

PROBATE COURT OF GEAUGA COUNTY, OHIO
JUDGE TIMOTHY J. GRENDALL

ESTATE OF _____, DECEASED

Case No. _____

**SURVIVING SPOUSE, CHILDREN, NEXT OF KIN,
 LEGATEES AND DEVISEES**

[R.C. 2105.06, 2106.13 and 2107.19]

**[Use with those applications or filings requiring some or all of the
 information in this form, for notice or other purposes. Update as required]**

The following are decedent's known surviving spouse, children, and the lineal descendants of deceased children, if none, the following are decedent's next of kin who are or would be entitled to inherit under the statutes of descent and distribution.

Name	Residence Address	Relationship to Decedent	Birth date of Minor
_____	_____	Surviving Spouse	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

NOTICE - The Clerk will not accept for filing this Form 1.0 if (i) a surviving spouse and at least one lineal descendant or a minor child of decedent is listed above and (ii) one of the following boxes is NOT checked.

[Check whichever of the following is applicable]

- The surviving spouse is the natural or adoptive parent of all of the decedent's children.
- The surviving spouse is the natural or adoptive parent of at least one, but not all, of the decedent's children.
- The surviving spouse is not the natural or adoptive parent of any of the decedent's children.
- There are minor children of the decedent who are not the children of the surviving spouse.
- There are minor children of the decedent and no surviving spouse.

**PROBATE COURT OF GEAUGA COUNTY, OHIO
TIMOTHY J. GRENDALL, JUDGE**

DISINTERMENT OF _____, DECEASED

CASE NO. _____

**APPLICATION FOR ORDER TO DISINTER REMAINS
[R.C. 517.24 and 517.25]**

The Applicant states that this Application is made to disinter the remains of the above named Decedent by Court Order. The Decedent's remains are currently located in _____ cemetery, Geauga County.

Applicant further states that the following information is true:

1. Applicant is an interested person of sound mind who is at least eighteen years old.
2. Applicant [] did or [] did not assume/have financial responsibility for the funeral and burial expenses of the decedent.
3. Applicant's relationship to Decedent is _____
4. The remains will be reinterred at _____

(Name and Address)
5. Attached is Form 1.0 listing all persons who would have been entitled to inherit from the Decedent under R.C. Chapter 2105, and if the Decedent had a Will, all legatees and devisees named in that Will.
6. Notice of this Application and Hearing on the Application shall be given by certified mail return receipt requested to Decedent's surviving spouse, to all persons entitled to inherit if Decedent died without a Will, to all legatees and devisees named in Decedent's Will, and to the cemetery in which the Decedent's remains are interred in accordance with R.C. 517.24. unless waived.
7. Attached to this application are any written waivers waiving the right to receive the notice stated above.
8. Applicant states that the disinterment is not against Decedent's religious beliefs.
9. Decedent's cause of death was _____

CASE NO. _____

10. The Decedent did not die of a contagious or infectious disease, or if so, a permit has been issued by the appropriate Board of Health, attached.

11. Decedent [] had [] had not executed a written Declaration of Assignment of Right of Disposition pursuant to R. C. 2108.70 *et seq.*

Attorney for Applicant

Applicant

Typed or Printed Name

Typed or Printed Name

Address

Address

Telephone Number (include area code)

Telephone Number (include area code)

Attorney Registration No. _____

Sworn to and subscribed in my presence this _____ day of _____, 20__

Notary Public

**PROBATE COURT OF GEAUGA COUNTY, OHIO
TIMOTHY J. GRENDALL, JUDGE**

DISINTERMENT OF _____, DECEASED

CASE NO. _____

**WAIVER OF NOTICE OF APPLICATION TO DISINTER REMAINS
(R.C. 517.24 and 517.25)**

The undersigned, being persons entitled to notice of the disinterment of the Decedent, waive such notice and consent to the disinterment and reinterment of the Decedent as stated in said application, and hereby acknowledge receipt of a copy of said application:

Signature

Type Name

**PROBATE COURT OF GEAUGA COUNTY, OHIO
TIMOTHY J. GRENDALL, JUDGE**

DISINTERMENT OF _____, DECEASED

CASE NO. _____

NOTICE OF HEARING ON APPLICATION FOR DISINTERMENT

To: _____

An Application has been filed in this Court to disinter the remains of the Decedent. The Application is attached to this Notice. The hearing on the Application will be heard on the _____ day of _____, _____, at _____ o'clock _____ m., in this Court.

The Court is located at Courthouse Annex, 231 Main Street, Suite 200, Chardon, Ohio 44024.

