

**IN THE PROBATE COURT OF HENRY COUNTY
STATE OF GEORGIA**

IN RE: ESTATE OF _____)
_____) **ESTATE NO.** _____
DECEASED _____)

GEORGIA SMALL ESTATE AFFIDAVIT

PETITION FOR ORDER DECLARING NO ADMINISTRATION NECESSARY

The Petition of _____
[Full name(s) of Petitioner(s)] First Middle Last
whose physical address(es) is/are _____,
Street City County State Zip Code
and mailing address(es) is/are _____,
Street City County State Zip Code
shows to the Court the following:

1.

[Full name of Decedent] First Middle Last
whose place of domicile was _____,
Street City County State Zip Code
died intestate (without a will) on _____, 20 _____, owning property in this state.

2.

The above named Decedent died without a valid Last Will and Testament.

3.

Listed below are all of the Decedent's heirs at law, with age or majority status, address and relationship to the Decedent set opposite the name of each:

<i>Name</i>	<i>Age (or over 18)</i>	<i>Address</i>	<i>Relationship</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____



4.

Required: *[Provide sufficient factual information to enable the Court to conclude that all of the heirs of the Decedent are included and that there are no heirs of the same or closer degree according to O.C.G.A. § 53-2-1. Provide the names of any deceased heirs, the name and address of his or her Personal Representative, if any, and include the date of death for each. [See instructions for further clarification.] Also, state here all pertinent facts that may govern the method of giving notice to any party and that may determine whether or not a guardian ad litem should be appointed for any party. If any heirs listed above are cousins, grandchildren, nephews or nieces of the Decedent, indicate the deceased ancestor through whom they are related to the Decedent.]*

5.

The Decedent owned the following described personal property in this state *[include identifying account numbers, serial numbers, etc., where applicable]*:

6.

The Decedent owned the following described real property in this state *[insert complete legal description and street address, if any]*:



7.

As to the estate of said Decedent:

[Initial all that apply]

- _____ (a) The estate of Decedent owes no debts.
- _____ (b) The estate of Decedent owes no debts, other than an outstanding security deed held by (complete name(s) and address(es) including zip codes must be provided for each creditor so listed)_____, who must be properly served in this matter unless such holder has consented in writing below to the petition.
- _____ (c) The estate of Decedent owes no debts, other than to such creditor(s) as have consented in writing to the petition, as shown on the consent below.
- _____ (d) The estate of Decedent owes no debts, other than (complete name(s) and address(es) including zip codes must be provided for each creditor so listed) those listed immediately below who have not consented in writing and must be served as provided by law:

8.

All the heirs have amicably agreed upon a division of the estate among themselves as shown by the written agreement attached hereto containing original signatures of all heirs, attested to by a notary public or Probate Court Clerk.

9.

To the knowledge of the Petitioner, no other proceedings with respect to this estate are pending, or have been completed, in any other Probate Court in this state.



WHEREFORE, Petitioner prays that this Court issue and serve any notice required by law in such matters, and that after ascertaining the legal sufficiency for granting this Petition, this Court grant an Order that no administration is necessary in this estate, all as provided by law.

Signature of Petitioner

Printed Name

Mailing Address

Telephone Number

Email

Signature of Attorney

Printed Name of Attorney

Address

Telephone Number

Email

State Bar #



VERIFICATION

GEORGIA, _____ **COUNTY**

Personally appeared before me the undersigned Petitioner(s) who, after being duly sworn, state(s) that the facts set forth in the foregoing Petition for Order Declaring No Administration Necessary (and the attached Exhibit(s)) are true and correct.

Sworn to and subscribed before me this
_____ day of _____, 20_____

Signature of Petitioner

NOTARY/CLERK OF PROBATE COURT
My Commission Expires _____

Printed Name of Petitioner



**IN THE PROBATE COURT OF HENRY COUNTY
STATE OF GEORGIA**

IN RE: ESTATE OF _____)
)
) **ESTATE NO.** _____
DECEASED)

**AGREEMENT AND
ACKNOWLEDGMENT OF SERVICE AND CONSENT**

We, being all of the heirs of the above-named Decedent, hereby agree to the division of the Decedent's estate among ourselves in the amounts and portions which would otherwise be determined in accordance with the rules of inheritance when a Decedent dies without a will, or if different, as follows:

