. Code §43-8-166

a. Upon application, any spouse or next of kin residing out-of-state may be delivered notice via publication

b. Publication must run once a week for three successive weeks in a newspaper published in the county where such application is made

iv. Notice to Creditors

1. Six (6) months to bring creditor claim. Ala. Code §43-2-350

2. Creditors must verify their claims. Ala. Code §43-2-352



- v. Inventory (if necessary)
 - 1. Ala. Code §43-2-311 permits the Testator to exempt his executor from filing an inventory
 - 2. If not expressly waived, inventory listing property (enumerating each item separately), all debts or demands due or accruing to the decedent, the time such debts or demands are due, the amount of the same and how evidenced, with credits, if any, and the name of the debt and the amount of money must be listed and filed with court
- vi. Bond (unless expressly waived). Ala. Code §43-2-851—The court must require a personal representative or special administrator to furnish bond payable to the probate judge conditioned upon faithful discharge of all duties. SEE ALSO, Ala. Code §43-2-852 for terms and requirements of bonds.
- vii. Order
- e. Letters Testamentary. Ala. Code §43-2-20, *et seq.*
 - i. The estate must remain open for six (6) months (see Ala. Code 43-2-501) but personal representative may make distribution of the whole or any part the property without obtaining a court order if personal representative is satisfied the estate is solvent. Ala. Code §43-2-640
 - ii. Annual account & settlement. See Ala. Code §43-2-500 and §43-2-338
- f. Closing the Estate
 - i. Settlement Notice. Ala. Code §43-2-505
 - ii. Distribute Estate
 - 1. To inherit, heir must survive testator by five (5) days unless the will contains some language dealing explicitly with simultaneous deaths or deaths in a common disaster, or requiring that the devisee survive the testator for a state period in order to take under the will. Ala. Code. §43-8-220
 - 2. Omitted spouse—Ala. Code §43-8-90—If testator fails to provide for his surviving spouse in the will, the omitted spouse will receive the same share of the estate received had the decedent left no will...UNLESS,



- a. the will makes it clear that the omission was intentional; or
 - b. the testator provided for the spouse by transfer outside of the will and the intent that the transfer be in lieu of a testamentary provision be reasonably proven
 - c. NOTE: divorce voids ex-spouse from receiving anything from estate.
3. Elective Share—Ala. Code §43-8-70
- a. If a married person domiciled in this state dies, the surviving spouse has a right of election to take an elective share of the estate. Elective share shall be lesser of:
 - i. All of the estate of the deceased reduced by the value of the surviving spouse's separate estate; or
 - ii. One-third of the estate of the deceased.
 - b. If married person NOT domiciled in Alabama, law of decedent's resident state shall govern elective share
 - c. Right of election may only be exercised by the surviving spouse during her lifetime. If a guardian, conservator, curator, or custodian has been appointed for surviving spouse MUST obtain court order to exercise election on behalf of surviving spouse. Ala. Code §43-8-71
 - d. Procedure for Making Election—Ala. Code. §43-8-73
 - i. Surviving spouse may file with court and mail or deliver to the personal representative a petition for the elective share within the latter of six (6) months of decedent's date of death, or within six (6) months after the probate of decedent's will
 - ii. Court may extend time for election for good cause shown by the surviving spouse BEFORE the time for election has expired
 - iii. Said petition must provide notice of time and place of court hearing to persons interested in the estate whose interests will be adversely affected by the taking of the elective share



e. How elective share satisfied. See Ala. Code §43-8-75.

4. Pretermitted Child—Ala. Code §43-8-91

a. If a testator fails to provide in his will for any children born or adopted after the execution of his will, the omitted child receives a share in the estate equal in value to that which he would have received if the testator had died intestate...UNLESS

i. It appears from the will that the omission was intentional

ii. When the will was executed the Testator had one or more children and devised substantially all his estate to the other parent of the omitted child; or

iii. Testator provided for his child outside of the will and such intent is reasonably proven

b. If child is not provided for solely because Testator believed child to be dead, that child receives a share equal in value to his intestate share

