PROBATE COURT OF GEAUGA COUNTY, OHIO

JUDGE TIMOTHY J. GRENDELL

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.

[Side 2 of Form 1.0]

CASE NO. _____

The following are the vested beneficiaries named in the decedent's will:

Name	Residence Address	Relationship to Decedent	Birth date of Minor

[Check whichever of the following is applicable]

☐ The will contains a charitable trust or a bequest or devise to a charitable trust, subject to R.C. 109.23 TO 109.41.

☐ The will is not subject to R.C. 109.23 to 109.41 relating to charitable trusts.

_____ _____

Date Applicant (or give other title)

_____

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

ESTATE OF_____, DECEASED

Case No. _____

APPLICATION FOR ADMISSION TO PROBATE LOST, SPOLIATED, OR DESTROYED WILL

[RC §2107.26, and §2107.27]

Applicant states that _____, (the "Decedent") died on _____.

Decedent's domicile was _____, County of _____.

Applicant further states that on or about _____ Decedent signed his/her Last Will and Testament and such Will was witnessed by _____ and _____. Applicant further states that (1) such Will was in existence and unrevoked at the time of Decedent's death; (2) either before or after the Decedent's death such Will has become lost, spoliated, or destroyed and cannot be found, although a strict search has been made for such Will, and (3) any facts known to the Applicant as to how the Will became lost, spoliated, or destroyed are as follows:

[ATTACH ADDITIONAL SHEETS IF NECESSARY]

A copy of such lost, spoliated, or destroyed Will is attached. The Applicant requests that such Will be established and admitted to probate pursuant to the provisions of R.C. 2107.26 and 2107.27.

_____
_____
Print Name of Attorney for Applicant

_____
Street Address

_____
City, State, Zip Code

_____
Phone Number

_____
Attorney Registration No

_____
_____
Print Name of Applicant

_____
Street Address

_____
City, State, Zip Code

_____
Phone Number

CASE NO. _____

Applicant states that the following list of persons are the Decedent's surviving spouse, if any, and all persons who would be entitled to inherit from the Decedent under R.C. Chapter 2105 if the Decedent had died intestate, all legatees and devisees that are named in the Will, and all legatees and devisees that are named in the most recent Will prior to the lost, spoliated, or destroyed Will that are known to the Applicant, or in the most recent Will prior to the document that is treated as a Will if the most recent Will is known to the Applicant

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

[ATTACH ADDITIONAL SHEETS IF NECESSARY]

☐ ENTRY ☐ MAGISTRATE'S ORDER - SETTING HEARING AND ORDERING NOTICE

The Court sets _____, 20____, at ___ o'clock ___.M., as the date and time for hearing the Application to Admit Lost, Spoliated, or Destroyed Will to Probate

☐ The Applicant shall serve written notice of the hearing on this application, unless waived, by certified mail to the Decedent's surviving spouse, to all persons who would be entitled to inherit from the Decedent under R.C. Chapter 2105 if the Decedent had died intestate, to all legatees and devisees that are named in the Will, and to all legatees and devisees that are named in the most recent Will before the lost spoliated, or destroyed Will that is known to the Applicant or in the most recent Will before the document that is treated as a Will if the most recent Will is known to the Applicant. (See R.C. 2107.27)

_____ _____

Date Judge / Magistrate

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

ESTATE OF_____, DECEASED

Case No. _____

WAIVER OF NOTICE OF HEARING AND CONSENT
APPLICATION FOR ADMISSION TO PROBATE LOST WILL, SPOLIATED OR DESTROYED WILL
[R.C. 2107.07]

The undersigned, being persons entitled to notice of hearing to admit to probate a lost will, spoliated, or destroyed will, waive such notice and consent to the admission of such will to probate.

Signature	Print Name
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

ESTATE OF _____, DECEASED

CASE NO. _____

NOTICE OF HEARING ON APPLICATION FOR ADMISSION TO PROBATE OF LOST, SPOLIATED, OR DESTROYED WILL

[R.C. 2107.26 and 2107.27]

To: _____ _____

_____ _____

_____ _____

_____ _____

You are notified that an Application has been filed in the Probate Court of Geauga County, Ohio asking the Court to establish and admit to Probate the Lost, Spoliated, or Destroyed Will of the above name decedent who died on _____, 20 ___.

This notice is given to you as the surviving spouse of the testator, or a person who would be entitled to inherit from the testator under Chapter 2105 of the Revised Code if the testator had died intestate, a legatee or devisee that is named in the Will, or in the most recent Will prior to the lost, spoliated, or destroyed Will that is known to the applicant, or in the most recent Will prior to the document that is treated as a Will if the most recent Will is known to the applicant (See R.C. §2107.27).

The hearing on that application will be held on the ___ day of _____, 20 ___ at ___ o'clock am The Court is located at 231 Main St., STE 200, Chardon Ohio 44024.

If you know of any reason why that application should not be granted, you should appear at the hearing and inform the Court.

_____

Name: _____

Phone: _____

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

IN RE _____

CASE NO. _____

☐ Estate
☐ Guardianship
☐ Conservatorship
☐ Trust
☐ Other _____

AFFIDAVIT EVIDENCING SERVICE OF NOTICE
[Civ. R. 73(F)]

Having been duly sworn, the undersigned states that he or she has served notice, in accordance with Civil Rule 73(E), upon all persons required to receive notice as required by applicable law, including the Geauga Local Rules, except to the extent that such persons have waived notice. A copy of that notice is attached.

