

STATE OF MINNESOTA

COUNTY OF _____

JUDICIAL DISTRICT
DISTRICT COURT
PROBATE DIVISION

Court File No. _____

Estate of

**ORDER OF FORMAL PROBATE OF WILL AND
DETERMINATION OF PARTIAL TESTACY,
DETERMINATION OF HEIRS
AND APPOINTMENT OF
PERSONAL REPRESENTATIVE**

_____,
Decedent

The Petition for the Formal Probate of Will and Determination of Partial Testacy, determination of Heirs, and Appointment of Personal Representative, signed by _____, came before this Court on _____. The Court, having heard and considered the Petition, determines the following:

1. This Court has jurisdiction and venue in this County is proper.
2. The Petition is complete.
- 3 Any notice required by Minnesota law has been given.
4. The Petitioner has declared or affirmed that the representations contained in the Petition are true and complete to the best of the Petitioner's knowledge or belief.
5. The Petitioner is an interested person as defined by Minnesota law.
6. The Decedent died on _____.
7. Decedent's heirs are ☐ as identified in the Petition or ☐ as follows: _____

_____.
8. All persons identified as heirs have survived the Decedent by at least 120 hours.
9. (Check appropriate boxes):
 - ☐ Decedent left no surviving spouse.
 - ☐ Decedent left no surviving descendants.
 - ☐ All descendants of Decedent are descendants of Decedent's surviving spouse.
 - ☐ There are descendants of the Decedent that are not descendants of the surviving spouse.
 - ☐ There are descendants of the surviving spouse who are not descendants of the Decedent.
10. Decedent's Will is comprised of the following:
 - ☐ Last Will dated: _____.

- ☐ Codicil() dated: _____.
- ☐ Separate writing() under Minnesota Statutes section 524.2-513 dated: _____.
- ☐ The Will refers to a separate writing but none has been found.

11. The documents comprising the Will:

- ☐ are in the Court's possession.
- ☐ have been probated elsewhere and an authenticated copy of the Will and statement or order probating the same accompanied the Petition.
- ☐ are unavailable, but a Statement of Contents of Lost, Destroyed or Otherwise Unavailable Will is in the Court's possession.

12. Decedent died partially testate.

13. The Petition does not indicate the existence of a possible unrevoked testamentary instrument which may relate to property subject to Minnesota law, and which is not filed for probate in this Court.

14. It appears from the Petition that the time limit for original probate proceedings has not expired.

15. The Petition indicates that there is no Personal Representative appointed in this or any other county of Minnesota whose appointment has not been terminated.

16. The person appointed below has priority under Minnesota Statutes section 524.3-203 and is entitled to be appointed Personal Representative and is not disqualified to serve as Personal Representative.

17. No objections to the Petition have been asserted.

IT IS ORDERED:

1. The Petition is granted.

2. The Will is formally probated.

3. The following portion of Decedent's Estate passes by intestacy as follows: _____

 _____.

4. _____ is formally appointed as the Personal Representative of Decedent's Estate with _____ bond, in ☐ an unsupervised ☐ a supervised administration.

5. Upon filing of any required bond and statement of acceptance and oath, letters testamentary will be issued.

Dated: _____

BY THE COURT

Judge of District Court

**SAMPLE
DOCUMENT**