iii. Petition to Close the Estate Either by Consent & Waiver or Hearing

1. If estate is insolvent = NLT six months but NMT 12 months. Ala. Code §43-2-770

2. If estate is solvent = After six months from grant of Letters Testamentary. Ala. Code §43-2-501

II. Intestacy

a. She does NOT have the Will or there is NO Last Will & Testament

i. Spousal Share—Ala. Code §43-8-41

1. No children or parents = Everything

2. No children but surviving parent(s) = the first \$100k + half of the intestate estate

3. Surviving children that are biological children of surviving spouse = first \$50k + one half



4. Surviving children not bio children of surviving spouse = one half of estate
- ii. If no spouse—Ala. Code §43-8-42
 1. Equal shares among kids, if living;
 2. If no surviving kids, to parent(s) equally
 3. If no kids and no parent(s) to issue of parents (i.e. siblings) by representation
 4. Sure, the grandparents technically COULD inherit
 - iii. Note: Half-bloods are full-bloods. See Ala. Code §43-8-46
 - iv. Children conceived before Decedent’s death but born after death inherit as if they had been born during decedent’s lifetime. Ala. Code §43-8-47
- b. Petition to Administer Estate
- i. Who May Administer the Estate? See Ala. Code §43-2-42
 1. Administration of an intestate’s estate must be granted to one of the persons herein named if the person is willing to accept and satisfactory to serve in the following order:
 - a. The husband or widow
 - b. The next of kin entitled to share in the distribution of the estate
 - c. The largest creditor of the estate residing in this state
 - d. Any other person the probate judge may appoint
 2. County or General Administrator has priority over “any other person the probate judge may appoint if in county having population exceeding 400,000. Ala. Code §43-2-42(b)(4)
 - ii. Contents of Petition. See Attached Petition
 - iii. Required Notices
 1. Personal representative must give notice of the appointment, stating the name of the deceased, the day on which letters were



granted, by what court, stating the county and notifying all persons having claims against the estate to present the same within the time allowed by law or that the same will be barred. Ala. Code §43-2-60 and 61.

2. Must be given ASAP, via first class mail, if creditor's identification is known
3. If not known, by publication once a week for three successive weeks in a newspaper of general circulation published in the county in which the letters were granted, within thirty (30) days of grant of letters

iv. Letters of Administration—No letters of administration will be granted until five (5) days after death of intestate is known. Ala. Code §43-2-45

- c. Closing the Estate—Final Settlement may be made at any time after six months from the grant of letters, if the debts are all paid and the condition of the estate in other respects will admit of it. Ala. Code §43-2-501

III. Keep a watchful eye for Elder Abuse & Exploitation—

- a. Protecting Alabama Elder's Act
- b. New law provides for criminal penalties for financial exploitation of Alabama's elders (age 60 and older)
 - i. Class A misdemeanor for exploitation of money or property totaling \$500 or less
 - ii. Class B felony for exploitation of money or property exceeding \$2,500

IV. Questions?



IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF
«deceased», Deceased

Probate Court Case No.: _____

PETITION FOR PROBATE OF SELF-PROVING WILL

YOUR PETITIONER, «petitionersname», hereinafter referred to as Petitioner, respectfully represents unto your Honor that «deceased», hereinafter referred to as Decedent, who was, at the time of death, an inhabitant of this County, departed this life in Madison County, Alabama, on or about the ____ day of _____, 200__, leaving assets in this State, and leaving a Last Will and Testament duly signed and published by said Decedent and attested by _____, bearing date of _____ (hereinafter Witnesses). All signatures on said Will were notarized by _____, (hereinafter Notary) a duly authorized Notary Public for the State of Alabama at Large, and the Will substantially conforms to Ala.Code § 43-8-132 (1975) et seq., which provides for "self-proving" Wills.

Petitioner is named in said Will as personal representative and does now herewith surrender said Will to the Court, that, after proper proceedings and proofs, it may be probated and admitted to record as the true Last Will and Testament of said Decedent.

Petitioner further represents that the names, relationships and residences of the heirs at law and next of kin of said Decedent are as follows, to-wit:

NAME

RELATIONSHIP

ADDRESS

«heirsandaddresses»

All of the above named heirs at law and next of kin are over nineteen (19) years of age and of sound mind. **<or if one of the heirs are a minor add – JOHN DOE is a minor heir and a guardian ad litem will have to be appointed to represent his interests.>**



Petitioner therefore requests that this Court will take jurisdiction of this Petition and cause all notices or citations to issue to the said next of kin and heirs at law and cause all such proceedings to be had and done, or the same be waived, and render all necessary orders and decrees in the premises as will duly and legally effectuate the probate and recording of said Will in this Court and the appointment of Petitioner as the Personal Representative of the estate.

Your Petitioner requests this Court to publish notice of said appointment and Notice to Creditors in the Madison County Records.

Petitioner: «petitionersname»
Address: «petitionersaddress»

STATE OF ALABAMA)

COUNTY OF MADISON)

The Petitioner being duly sworn, deposes and says that the facts alleged in the above Petition are true and correct, to the best of Petitioner's knowledge and belief.

Petitioner: «petitionersname»

SWORN TO AND SUBSCRIBED BEFORE ME THIS ____ DAY OF _____, 201__.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____



IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF
«deceased», Deceased

Probate Court Case No.: _____

ACCEPTANCE OF SERVICE AND WAIVER OF PUBLICATION

THE UNDERSIGNED, being one of the next of kin or heirs at law of the Decedent, hereby accepts service of a copy of the Petition to Probate the Last Will and Testament of the said Decedent, said Will being dated «dateofwill», attested by «witnesses» and notarized by «notary».

The undersigned hereby further agrees that said Will may be probated without any further or different notice.

Notice by publication is hereby expressly waived.

This the _____ day of _____, 200__.

