

STATE OF MINNESOTA

____ JUDICIAL DISTRICT
DISTRICT COURT
PROBATE DIVISION

COUNTY OF _____

In the Matter of the Trust Created under Article ____ of
the Last Will of _____.

Court File No. _____

ALTERNATIVE FOR INTER VIVOS TRUSTS:
In the Matter of the Trust Created under Agreement By
and Between _____, Settlor, and _____,
Trustee, dated _____.

**ORDER TERMINATING TRUST AND
DISCHARGING TRUSTEE WITHOUT
APPROVING FINAL ACCOUNT**

The Petition to Terminate Trust and Discharge Trustees Without Approval of Final Account, signed by
_____ dated _____ came before this Court on _____. The Court, having heard
and considered the Petition, determines the following:

1. This Court has jurisdiction over this proceeding in rem in personam. Venue in this County is proper.
2. The Petition is complete.
3. Any notice required by Minnesota law has been given and proved, and any time for notice has expired.
4. The Court itself represents all persons who are minors or otherwise incompetent or unascertained or not in being or unknown to the Trustees or outside Minnesota.
5. No objections to the Petition have been filed with the Court.
6. The Petitioner has declared or affirmed that the representations contained in the Petition are true and complete to the best of Petitioner's knowledge and beliefs.
7. The Trust instrument consists of
 - the Last Will of _____, dated _____.
 - or
 - an agreement by and between _____, Settlor, and _____ Trustee, dated _____.

A true and correct copy of the instrument is on file with this Court and is made a part of this Petition.

8. Petitioner is appointed, qualified and acting Trustee of the Trust. Petitioner's appointment as Trustee was:
 - not confirmed by the Court.
 - or
 - confirmed by an order of this Court pursuant to Minn. Stat. § 501.33, § 501B.22, § 501C.0202, and
 - released by an Order of this Court dated _____ pursuant to Minn. Stat. §§ 501.351, 501B.19 or 501C.0202.
9. [See Appendix for selected optional paragraphs on Termination of Trust]

- 10. Petitioner has not filed accounts in this Court and is not seeking Court approval of the trust's accounts.
- 11. Petitioner requests an Order of this Court approving payment from the Trust of reasonable attorneys' fees and expenses incurred in connection with this proceeding.
- 12. The only persons in being known to the Petitioner as having or who may claim to have an interest in the Trust are:
(List of Trustees and Qualified Beneficiaries)

The Court finds that none of these persons is under any legal disability, except those designated as minors, and during the past ninety (90) days, none of these persons has served in the military service of the United States of America.

- 13. Petitioner, as Trustee, has requested the Court for an order terminating the Trust and discharging _____, as Trustee, from any and all liability in connection with the distribution and termination of the Trust and approving payment from the Trust of reasonable attorneys' fees and expenses incurred in connection with this proceeding.

The Court represents [or has appointed a representative to represent] all persons in interest who are minors or incapacitated, or unborn, unascertained or whose identity or address is unknown and not reasonably ascertainable, and has determined that all other persons with an interest in the trust are represented under sections 501C.0301 to 501C.0304.

IT IS ORDERED:

- 1. [See Appendix for Selected Optional Order Paragraphs]
- 2. The sum of \$_____ constitutes reasonable attorneys' fees and expenses to be paid to the law firm of [NAME OF LAW FIRM] for legal services rendered to the Trustee in connection with this matter.
- 3. _____ is discharged as Trustee of the Trust from any and all liability for distribution and termination of the Trust.

Dated: _____

BY THE COURT:

(COURT SEAL)

Judge of District Court