

STATE OF MINNESOTA

COUNTY OF \_\_\_\_\_

JUDICIAL DISTRICT  
DISTRICT COURT  
PROBATE DIVISION

Court File No. \_\_\_\_\_

Estate of \_\_\_\_\_,  
Decedent

**PETITION FOR DETERMINATION OF  
DESCENT OF OMITTED PROPERTY**

I, \_\_\_\_\_, state:

1. My address is: \_\_\_\_\_.
2. I am an interested person as defined by Minnesota law because I am: \_\_\_\_\_.
3. Decedent was born on \_\_\_\_\_, at (city, state) \_\_\_\_\_.
4. Decedent died on \_\_\_\_\_, at (city, state) \_\_\_\_\_.
5. Decedent's domicile at the time of death was in \_\_\_\_\_ County, State of \_\_\_\_\_ at (address): \_\_\_\_\_.
6. The names and addresses of Decedent's spouse, children, heirs, devisees and other persons interested in this proceeding so far as known or ascertainable with reasonable diligence by the Petitioner are:

| Name and<br>Mailing Address | Familial Relationship AND<br>Legal Interest (List all) | Birthdate<br>Of Minors |
|-----------------------------|--|------------------------|
|-----------------------------|--|------------------------|

(Attach separate schedule, if necessary)

7. On \_\_\_\_\_, this Court entered its ☐ Order of Distribution ☐ Decree of Distribution  
☐ Final Decree Summary Assignment ☐ Decree of Descent.
8. At the time of death, Decedent was the owner of the following property which was omitted from the Order or Decree:

(A) Personal Property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

(B) Real Property (Legal description) (Identify if homestead): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

9. (If needed for purposes of distribution) The value of the property described above as of the Decedent's death was: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

10. (Check appropriate box)

☐ Testate.

Decedent's Will dated \_\_\_\_\_ was probated by the Order of this Court dated \_\_\_\_\_.

☐ Intestate.

The Order of this Court dated \_\_\_\_\_, determined Decedent died intestate.

The following named persons were determined in the Order to be all of the heirs of the Decedent and their relationship to Decedent was as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

11. Any inheritance taxes due on the omitted property have been paid.

12. The property on hand for distribution is as reflected in this document and should be distributed to the following named persons in the following proportions or parts: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**WHEREFORE**, I request the Court:

1. Fix a time and place for a hearing on this Petition;
2. Enter an order determining the descent of the property and assigning property to the persons entitled to the property under Minnesota law; and
3. Grant such other relief as may be proper.

Under penalties for perjury, I declare or affirm that I have read this document and I know or believe its representations are true and complete.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Petitioner

**Attorney for Petitioner**

Name \_\_\_\_\_  
Firm \_\_\_\_\_  
Street \_\_\_\_\_  
City, State, ZIP \_\_\_\_\_  
Attorney License No: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
FAX: \_\_\_\_\_  
Email: \_\_\_\_\_

**NOTE:** A decree of descent of omitted property is provided for by Minnesota Statutes section 524.3-413 and should NOT be confused with a decree of descent under Minnesota Statutes sections 525.31 to 525.312.