WITNESS:

«petitionersname»

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN RE: The Matter of the Estate of
«deceased», Deceased

Probate Court Case No.: _____

DECREE FOR SELF-PROVING WILL

THE PETITIONER, «petitionersname», hereinafter referred to as Petitioner, filed a verified Petition showing unto the Court that the Decedent, «deceased», who was, at the time of death, an inhabitant of this County, departed this life in Madison County, Alabama, on «dateofdeath», leaving a Last Will and Testament, duly signed and published on the ___ day of _____, 200__ (hereinafter date of Will), by said Decedent, and attested by «witnesses», who are residents of Madison County, Alabama, and notarized by «notary», a duly authorized Notary Public in and for the State of Alabama at Large, and that Petitioner is named in said Will as personal representative thereof.

The Petitioner surrendered said Will to the Court to be probated and recorded as the true Last Will and Testament of said Decedent.

It appears to the Court, from said Petition, that «heirs» are all of the heirs at law and next of kin of said Decedent, and that they are all over the age of nineteen (19) years and of sound mind.

It further appears to the Court that said Will was executed by the Decedent before two (2) subscribing witnesses on the date of will, at Huntsville, Madison County, Alabama. It also appears to the Court that the Decedent acknowledged before a notary public that said Will was executed under «hisorher» own free will as and for Decedent's Last Will and Testament, and that the two (2) subscribing witnesses subscribed and were sworn and acknowledged before a notary public that they both executed the Will as witnesses to the signature of the «testatorortestatrix».

This Court further finds that the execution of this Will by the Deceased and the two (2) witnesses, all signatures having been notarized by a notary public for the State of Alabama at

Large, substantially conforms to Ala. Code § 43-8-132 (1975) et seq., which provides for "self-proving" Wills.

Now therefore, upon consideration of the Petition, and of the fact that the Will offered as the Last Will and Testament of Decedent, is in substantial conformity with the provisions of Ala. Code § 43-8-132 (1975) et seq., it appears to the Court that the facts alleged herein are true and that said Will was duly and properly executed by said Decedent. It is therefore,

ORDERED, ADJUDGED AND DECREED BY THE COURT that the prayer of said Petition be and the same is hereby granted and the instrument of writing so filed in this Court by the Petitioner herein attested by Witnesses, notarized by said Notary, and dated on the date of Will, which instrument is purported to be the Last Will and Testament of said Decedent, be and the same is hereby duly probated and admitted to record as the true and Last Will and Testament of said Decedent.

It further appearing to the Court from said Will, that said Decedent has named the Petitioner as personal representative, without bond, and the said named person being a suitable person to act in such capacity, and no cause being shown requiring bond, and the Will exempts the Executor from filing an inventory, it is therefore;

ORDERED that Letters Testamentary upon the Will of Decedent, be granted and issued forthwith to said Petitioner, naming Petitioner as the Personal Representative of said estate, which is accordingly done and that a bond and inventory not be required. It is further,

ORDERED by this Court that the said Personal Representative shall have all the powers and duties provided in the Will, and all the general powers, authorized for transactions as enumerated in Ala. Code § 43-2-843 (1975) as amended. It is further,

ORDERED that the said Personal Representative, in addition to the general powers and duties granted, specifically is authorized, with prior Court approval, to act in transactions enumerated in Ala. Code § 43-2-844 (1975) as amended, unless otherwise provided in said Will. It is further

ORDERED by the Court that the aforesaid limitations, if any, be prominently endorsed upon the face of the Letters Testamentary when issued. It is further

ORDERED that said Personal Representative proceed without delay to collect and take into possession, or control, all of the personal property and evidences of the property of the Decedent. It is further,

ORDERED, that, after six (6) months from the appointment of the Personal Representative, said Personal Representative must render an exhibit under oath, showing the amount of all claims presented against the estate, and the names of the claimants, and all other matters necessary to show the condition of its affairs. It is further,

ORDERED that said Petition, Letters and all proceedings herein be recorded.

DONE this _____ day of _____, 201__.

Tommy Ragland,
Judge of Probate

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF

_____, Deceased

Probate Court Case No.: _____

ORDER SETTING HEARING

The Petitioner, _____, having filed a _____ and requesting a hearing on said Petition, and the Court being of the opinion that the same is due to be heard, it is therefore,

ORDERED BY THE COURT, as follows:

1. That the _____ day of _____, 20__, at _____ . M., o'clock be, and the same is hereby, fixed and appointed as the day to hear and determine the same.

2. That notice of such hearing, and the nature of the same and of the day fixed and appointed therefor be given, as required by law, or the same be waived.

DONE this _____ day of _____, 20__.

