

## RELEASE OF ASSETS WITHOUT WILL

Call Cathy Kleps at 440-350-2627 with any questions. Please be advised that we are not attorneys and cannot answer any legal questions.

ALL forms must be typed or printed legibly.

These forms are available on our website...

[LAKECOUNTYOHIO.GOV/PROBATELCO](http://LAKECOUNTYOHIO.GOV/PROBATELCO)

### PROCEDURE:

An application to Relieve Estate from Administration and other forms must be filed together. We also require a copy of the death certificate and a copy of the paid funeral bill. We need proof of assets along with values. If there is a Title such as a car that needs to be released, we require a copy of the Title OR registration AND a copy of the value.

If funeral bill was not paid in full, we require a copy of the funeral bill and Waiver of Notice of Application to Relieve Estate from Administration signed by the funeral director of the funeral home. Waivers on the Release are required from the surviving spouse as long as he/she is the natural parent of all of the decedent's children otherwise Waivers on Release are required from the surviving spouse AND the decedent's adult children unless an Instructions for Service form is filed.

Current Auditor's value must be used for real estate and a copy of the value needs to be presented to the court.

Please contact the Court if a Transfer of Real Estate is needed as there are additional documents and fees associated with the Transfer.

### COSTS...

Release without Will & 1entry	\$104.00
Certificate of Transfer	\$ 7.00
each additional enhy	\$ 2.00
OHEstate Tax	\$ 30.00
Form 22B	\$ 5.00
each certified mail	\$ 6.47
Amended OHEstate Tax	\$ 30.00
Amended Form 22B	\$ 5.00

ended: March 1, 2014

**PROBATE COURT OF LAKE COUNTY, OHIO**  
**MARK J. BARTOLOTTA, JUDGE**

ESTATE OF \_\_\_\_\_, DECEASED  
CASE NO. \_\_\_\_\_

**APPLICATION TO RELIEVE ESTATE FROM ADMINISTRATION**  
**[R.C. 2113.03]**

The applicant states that decedent died on \_\_\_\_\_

Decedent's domicile was \_\_\_\_\_  
Street Address

City or Village, or Township if unincorporated area \_\_\_\_\_ County

Post Office \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

[Check one of the following]

- Decedent's will has been admitted to probate in this Court.
- To applicant's knowledge, decedent did not leave a will.

[Check one of the following]

- The assets are \$15,000 or less and decedent died on or after January 1, 1976.
- The assets are \$25,000 or less and decedent dies on or after October 20, 1987.
- The assets are \$35,000 or less and decedent dies on or after November 9, 1994.
- The assets are \$50,000 or less; the surviving spouse is entitled to all of the assets and the decedent died on or after April 16, 1993.
- The assets are \$85,000 or less; the surviving spouse is entitled to all of the assets and the decedent died on or after September 14, 1993.
- The assets are \$100,000 or less, the surviving spouse is entitled to all of the assets and the decedent died on or after March 18, 1999.

Applicant asks that the estate be relieved from administration because the assets do not exceed the statutory limits. A statement of the assets and liabilities of the estate is listed on the attached Form 5.1.

The decedent's surviving spouse, next of kin, legatees, and devisees known to applicant, are listed on the attached Form 1.0.

\_\_\_\_\_  
Attorney for Applicant

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Applicant's Typed or Printed Name

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

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

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Phone Number (include area code)

\_\_\_\_\_  
Phone Number (include area code)

\_\_\_\_\_  
Attorney Registration No.

**WAIVER OF NOTICE**

The undersigned surviving spouse, heirs at law, legatees, devisees, and other persons entitled to notice of the filing of the application to relieve decedent's estate from administration, waive such notice.

_____	_____
_____	_____
_____	_____
_____	_____

**ENTRY SETTING HEARING AND ORDERING NOTICE**

The Court sets \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ .M., as the date and time for hearing the application to relieve decedent's estate from administration.

[Check one of the following]

- All notice is dispensed with as unnecessary.
- Notice by publication to interested parties is dispensed with as unnecessary. Written notice shall be given, as provided by law and the Rules of Civil Procedure, to those persons entitled to notice, who have not waived notice.
- Written notice is dispensed with as unnecessary. Notice by publication shall be given to interested parties as provided by law and the Rules of Civil Procedure.
- Written notice shall be given to those persons entitled to notice, who have not waived notice, and notice by publication shall be given to interested parties, as provided by law and the Rules of Civil Procedure.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Probate Judge















**MARK J. BARTOLOTTA, JUDGE**  
**PROBATE COURT OF LAKE COUNTY, OHIO**

**ESTATE OF \_\_\_\_\_, DECEASED**

**CASE NO. \_\_\_\_\_**

**ENTRY RELIEVING ESTATE FROM ADMINISTRATION**

[R.C. 2113.03]

Upon hearing the application to relieve decedent's estate from administration, the Court finds that:

Decedent died [check one of the following] –  testate –  intestate. The date of death and domicile are as stated in the application, and the Court has jurisdiction over the estate;

Notice to the surviving spouse, heirs at law, legatees, devisees, and other persons was duly effected or dispensed with by the Court as unnecessary;

The values of the several assets in the estate, given in the application do not exceed the statutory limits.

The Court therefore relieves the estate from administration, and orders [check and complete whichever of the following are applicable]:

That the following personal property be sold [describe]:

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

That the following debts of decedent shall be paid to the extent of assets:

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

That the statutory family allowance be paid to the  surviving spouse -  minor children of the decedent -  apportioned between the surviving spouse and minor children of the decedent who are not the children of the surviving spouse. Attach form 7.2A if necessary.

That Certificate of Transfer No. \_\_\_\_\_, attached to the application and describing decedent's real estate, issue and be preserved in the records of the Court and that authenticated copies of the certificate be delivered as required to the persons entitled to them;

That the financial institutions holding accounts in decedent's name as set forth below pay the same upon proper tax release [check one of the following] -  to the commissioner -  to

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

Prepared by  
Attorney's Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone No. \_\_\_\_\_





CASE NO. \_\_\_\_\_

The legal description of decedent's interest in the real property subject to this certificate is: **[use extra sheets, if necessary]**.

Prior Instrument Reference:

Parcel No:

This instrument was prepared by \_\_\_\_\_

**ISSUANCE**

This Certificate of Transfer is issued this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Probate Judge

**AUTHENTICATION**

I certify that this document is a true copy of the original Certificate of Transfer No. \_\_\_\_\_ issued on \_\_\_\_\_ and kept by me as custodian of the official records of this Court.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Probate Judge

By \_\_\_\_\_  
Deputy Clerk