

STATE OF MINNESOTA

COUNTY OF _____

JUDICIAL DISTRICT
DISTRICT COURT
PROBATE DIVISION

Court File No. _____

Estate of _____,

Decedent

DISCLAIMER
(PROBATE)

1. I, _____ (“Disclaimant”),
irrevocably and without qualification renounce, release, decline, disclaim and refuse to accept any and all
rights or interests in and to the following specifically described property or property rights (the “Disclaimed
Property”) (For real estate use legal description and attach Schedule, if necessary): _____

_____.
2. An interest in the Disclaimed Property would otherwise pass to the Disclaimant as a result of the death of
_____, Decedent, who died on _____,
☐ under Decedent’s Will dated _____.
☐ under Minnesota Intestacy law.
☐ as a result of the exercise of a testamentary power of appointment.
☐ as the result of the non-exercise of a testamentary power of appointment.
☐ other (so state): _____.
3. This Disclaimer is irrevocable.
4. I have not accepted the Disclaimed Property or any interests in or benefits from the Disclaimed Property.
5. I have not accepted, or agreed or contracted to receive or accept, any consideration in return for this
Disclaimer.
6. I was not insolvent at the time of the event giving rise to my right to disclaim.
7. I have not voluntarily assigned or transferred, or contracted to assign or transfer, any interest in the
Disclaimed Property or waived the right to disclaim such property.

8. I have not sold or otherwise disposed of any interest in the Disclaimed Property and the Disclaimed Property has not been sold or otherwise disposed.
9. I intend this Disclaimer be a “qualified disclaimer” under the Internal Revenue Code Section 2518, and it shall be construed accordingly.

I declare under penalty of perjury that everything I have stated in this document is true and correct.
MINN. STAT. § 358.116.

Date: _____

Disclaimant

NOTE: See Minnesota Statutes sections 524.2-1101 through 524.2-1107 and IRC 2518 for requirements for a qualified disclaimer.

STATE OF MINNESOTA

COUNTY OF _____

} ss.

On _____, personally appeared _____,
Disclaimant, ☐ married ☐ single person, known to me to be the person described in and who signed the
Disclaimer and acknowledged that the Disclaimant signed the Disclaimer as the Disclaimant’s free act and deed, and
Disclaimant stated to the undersigned that the contents of the Disclaimer are true and correct to the best of the
Disclaimant’s knowledge, information and belief.

(NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK))

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

RECEIPT

The undersigned, having title to or possession or control of the Disclaimed Property acknowledges receipt of a signed copy of this Disclaimer on _____.

Dated: _____

Signature

Spousal Consent (For Real Estate Only)

I, _____, am married to _____, the Disclaimant. I have read this Disclaimer and consent to the Disclaimer with full understanding that the effect of the Consent is to waive any and all interest in and to the Disclaimed Property that I might otherwise have had as the Disclaimant's spouse, including but not limited to the right to claim an interest in such property in accordance with applicable state law upon the Disclaimant's death.

Dated: _____

Signature of Disclaimant's Spouse

STATE OF MINNESOTA

COUNTY OF _____

} ss.

The Spousal Consent was signed and acknowledged before me on _____, by _____, spouse of the Disclaimant.

(NOTARIAL STAMP OR SEAL
(OR OTHER TITLE OR RANK)

SIGNATURE OF NOTARY PUBLIC OR OTHER
OFFICIAL

Attorney for _____
Name _____
Firm _____
Street _____
City, State, ZIP _____
Attorney License No: _____
Telephone: _____
FAX: _____
Email: _____

SAMPLE
DOCUMENT