**TOMMY RAGLAND,
JUDGE OF PROBATE**

MOTION FOR SERVICE BY PUBLICATION

THE PETITIONER, , by and through the attorney of record, requests the Court to issue an Order directing that service, by publication, be made upon , who is one of the heirs at law and next of kin in the above referenced estate, and as grounds for such request represents unto the Court, as follows:

1. There are heirs at law and next of kin in the above referenced estate, who should receive notice of the Petition in this matter;
2. Your Petitioner sent Acceptances of Service and Waivers of Publications to all heirs at law and next of kin, with copies of the Petition attached;
3. of the heirs at law and next of kin have signed their Acceptances of Service and Waivers of Publication, and all have been filed with the Court;
4. is the only heir who has failed to sign his Acceptance of Service and Waiver of Publication, although, on being contacted by your Petitioner, he has acknowledged receipt of his copy of the Petition, and has expressed his intention to sign and return his Acceptance of Service and Waiver of Publication;
5. Your Petitioner feels that further delay in this matter is not in the best interest of the estate nor the heirs at law and next of kin.

THEREFORE, Petitioner requests that the Court will direct that the said be served, by publication, in this matter.

ORDER DIRECTING SERVICE BY PUBLICATION

The Petitioner having requested the Court to issue an Order directing service to be made upon , in the above styled action, by publication, of the Petition to probate the Last Will and Testament of , and it appearing that said request is due to be granted, it is

ORDERED, that service be made by publication as provided by law, in a newspaper published in Madison County, Alabama, of general circulation, once a week for three (3) consecutive weeks.

DONE this _____ day of _____, 200__.

Tommy Ragland,
Probate Judge

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

**IN RE: The Matter of the Estate of
, Deceased**

Probate Court Case No.: _____

**ORDER APPOINTING GUARDIAN AD LITEM AND
SCHEDULING A HEARING**

The Petitioner, ***, having filed a Petition to Probate the Last Will and Testament of ***, Deceased, requests that a Guardian ad Litem be appointed to represent the interest of ***, an alleged incapacitated person, ***, in the above styled action, and the same having been considered by the Court, it is ORDERED that _____, Esq. will serve as Guardian ad Litem for ***, an alleged incapacitated person; and the court schedules a hearing to probate the Last Will and Testament of ***, Deceased on the ____ day of _____, 200__, at ____ O'clock __.M., in the Probate Court of Madison County, Alabama.

Ordered this ____ day of _____, 200__.

**TOMMY RAGLAND
JUDGE OF PROBATE**

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN RE:

The Estate of _____, Deceased

Probate Court Case No.: _____

NOTICE TO CREDITORS

Notice to:

By Jane Jetson, Personal Representative
In Re the Estate of George Jetson, Deceased

LETTERS TESTAMENTARY for the Estate of the above Decedent having been granted to the undersigned on the 2nd day of May, 2013, by Honorable Tommy Ragland, Judge of Probate of Madison County, in the State of Alabama, notice is hereby given that all parties having any claims against the estate must present the same within the time required by law, or the same will be barred.

Personal Representative: _____

Sworn to and subscribed before me on this ____ day of June, 2014.

Notary Public
My Commission Expires: _____

NOTE: If a claim is filed, it should be mailed to:

Clerk, Probate Court of Madison County
Madison County Courthouse
100 North Side Square
Huntsville, Alabama 35801

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN RE: THE MATTER OF THE ESTATE OF
«deceased», Deceased

Probate Court Case No.: «probatecasenumber»

**PETITION FOR FINAL CONSENT SETTLEMENT OF
ESTATE BY PERSONAL REPRESENTATIVE**

YOUR PETITIONER, «petitionersname», as Personal Representative of the above Estate, hereinafter referred to as Petitioner, respectfully submits this as Petitioner's report, and petition for a final consent settlement of the Estate of «deceased», Deceased, hereinafter referred to as Decedent, and discharge of said Petitioner in such capacity.

The Petitioner was appointed Personal Representative of said Estate on «dateofapp», and gave notice as required by law of said appointment. More than six (6) months have expired since said appointment, and all of the debts of said Decedent have been paid and satisfied in full, and the Estate fully administered. Petitioner further represents that, after the exercise of due diligence and upon determined inquiry, the Petitioner was unable to ascertain any known, unpaid, unsecured creditors of said Decedent who should be sent Notices, as required by law, as set out in the Affidavit attached hereto and incorporated herein.

The total value of the Estate was not of sufficient size to require the filing of Form 706 with the Internal Revenue Service.

«beneficiaries» are all of the legatees, distributees, devisees and beneficiaries under the Last Will and Testament of said Decedent.

The Petitioner has paid over to the said legatees, distributees, devisees and beneficiaries under the Last Will and Testament of the Decedent, all of the property in said Estate which is in Petitioner's hands in such capacity, and all of the legatees, distributees, devisees and beneficiaries have consented to the final settlement of this Estate, and to the release of the Personal Representative in such capacity, as shown by the Receipts and Releases; Waivers and Consents to Final Settlement, attached herewith.

WHEREFORE, PREMISES CONSIDERED, your Petitioner requests the Court that this Petition and the accompanying Receipts and Releases; Waivers of Notice and Consents for Final Settlement be taken and accepted by Your Honor, in lieu of a formal report of final settlement,

and that said administration be settled and closed, and that the Personal Representative be discharged from all or further liability for, or on account of, the administration of said Estate.

