

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
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(Attach separate schedule, if necessary)

5. On _____, this Court entered its

- | | |
|--|---|
| <input type="checkbox"/> Order of Distribution | <input type="checkbox"/> Decree of Distribution |
| <input type="checkbox"/> Final Decree Summary Assignment | <input type="checkbox"/> 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:

☐ Intestate.

A previous 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:

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:

**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.