The evidence of service of notice, as required by Civil Rule 73(F), are attached, and the waivers are attached or have been previously filed.

_____

Fiduciary _____
[Print Name]

_____

Attorney _____
[Print Name

Attorney Registration Number _____

State of Ohio
County of Geauga

Sworn to or affirmed and subscribed before me by _____

this date of _____, 20___.

_____
Notary Public

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

ESTATE OF _____, DECEASED

Case No. _____

WAIVER OF NOTICE OF PROBATE OF WILL

[R.C. 2107.19(A)(2)]

The undersigned, being persons entitled to notice of the probate of this will, waive such notice. After a certificate is filed evidencing these waivers and any notices given, any action to contest the validity of this will must be filed no more that three months after the filing of the certificate for estates of decedents who die on or after January 1, 2002, and no more that four months after the filing of the certificate for estate of decedents who die before January 1, 2002.

Signature	Print Name
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

ESTATE OF _____, DECEASED

CASE NO. _____

WAIVER OF RIGHT TO CONTEST WILL

The undersigned acknowledge that the decedent's will was admitted to probate by this court and that the undersigned has a right to contest the validity of that will under R.C. 2107.71. The undersigned waive(s) the right to contest the decedent's will and the time limit for bringing a will contest action as provided for in R.C. 2107.76.

Signature	Printed Name
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

ESTATE OF _____, DECEASED

Case No. _____

ENTRY ADMITTING LOST, SPOLIATED, OR DESTROYED WILL TO PROBATE

This day this cause came to be heard on the application of _____ to establish and to admit to probate the Last Will and Testament of _____, and the same was submitted to the Court.

Whereupon, the Court finds that:

1. _____ (the "Decedent"), at the time of death, was domiciled in this County;
2. All persons who are entitled by law to notice of this proceeding have been duly notified thereof in accordance with the law and the former order of this Court or have waived such notice;
3. The Decedent did on or about _____, duly execute his Last Will and Testament in the mode provided by law;
4. Such Will was unrevoked at the Decedent's death;
5. Such Will became, lost, spoliated, or destroyed:
   - ☐ after the Decedent's death of the testator
   - ☐ before the Decedent's death, but without his/her having knowledge of such loss;
6. The Court finds that the contents of such Will are as set forth in Exhibit 1 attached hereto;

IT IS THEREFORE ORDERED THAT:

A. The Last Will and Testament of Decedent, as set forth in attached Exhibit 1, is hereby established; and

B. Such Last Will and Testament is admitted to probate and ordered recorded.

Dated: _____ _____
Judge

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

ESTATE OF _____, DECEASED

Case No. _____

NOTICE OF PROBATE OF WILL

[R.C. 2107.19(A)]

T o : _____ _____

_____ _____

_____ _____

_____ _____

You are hereby notified that the decedent died on _____, that the Decedent's Will was admitted to probate by this Court located at **231 Main Street, Ste. 200, Chardon, Ohio 44024**, on _____, 20____.

This notice is given to all persons who would be entitled to inherit from the decedent had the decedent died intestate and to all legatees and devisees named in this will who do not waive notice. You are receiving this notice as: [check all of the following that apply]

☐ The Surviving Spouse.

☐ A person who would be entitled to inherit from the decedent had the decedent died intestate.

☐ A legatee or devisee named in the will.

After a certificate is filed evidencing any notice given, any action to contest the validity of this will must be filed no more than three months after the filing of the certificate for estates of decedents who die on or after January 1, 2002, and no more than four months after the filing of the certificate for estates of decedents who die before January 1, 2002.

_____
Date

_____
Typed or Printed Name

_____
Street Address

_____
City State Zip

_____
Phone Number (include area code)

_____

☐ Fiduciary
☐ Applicant for the admission of this will to probate
☐ Applicant for a release from administration
☐ Other interested person
☐ Attorney for any of the above

Attorney Registration No. _____

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

ESTATE OF _____, DECEASED

CASE NO. _____

CERTIFICATE OF SERVICE OF NOTICE OF PROBATE OF WILL

[R.C. 2107.19(A)(3)]

The undersigned states that all persons entitled to notice:

[Check all applicable boxes]

☐ Have waived notice of the admission of this will to probate. The waivers are filed herein.
☐ Have received notice of the admission of this will to probate.
☐ Have been notified of the hearing on the probate of this will or a contest as to jurisdiction.
☐ Evidence of notification is filed herein.
☐ Have not been notified because their names or places of residence are unknown and cannot with reasonable diligence be ascertained.

_____

☐ Fiduciary
☐ Applicant for the admission to this will to probate
☐ Applicant for a release from administration
☐ Other interested person
☐ Attorney for any of the above

Attorney Registration No. _____

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

ESTATE OF _____, DECEASED

CASE NO. _____

DECLINATION
[R.C. §2113.12]

Declination by _____.

The undersigned, named as Executor, in the last Will of _____, deceased, which Will was admitted to probate by this Court, declines to accept the trust as Executor of that Will.

Dated: _____

_____

_____
[type full name]