

STATE OF MINNESOTA

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

JUDICIAL DISTRICT  
DISTRICT COURT  
PROBATE DIVISION

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

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

Decedent

DECREE OF DESCENT

The Petition for Determination of Descent in the Estate, signed by \_\_\_\_\_, came before this Court on \_\_\_\_\_. The Court, having heard and considered the Petition, determines the following:

1. The 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 \_\_\_\_\_, at (city, state) \_\_\_\_\_.  
More than three years have elapsed since the death of the Decedent and the time limit for appointment proceedings has expired.
7. There has been no probate proceeding or administration proceeding commenced in Minnesota.
8. There is no unrevoked testamentary instrument which relates to property in Minnesota, and which has not been filed for probate in this Court.
9. (Check appropriate boxes)  
☐ Testate.  
Decedent's Will is comprised of the following:  
☐ 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.

The Will is formally probated by this Order.

This Court construes the Will as follows: \_\_\_\_\_

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

☐ Intestate.

This Court determines that the Decedent died intestate.

The following named persons are all the heirs of the Decedent and their relationship to the Decedent is as follows: \_\_\_\_\_

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

10. The property of the Decedent consists of the following:

(A) Personal property described as follows: \_\_\_\_\_

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

(B) Real property described as follows (Legal Description) (Identify if homestead): .

1. Homestead in the County of \_\_\_\_\_; Legally described as: \_\_\_\_\_

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

2. Other Real Estate in the County of \_\_\_\_\_; Legally described as: \_\_\_\_\_

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

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11. (Check appropriate box)

- ☐ The devisee or devisee's successors and assigns possess the property devised in accordance with the Will.
- ☐ Any heir or successor and assign possesses the property which passes to such heir under the laws of intestate succession in force at the Decedent's death.
- ☐ Such property was not possessed or claimed by anyone by virtue of the Decedent's title during the time period for testacy proceedings.

**IT IS ORDERED AND DECREED:**

1. The Petition is granted.
2. (Testate)
  - ☐ Decedent's Will is formally probated and is construed as stated above.or  
(Intestate)
  - ☐ The heirs of the Decedent are determined to be as set forth above.
3. The property left by the Decedent is as stated above.
4. Title to the personal and real property described in this Decree of Descent, subject to any prior disposition, is assigned to and vested in the following named persons in the following proportions or parts: \_\_\_\_\_

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**BY THE COURT**

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

\_\_\_\_\_  
Judge of District Court