We hereby agree that the following interests vest as set forth below:

[Full Name of individual to receive interest]

[Complete address including zip code of individual to receive interest]

_____ *[Date of Birth or Majority Status]* _____ *[Interest or percentage received pursuant to this Order]*

[Full Name of individual to receive interest]

[Complete address including zip code of individual to receive interest]

_____ *[Date of Birth or Majority Status]* _____ *[Interest or percentage received pursuant to this Order]*



[Full Name of individual to receive interest]

[Complete address including zip code of individual to receive interest]

[Date of Birth or Majority Status] [Interest or percentage received pursuant to this Order]

[Interest or percentage received pursuant to this Order]

[Full Name of individual to receive interest]

[Complete address including zip code of individual to receive interest]

[Date of Birth or Majority Status] [Interest or percentage received pursuant to this Order]

[Interest or percentage received pursuant to this Order]

Legal Description and Location of Real Property:

[illegible]

Each of the undersigned heirs or creditors (including any security deed holder) hereby acknowledges due and legal service of the foregoing Petition, waives copies of same and all further service and notice in this matter, and consents to this agreement the terms of which shall be included in the Final Order Declaring that No Administration is Necessary. For each individual named put the appropriate letter to show the relationship to the Decedent - Heir (H), or Creditor (C).

Sworn to and subscribed before me this
_____ day of _____, 20____

Signature of Interested Party

NOTARY/CLERK OF PROBATE COURT
My Commission Expires _____

Printed Name of Interested Party

Sworn to and subscribed before me this
_____ day of _____, 20____

Signature of Interested Party

NOTARY/CLERK OF PROBATE COURT
My Commission Expires _____

Printed Name of Interested Party

Sworn to and subscribed before me this
_____ day of _____, 20____

Signature of Interested Party

NOTARY/CLERK OF PROBATE COURT
My Commission Expires _____

Printed Name of Interested Party

Sworn to and subscribed before me this
_____ day of _____, 20____

Signature of Interested Party

NOTARY/CLERK OF PROBATE COURT
My Commission Expires _____

Printed Name of Interested Party



Probate Court Return Mailing Address:

(Above space to be used for filing in Superior Court Clerk's Office Deeds and Records)

**IN THE PROBATE COURT OF HENRY COUNTY
STATE OF GEORGIA**

IN RE: ESTATE OF

DECEASED

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ESTATE NO. _____

PETITION FOR ORDER DECLARING NO ADMINISTRATION NECESSARY

FINAL ORDER

A Petition for Order Declaring No Administration Necessary on the above estate was filed. It appearing that the Decedent died intestate domiciled within, or domiciled outside the State of Georgia but owning real property within, the above County; that all of the heirs of said Decedent have agreed upon a division of the estate as evidenced by the Agreement attached to the Petition and incorporated herein by reference; that the estate of said Decedent owes no debts, except to creditors, if any, including any security deed holders, who have consented or been served in this matter; and that no objection has been filed.

ACCORDINGLY, IT IS ORDERED that No Administration is Necessary on the above estate and by agreement of the parties the following interest hereby vests as follows:

GRANTOR: (NAME OF DECEDENT) _____

ADDRESS OF THE DECEDENT _____



GRANTEES: (For each person to receive an interest in any property according to the Agreement and hereby Ordered by this Court)

[Full Name of individual to receive interest]

[Complete address including zip code of individual to receive interest]

[Date of Birth or Majority Status]

[Interest or percentage received pursuant to this Order]

[Full Name of individual to receive interest]

[Complete address including zip code of individual to receive interest]

[Date of Birth or Majority Status]

[Interest or percentage received pursuant to this Order]

[Full Name of individual to receive interest]

[Complete address including zip code of individual to receive interest]

[Date of Birth or Majority Status]

[Interest or percentage received pursuant to this Order]

[Full Name of individual to receive interest]

[Complete address including zip code of individual to receive interest]

[Date of Birth or Majority Status]

[Interest or percentage received pursuant to this Order]



Legal Description and Location of any Real Property:

IT IS FURTHER ORDERED that the Clerk shall send a certified copy of this Order to the Clerk(s) of the Superior Court(s) for recording on the deed records of the following County(ies) in which real property is located _____ County(ies).

SO ORDERED this _____ day of _____, 20____.

Judge of the Probate Court