Petitioner:
«petitionersname»

STATE OF ALABAMA)
COUNTY OF MADISON)

The Petitioner being duly sworn, deposes and says that the facts alleged in the above Petition are true and correct, to the best of Petitioner's knowledge and belief.

Petitioner:
«petitionersname»

Sworn to and subscribed before me on this _____ day of _____, 2010.

Notary Public
My Commission Expires:_____

«attorney»
Attorney for Petitioner
115 North Side Square
Huntsville, Alabama 35801-4822
(256) 533-1667

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF
«deceased», Deceased

Probate Court Case No.: «probatecasenumber»

AFFIDAVIT RE MAILING--NO KNOWN CREDITORS

STATE OF ALABAMA)
COUNTY OF MADISON)

The undersigned, (1) having been duly appointed Personal Representative by the Probate Court of Madison County, on the _____ day of _____, 200__, (2) being the qualified Personal Representative of the above named Estate, (3) being of lawful age and (4) being first duly sworn, on oath, state that, to the best of my knowledge and belief, there are no known, unpaid, unsecured creditors of the above named Decedent and that no one exists who should be mailed a Notice to Creditor.

After the exercise of due diligence, and upon determined inquiry, I am unable to discover the identities of any known, unpaid, unsecured creditors of the above named Decedent.

Personal Representative:
«petitionersname»

Sworn To and Subscribed Before me this ____ day of _____, 2010.

Notary Public
My Commission Expires:

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN RE: THE MATTER OF THE ESTATE OF
«deceased», Deceased

Probate Court Case No.: «probatecasenumber»

RECEIPT AND RELEASE;
WAIVER OF NOTICE AND CONSENT TO FINAL SETTLEMENT

I, the undersigned, legatee, devisee, distributee and beneficiary under the Last Will and Testament of «deceased», Deceased, hereby acknowledge receipt of my distributive share of the assets of the estate of «deceased», Deceased; and I hereby further acknowledge receipt of the notice of the Petition by Personal Representative for final consent settlement, and I hereby waive all further notice thereof, either by publication or otherwise, and hereby enter my appearance in Court upon the hearing of said Petition. I do hereby request that the Personal Representative be discharged by this court and do hereby release said Personal Representative from all other or further liability on account of the administration of said estate.

I represent and warrant that I have no outstanding judgments or any tax liens which attach to the distribution that I am receiving hereunder, and this representation shall survive the distribution from the estate to me. I hereby indemnify and hold harmless the Estate of _____ and the Personal Representative of the Estate, individually and as such fiduciary, for any costs or expenses incurred by a breach of my representation and warranty, including but not limited to attorney's fees and court costs.

«petitionersname»

Sworn to and subscribed before me on this _____ day of _____,
2010.

Notary Public
My Commission Expires:

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN RE: THE MATTER OF THE ESTATE OF
«deceased», Deceased

Probate Court Case No.: «probatecasenumber»

RECEIPT AND RELEASE;
WAIVER OF NOTICE AND CONSENT TO FINAL SETTLEMENT

I, the undersigned, legatee, devisee, distributee and beneficiary under the Last Will and Testament of «deceased», Deceased, hereby acknowledge receipt of my distributive share of the assets of the estate of «deceased», Deceased; and I hereby further acknowledge receipt of the notice of the Petition by Personal Representative for final consent settlement, and I hereby waive all further notice thereof, either by publication or otherwise, and hereby enter my appearance in Court upon the hearing of said Petition. I do hereby request that the Personal Representative be discharged by this court and do hereby release said Personal Representative from all other or further liability on account of the administration of said estate.

I represent and warrant that I have no outstanding judgments or any tax liens which attach to the distribution that I am receiving hereunder, and this representation shall survive the distribution from the estate to me. I hereby indemnify and hold harmless the Estate of _____ and the Personal Representative of the Estate, individually and as such fiduciary, for any costs or expenses incurred by a breach of my representation and warranty, including but not limited to attorney's fees and court costs.

«petitionersname»

Sworn to and subscribed before me on this _____ day of _____,
2010.

Notary Public
My Commission Expires:

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN RE: THE MATTER OF THE ESTATE OF
«deceased», Deceased

Probate Court Case No.: «probatecasenumber»

**DECREE ON FINAL CONSENT SETTLEMENT OF ESTATE
BY PERSONAL REPRESENTATIVE**

THIS CAUSE coming on to be heard upon the sworn Petition of «petitionersname», as Personal Representative of the above Estate, for a final consent settlement of said Estate; and

It appearing to the satisfaction of the Court that «beneficiaries» are all of the legatees, distributees, devisees and beneficiaries under the Last Will and Testament of said Decedent, and they have each filed a Receipt and Release; Waiver of Notice and Consent to Final Settlement, duly executed and acknowledged as required by law, approving and consenting to the entering of this Decree of Final Consent Settlement, waiving notice by publication, citations, posting or otherwise of any hearing on said petition and acknowledging receipt of all claims due from said Estate, either as claimant, heir, legatee, distributee, devisee, beneficiary or otherwise; and

