

STATE OF MINNESOTA

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

JUDICIAL DISTRICT  
DISTRICT COURT  
PROBATE DIVISION

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

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

**PETITION FOR DETERMINATION  
OF DESCENT OF INCORRECTLY  
DESCRIBED PROPERTY**

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

1. My address is: \_\_\_\_\_.
2. I am an interested person as defined by Minnesota law because I am: \_\_\_\_\_.
3. Decedent died on \_\_\_\_\_, at (city, state) \_\_\_\_\_.
4. 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  
Mailing Address

Familial Relationship **AND**  
Legal Interest (List all)

Birthdate  
Of Minors

(Attach separate schedule, if necessary)

5. On \_\_\_\_\_, this Court entered its

Order of Distribution       Decree of Distribution  
 Final Decree Summary Assignment       Decree of Descent

in which the property listed in Paragraph 6 was incorrectly described. The Order or Decree was:

recorded in the Office of the County Recorder,  
or  
 filed in the Office of the Registrar of Titles,

of \_\_\_\_\_ County on \_\_\_\_\_, and was recorded in Book \_\_\_\_\_  
of \_\_\_\_\_, page \_\_\_\_\_, or was filed as  
Document No. \_\_\_\_\_.

6. The Order or Decree contained the following INCORRECT description:  
(If Real Property give legal description as stated in previous Order or Decree)

7. The CORRECT description of the property is:

8. (Check appropriate box)

Testate.

Decedent's Will was probated by the Order of this Court dated \_\_\_\_\_ . The Will should be construed to devise the now correctly described property as follows:

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Intestate.

, 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:

9. 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:

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**SAMPLE  
DOCUMENT**

**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 for Incorrectly Described Property is provided for by Minnesota Statutes section 524.3-413 and should NOT be confused with a Decree of Descent of Property under Minnesota Statutes sections 525.31 to 525.312.