

PROBATE COURT OF CLARK COUNTY, OHIO

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

Case No. \_\_\_\_\_

APPLICATION TO DISTRIBUTE IN KIND

Revised Code, Sec. 2105.06, 2113.53

The fiduciary asks the Court to authorize distribution in kind, according to the attached schedule, of personal property in the estate which is not specifically bequeathed and is available for distribution.

- [Check one of the following] - [ ] Decedent's known debts have been paid or secured to be paid.
[ ] Sufficient assets are in hand to pay decedent's known debts.

[Check whichever of the following paragraphs are applicable]

- [ ] Those beneficiaries or heirs, including distributees hereunder, whose interests may be affected by the distribution and who have not consented to it, are listed in the notice of hearing accompanying this application.
[ ] The distribution is to satisfy part or all of the family allowance of \$40,000 due decedent's [check one of the following] - [ ] surviving spouse - [ ] minor children - and is with the consent of the distributees or their guardians [if this paragraph is checked, the distributees or guardians must sign the consent form].
[ ] The distribution is with the consent of the surviving spouse, and is to satisfy part or all of the specific monetary share due the surviving spouse under the statute of descent and distribution [if this paragraph is checked, the following must be completed and the surviving spouse must sign the consent form]. After distribution to the surviving spouse hereunder, the balance of the specific monetary share remaining unpaid will be as follows:

Specific monetary share due surviving spouse [\$60,000 or \$20,000] .....\$ \_\_\_\_\_

Less: Value of property to be distributed hereunder to surviving spouse .....\$ \_\_\_\_\_

Probate assets already received by surviving spouse in excess of family allowance .....\$ \_\_\_\_\_

Unpaid balance of specific monetary share due surviving spouse after this distribution .....\$ \_\_\_\_\_

\_\_\_\_\_  
Fiduciary

## CONSENT TO DISTRIBUTION IN KIND

The undersigned beneficiaries or heirs, including distributees, whose interests may be affected by the distribution of personal property in kind according to the attached schedule, hereby consent to such distribution.

\_\_\_\_\_  
Surviving Spouse

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

## ENTRY SETTING HEARING AND ORDERING NOTICE

The Court sets \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ .M. as the date and time for hearing the application to distribute personal property in kind, and orders notice of the hearing to be given to those beneficiaries or heirs, including distributees, whose interests may be affected by the distribution and who have not consented thereto.

\_\_\_\_\_  
Date

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

## ENTRY APPROVING DISTRIBUTION IN KIND

The Court finds that the persons required to be notified of the hearing on the application to distribute personal property in kind were duly notified or consented to the distribution. The Court further finds that such distribution is in accord with law and in the best interests of the estate. The distribution is therefore approved.

\_\_\_\_\_  
Date

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