It further appearing to the satisfaction of the Court from said Petition and from the evidence that the total value of the Estate was not of sufficient size to require the filing of Form 706 with the Internal Revenue Service; and

That all claims against said Estate have been paid and satisfied in full; that more than six (6) months have passed since the appointment of said Personal Representative; that, after the exercise of due diligence and upon determined inquiry, Petitioner was unable to ascertain any known, unpaid, unsecured creditors of said Decedent who should be sent Notices, as required by law, as set out in the Affidavit of said Petitioner, attached to said Petition; and that said Estate is in all respects ready for final settlement. It is therefore,

ORDERED, ADJUDGED and DECREED by the Court that the prayer of the Petitioner for Final Consent Settlement of said Estate be, and the same is hereby granted. It is therefore,

ORDERED, ADJUDGED and DECREED by the Court that the above Estate be and the same is fully and finally settled and the Personal Representative of the Estate is hereby fully and finally discharged as such Personal Representative. It is further,

ORDERED that said Petition and all proceedings herein be recorded.

DONE this the _____ day of _____, 2010.

Tommy Ragland
Judge of Probate
Madison County, Alabama

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN RE:

The Estate of George Jetson, Deceased

Probate Court Case No.: _____

PETITION FOR LETTERS OF ADMINISTRATION

COMES NOW the undersigned Petitioner, Jane Jetson, (hereinafter referred to as Petitioner) and respectfully represents unto the Court (1) that George Jetson (Decedent) departed this life, intestate, on March 29, 2012, leaving no Last Will and Testament, so far as your Petitioner knows, or believes; (2) that the death of Decedent was known more than five (5) days before this date; (3) that the said Decedent was, at the time of death, an inhabitant of Madison County, Alabama and over the age of nineteen (19) years; and (4) that said Decedent died seized and possessed of personal property in Madison County, Alabama, consisting chiefly of a 401(k) account worth approximately \$30,000, and probably not more, and an undivided interest in real property with an annual rental value of approximately \$6,000.

Your Petitioner further represents unto the Court that the name, relationship and residence of the sole heir at law and next of kin of the Deceased are as follows:

<u>NAME</u>	<u>RELATIONSHIP</u>	<u>ADDRESS</u>
Elroy Jetson	son	115 North Side Sq. Huntsville, AL 35801

and, that the sole heir at law and next of kin is over the age of nineteen (19) years, of sound mind and a resident citizen of Madison County, Alabama.

Your Petitioner further represents that the total value of the estate of the Decedent is not of sufficient size to require the filing of Form 706 with the Internal Revenue Service.

Your Petitioner, being the adult son and sole next of kin of said Decedent and an inhabitant of Madison County, Alabama, being above the age of nineteen (19) years and in no respect disqualified under the laws of the State of Alabama from serving as Personal Representative, believing that said estate should be immediately administered to the end that the said property may be collected and preserved for those who shall appear to have a legal right or interest therein, does,

therefore, by virtue of the right granted under the laws of the State of Alabama, request the Court to grant Letters of Administration on said estate to the said Petitioner; and

Your Petitioner files herewith a bond, in the sum of \$36,000, as is required by Ala. Code § 43-2-851 (1975), with Petitioner as principal and State Farm as surety thereon, and requests the Court will appoint the said Petitioner as the Personal Representative of said estate with full authority according to law.

Your Petitioner requests this Court to publish notice of said appointment and Notice to Creditors in the Huntsville Times.

Petitioner: Jane Jetson
Address: 115 North Side Square
Huntsville, AL 35801

STATE OF ALABAMA)
COUNTY OF MADISON)

The above Petitioner, Jane Jetson, being first duly sworn, deposes and says that the facts alleged in the foregoing petition are true and correct.

Petitioner: Jane Jetson

Sworn to and subscribed before me this ____ day of October, 2013.

Notary Public
My Commission Expires:

Douglas C. Martinson, II, Esq.
Attorney Code: MAR077
Attorney for Petitioner
Martinson & Beason, P.C.
115 North Side Square
Huntsville, Alabama 35801
(256) 533-1667
dougii@martinsonandbeason.com

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF
George Jetson, Deceased

Probate Court Case No.: _____

ORDER GRANTING LETTERS OF ADMINISTRATION

THE PETITIONER, Jane Jetson, hereinafter referred to as Petitioner, presented to the Court a petition in writing, under oath, praying that the LETTERS OF ADMINISTRATION for the Estate of George Jetson, Deceased, hereinafter referred to as Decedent, issue to said Petitioner, which said petition has been examined by this Court, and is ordered to be filed and recorded; and

It appearing to the Court from the allegations contained in said petition, and from other good and sufficient evidence, (1) that the Decedent departed this life, on or about March 29, 2012, being at the time of death an inhabitant of Madison County, Alabama; (2) that the Decedent died leaving assets in Madison County, Alabama, which assets, including both real and personal property, are estimated to have a value of approximately \$30,000, plus an annual rental value of approximately \$6,000, but leaving no Last Will and Testament, or writing, relating to the disposal or distribution of the Decedent's estate, and (3) that the death of the said Decedent was known more than five (5) days before this day; and