Applicant

Type Name of Applicant

**PROBATE COURT OF GEAUGA COUNTY, OHIO
TIMOTHY J. GRENDALL, JUDGE**

DISINTERMENT OF _____, DECEASED

CASE NO. _____

**AFFIDAVIT OF SERVICE OF NOTICE ON HEARING ON
APPLICATION FOR DISINTERMENT**

The undersigned Applicant states that all persons interested in the Application, as described by R.C. Section 517.24(B)(2)(a), have been notified according by law; or have waived notice of the hearing on the Application; or their names and addresses are unknown to Applicant and cannot with reasonable diligence be ascertained.

The following persons for the following reasons were not notified:

<u>Name</u>	<u>Reason</u>
_____	_____
_____	_____
_____	_____

Applicant
Type Name of Applicant

State of Ohio
County of Geauga

Sworn to or affirmed and subscribed before me by _____ this date of _____, 20__.

Notary Public/Deputy Clerk

**PROBATE COURT OF GEAUGA COUNTY, OHIO
TIMOTHY J. GRENDALL, JUDGE**

DISINTERMENT OF _____, DECEASED

CASE NO. _____

**[] JUDGMENT ENTRY [] MAGISTRATE'S ORDER
SETTING HEARING ON APPLICATION FOR DISINTERMENT**

The Application for Disinterment filed by _____ is hereby set for hearing on the _____ day of _____, _____ at _____ o'clock _____ in this Court. The Court is located at Courthouse Annex, 231 Main St Suite 200 Chardon Ohio 44024

The Court Orders that notice of hearing be given to the surviving spouse and next of kin and, if applicable, all legatees and devisees named in the decedent's Will, by the person requesting the hearing, and the proof of services be filed.

Judge / Magistrate

**PROBATE COURT OF GEAUGA COUNTY, OHIO
TIMOTHY J. GRENDALL, JUDGE**

DISINTERMENT OF _____, DECEASED

CASE NO. _____

MAGISTRATE'S DECISION TO DISINTER REMAINS

JUDGMENT ENTRY TO DISINTER REMAINS

An application for Order to Disinter Remains came on for hearing on the _____ day of _____, 20____

The Court finds that all interested parties, whose names and addresses are known, have been notified according to law or have waived notice of hearing on the application.

The Court further finds that the statements contained in the application are true and that no testimony was adduced to establish that disinterment would be against the decedent's religious beliefs.

The Court further finds that a permit has has not been issued pursuant to R.C. 517.23(B) by the Board of Health (or other authorized agency) and that if issued, has been filed herein.

It is the Order of this Court that:

1. Applicant is hereby authorized to disinter the remains of the decedent from _____ Cemetery:
2. Applicant is hereby authorized to reinter the remains of the decedent at _____ Cemetery:
3. Unless the gravestone or marker is relocated to the site of reinterment, Applicant shall cause said gravestone or marker to remain at the site of original interment:
and
4. Applicant shall file a Verification of Reinterment within thirty (30) days that the remains of the decedent have been reinterred.

Judge / Magistrate

NOTICE: Pursuant to Civ. R. 53(D)(3)(a), a party may file written objections to the Magistrate's Decision within 14 days of filing of the decision. A party shall not assign as error on appeal the Court's adoption of any factual findings or legal conclusion, whether or not specifically designated as a finding of fact or conclusion of law under Civ. R. (D)(3)(a)(ii), unless the party timely and specifically objects to that factual finding or legal conclusion as required by Civ. R. 53(D)(3)(b).

JUDGMENT ENTRY ADOPTING MAGISTRATE'S DECISION

The Court, upon independent review of the record, finds the Magistrate's Decision to be well taken. The Court has reviewed the Decision for any errors pursuant to Civ. Rule 53 and hereby adopts the Magistrate's Decision as an Order of this Court. The Magistrate's Decision is hereby incorporated into the Entry by reference.

Date

Judge Timothy J. Grendell

NOTICE OF FINAL APPEALABLE ORDER

You are hereby notified that this may be a final appealable order.

**PROBATE COURT OF GEAUGA COUNTY, OHIO
TIMOTHY J. GRENDALL, JUDGE**

DISINTERMENT OF _____, DECEASED

CASE NO. _____

VERIFICATION OF REINTERMENT

The undersigned _____
(Name and Title)

of the _____ cemetery, states that the remains
of the above-named Decedent were reinterred on the ____ day of _____, 20____,
pursuant to the Order of the Court

Signature

Typed or Printed Name

Cemetery

Street

City, State, Zipcode

Telephone (include area code)