It further appearing to the satisfaction of the Court that the said Petitioner, is the adult son and sole next of kin of the Decedent, is over nineteen (19) years of age, an inhabitant of this State, and a suitable person, under the law and in the estimation of this Court, to serve as Personal Representative, and no person having appeared to oppose the granting of Letters of Administration to the said Petitioner, or show cause why the prayer of said Petitioner should not be granted; and

The Petitioner having filed a bond in the amount of \$«bondamount», which bond complies with the terms and requirements required by Ala. Code § 43-2-851 (1975); with the Petitioner as principal and «suretyagent» as surety thereon; it is therefore

ORDERED, ADJUDGED and DECREED by this Court, as follows:

1. That the Petitioner's bond be taken, approved and recorded;
2. That the Petition for the appointment of the Petitioner as Personal Representative is hereby granted;

3. That Letters of Administration on the estate of said Decedent be granted to, Jane Jetson as Personal Representative;

4. That the Petitioner, as Personal Representative, be and hereby is, authorized to administer said estate;

5. That the said Personal Representative shall have all the general powers, authorized for transactions as enumerated in Ala. Code § 43-2-843 (1975), as amended;

6. That the said Personal Representative, in addition to the general powers and duties granted, specifically is authorized, with prior Court approval, to act in transactions enumerated in Ala. Code § 43-2-844 (1975), as amended;

7. That the aforesaid limitations, if any, be prominently endorsed upon the face of the Letters of Administration when issued.

8. That said Personal Representative proceed without delay to collect and take into possession, or control, all of the goods and chattels, money, books, papers and evidences of the said Decedent's property interests, except the personal property exempted from administration under Ala. Code § 43-8-111 (1975), as amended and make due return, under oath to this Court, of a full and complete inventory thereof within two (2) months, being due on or before the ____ day of _____, 2013.

9. That said Personal Representative make supplemental inventories of the Decedent's estate coming to his or her knowledge or possession after making the first inventory, and also an annual accounting pursuant to Ala. Code § 43-2-500(1975). If the value of the personal property increases since the last inventory, the Personal Representative is ORDERED to increase the bond accordingly;

10. That, after six (6) months from the appointment of the Personal Representative, said Personal Representative must render an exhibit under oath, showing the amount of all claims presented against the estate, and the names of the claimants, and all other matters necessary to show the condition of its affairs.

This ____ day of _____, 2013.

Tommy Ragland
Judge of Probate

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN RE:

The Estate of *****, Deceased

Probate Court Case No.: *****

ACCOUNTING BY PERSONAL REPRESENTATIVE

COMES NOW, , Petitioner, and files this accounting of the Estate of *****,

Deceased:

REAL PROPERTY:

Value

PERSONAL PROPERTY:

DISBURSEMENTS:

Personal Representative:

SWORN TO and SUBSCRIBED before me on this ____ day of _____,
2002.

Notary Public

My Commission Expires: _____

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF
, Deceased

Probate Case No.: «casenumber»

**PETITION BY PERSONAL REPRESENTATIVE
FOR FINAL CONSENT SETTLEMENT**

COMES NOW «petitionersname» (Petitioner), as Personal Representative of the estate of «deceased», Deceased, and files this Petition for Final Consent Settlement of the estate of «deceased», Deceased, (Decedent) pursuant to Ala. Code 1975, Section 43-2-501, et seq., and respectfully represents and shows unto the court, as follows:

1. The Decedent departed this life in Madison County, Alabama, on or about «dateofdeath», and Petitioner was appointed as the Personal Representative of the estate of said Decedent, by this Court on «dateofappointment», and did immediately make bond with «bondagent», as surety thereon.

2. Petitioner gave notice by publication of said appointment, as required by law. More than six (6) months have expired since said appointment.

3. All of the debts of said Decedent have been paid in full and satisfied of record, and the estate has been fully administered. Petitioner has exercised due diligence in the search for unsecured creditors of the Decedent; however, after determined inquiry, Petitioner has been unable to locate any known, unsecured creditors of the above named Decedent, to whom Notices should be mailed, as evidenced by the Affidavit attached hereto and incorporated herein as Exhibit A.

4. Petitioner acknowledges receipt of the assets of said estate.

5. Petitioner has not used any of the assets of said estate for his/her personal use.

6. «heirs» are all of the heirs at law and next of kin of said Decedent. They are all over the age of nineteen (19) years and of sound mind, and they have each waived any further or other notice in this matter and acknowledged receipt of their distributive shares of said estate, as

evidenced by the Receipts and Releases; Waivers and Consents to Final Settlement, attached hereto and incorporated herein.

7. That «bondagent» waived service of the Petition and consented to the final settlement, as evidenced by the Waiver and Consent of Surety attached hereto and incorporated herein.

8. Petitioner has paid over to the above named heirs at law and next of kin of said deceased all of the assets in Petitioner's hands, in such capacity as Personal Representative.

9. Petitioner represents that the total value of the estate of the Decedent was not of sufficient size to require the filing of Form 706 with the Internal Revenue Service.

10. Petitioner therefore requests that this Court will take jurisdiction of this Petition; and cause all such proceedings to be had and done and render all necessary orders and decrees in the premises as will duly settle the administration of said estate, by consent, and fully and finally discharge the Petitioner as Personal Representative and the surety on the bond.

WHEREFORE, the premises considered, Petitioner requests this court will pass and approve the Petition for Final Consent Settlement of said estate, as stated, and as agreed upon by the heirs at law and next of kin and will enter a decree approving said final consent settlement and finally settling the administration of said estate; and will fully discharge petitioner as personal representative and the surety on personal representative's bond.

Petitioner: «petitionersname»

STATE OF ALABAMA)

COUNTY OF MADISON)

The Petitioner, being duly sworn, deposes and says that the facts alleged in the above Petition are true, according to the best of Petitioner's knowledge, information and belief.

Petitioner: «petitionersname»

Sworn to and subscribed before me on this ____ day of _____, 200__.

Notary Public
My Commission Expires:

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF
«deceased», Deceased

Probate Court Case No. «casenumber»

WAIVER AND CONSENT OF SURETY

«bondagent», as surety, hereby accepts service of a copy of the Petition by Personal Representative for Final Consent Settlement in the above estate and hereby waives any and all further notice of same and consents that the hearing be had on said Petition and that «petitionersname» be discharged as Personal Representative.

This the _____ day of _____, 200_____.

«bondagent»

By:_____

Sworn to and subscribed before me on this _____ day of _____, 200_____.

Notary Public
My Commission Expires:

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF

«deceased», Deceased

Probate Court Case No.:

«casenumber»

RECEIPT AND RELEASE;
WAIVER OF NOTICE AND CONSENT TO FINAL SETTLEMENT

I, the undersigned, heir at law and next of kin of «deceased», Deceased, hereby acknowledge receipt of my distributive share of the assets of the estate of «deceased», Deceased; and I hereby further acknowledge receipt of the notice of the Petition by Personal Representative for Final Settlement and waive all further notice thereof, either by publication or otherwise, and hereby enter my appearance in Court upon the hearing of said Petition. I do hereby request that the Personal Representative be discharged by this court and do hereby release said Personal Representative and the surety on said Personal Representative's bond, from all other or further liability on account of the administration of said estate.

I represent and warrant that I have no outstanding judgments or any tax liens which attach to the distribution that I am receiving hereunder, and this representation shall survive the distribution from the estate to me. I hereby indemnify and hold harmless the Estate of _____ and the Personal Representative of the Estate, individually and as such fiduciary, for any costs or expenses incurred by a breach of my representation and warranty, including but not limited to attorney's fees and court costs.

Sworn to and subscribed before me on this _____ day of _____, 200_____.

Notary Public
My Commission Expires:

IN THE PROBATE COURT OF MADISON COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE OF

«deceased», Deceased

Probate Court Case No.:

«casenumber»

DECREE ON FINAL CONSENT SETTLEMENT

THIS CAUSE coming on to be heard upon the sworn Petition of «petitionersname», as Personal Representative of the Estate of «deceased», Deceased, for a final consent settlement of said estate; and

It appearing to the satisfaction of the Court that «heirs» are all of the heirs at law and next of kin of said Decedent; that they are all over the age of nineteen (19) years and of sound mind; that they each signed a Receipt and Release; Waiver and Consent to Final Settlement, heretofore filed with this Court, wherein they each acknowledged receipt of their distributive share of said estate, and waived notice and consented to the final settlement of said estate; and

That «bondagent», as surety on the Personal Representative's bond, waived notice and consented to the final settlement of said estate; and

The total value of the estate was not of sufficient size to require the filing of Form 706 with the IRS; and

It further appearing to the satisfaction of the Court from said Petition, and from the evidence, that all claims against said estate have been paid and satisfied in full; that more than six (6) months have passed since the appointment of said Personal Representative; that said Personal Representative, after exercising due diligence and determined inquiry, was unable to discover any unsecured creditors to whom notice should be sent, as evidenced by the Affidavit filed with the Petition for final consent settlement; that all of the assets of the estate have been paid over to the heirs at law and next of kin of said deceased and that said estate is in all respects ready for final consent settlement; it is therefore,

ORDERED, ADJUDGED and DECREED that the prayer of the Petitioner for final consent settlement of said estate be, and the same hereby is, granted; it is further,

ORDERED, ADJUDGED and DECREED that the estate of said Decedent be, and the same hereby is, fully and finally settled, and the Petitioner is hereby fully and finally discharged as such Personal Representative and as principal on the Personal Representative's bond, and the surety on the bond is hereby relieved from further liability on account of the administration of said estate.

It is further ORDERED that said Petition and all proceedings herein be recorded.

DONE this ____ day of _____, 200____.

Tommy Ragland
Judge of Probate