

State of Tennessee Hamblen County Chancery Court Probate Division 511 West 2 nd North Street Morristown, Tn 37814 (423) 586-9112	PETITION FOR LIMITED LETTERS FOR A SMALL ESTATE	Case Number
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In the Matter of the Estate of: _____

Deceased

Personal Representative

Petitioner's name is _____, and address is _____. Petitioner is: An adult heir of the decedent **OR** nominated to serve as Personal Representative of the decedent's Last Will & Testament. Petitioner has no felony or misdemeanor (excluding, if any, minor traffic offences) convictions, and is not disqualified from serving as Personal Representative of the decedent's estate because of having been sentenced to imprisonment in a penitentiary as set forth in TCA § 40-20-115 or otherwise. Petitioner request that Limited Letters be issued and hereby states the following in support of this Petition:

The decedent, _____, age _____, died on _____, in Hamblen County, Tennessee

The decedent's residence at the time of death was _____

 The decedent left no Will (died intestate). **OR**

 The decedent left a Will (died testate); petitioner is not aware of any instrument revoking the document being offered for probate as the decedent's Will and petitioner believes said instrument is the decedent's last Will; the date of execution of the Will and the names of the attesting witnesses are as stated in the Will (which names are incorporated by reference); and:

 The original Will is being filed simultaneously herewith along with affidavits of the attesting witnesses. **OR**

 Petitioner is simultaneously filing a Petition to admit the Will to probate as muniment of title per TCA 32-2-111

The name, age (if under 18), mailing address (if known), and relationship of each heir at law of the decedent are:

Name	Age	Address	Relationship
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Attach additional pages if necessary.

If the decedent left a Will, name, age (if under 18), mailing address (if known), and relationship of each Will beneficiary are:

Name	Age	Address	Relationship
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Attach additional pages if necessary.

The following heirs and/or persons entitled to inherit from the decedent are under a disability (if "none", so state): _____

Attach additional pages if necessary

Filing of inventory and accountings are not required by law in a small estate proceeding under TCA § 30-4-101, et seq

An itemized list of the personal property of the decedent which will be subject to this small estate proceeding, the value of each item of property (the total of which is the estimated of the fair market value of the decedent's estate subject to this small estate proceedings), the identity of each creditor of the decedent, and the amount owing to each identified creditor are show on Exhibit A hereto.

 Bond is required in the amount of \$ _____ (value of the decedent's estate subject to this small estate proceeding) **OR**

 Bond is waived because:

 Petitioner is the sole beneficiary of the decedent's estate. **OR**

 All adult heirs and beneficiaries of the decedent's estate have consented in writing (filed simultaneously herewith). **OR**

 Affiant is a bank excused from bond by TCA § 45-2-1005.

Petitioner acknowledges/agrees as follows:

1. Petitioner is willing to collect and preserve all assets of the estate, pay all creditors and distribute the remainder in accordance with the terms of the Will or according to the laws of descent and distribution of the State of Tennessee.
2. A small estate proceeding CANNOT be used to transfer real property; the limited letters issued in a small estate proceeding DO NOT do not empower the personal representative to handle any real estate matters of the decedent.
3. The personal representative (and sureties, if any) will automatically be discharged on the first anniversary of the issuance of limited letters and the small estate proceeding will automatically close without further notice to any party.
4. The personal representative will be liable to TennCare (to the extent of the value of all property subject to this small estate proceeding) if a distribution is made prior to reimbursement to TennCare of all medical assistance owed per TCA § 71-5-116.
5. Petitioner is aware of all duties imposed upon the personal representative of a small estate proceeding as provided in The Small Estate Probate Act and any other relevant provisions of Title 30 of the Tennessee Code.

I, the undersigned petitioner, swear or affirm under penalty of perjury that the foregoing (and the information shown on attached Exhibit A) is true and correct to the best of my knowledge and belief.

Witness my hand this the ____ day of _____, 20__

Petitioner

State of Tennessee
County of Hamblen

Before me, a notary public in and for said County and State, appeared the above-named Petitioner, whose identity is personally known to me (or proven on the basis of satisfactory evidence) and swore or affirmed that the information contained in the foregoing Petition (including Exhibit[s] thereto) are true and correct to the best of Petitioner's knowledge and belief.

On this the ____ day of _____, 20__

Notary Public

Commission expires: _____

EXHIBIT A

The Decedent left the following unpaid debts at death:

Creditor Name / Description of Debt	Amount of Debt (\$)
TOTAL DEBTS owed by the decedent's estate:	

Attach additional pages if necessary

The decedent died owning the following personalty: *(List all personal property. Also list decedent's financial accounts which did not pass by right of survivorship or pay-transfer on death designation outside of the decedent's estate. Also list policies of insurance payable to the decedent's estate. DO NOT list real property. DO NOT list assets that passed outside of the decedent's estate)*

Items / Financial Accounts / Insurance / Other Personally	Value(\$)
TOTAL VALUE of the decedent's estate subject to this small estate proceeding:	

Attach additional pages if necessary

State of Tennessee	ORDER FOR LIMITED LETTERS OF ADMINISTRATION/ TESTAMENTARY	Case Number
Hamblen County Chancery Court		
Probate Division		
511 West 2 nd North Street Morristown, Tn 37814 (423) 586-9112		
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In Re: _____

Based upon the sworn petition filed in this action, together with the record as a whole, I, Teresa H Carey, Clerk & Master of the Hamblen County Chancery Court – Probate Division do hereby make the following findings of fact and conclusions of Law:

1. This is a Court of Record;
2. The above-named decedent passed from this life on the date listed above;
3. That venue and jurisdiction are proper with this Court;
4. It appears that the decedent left an estate which needs to be administered;
5. Based upon the contents of the sworn petition it appears that the decedent's estate should qualify for administration pursuant to Title 30, Chapter 4 of Tennessee Code Annotated.

Based upon the foregoing, it is hereby ORDERED, ADJUDGED, and DECREED that the above-named petitioner shall be named as the personal representative of the named decedent's estate and that the Clerk of the Court shall issue the following:

☐ Limited Letters of Administration of a Small Estate
☐ Limited Letters of Testamentary of a Small Estate
☐ Bond Required - ☐ Yes or ☐ No Amount: _____

It is further ORDERED that upon the one (1) year anniversary of the issuance of the Letters, that the personal representative shall be discharged as the personal representative and his/her surety shall automatically be discharged from further liability in this action.

Clerk & Master

Date

State of Tennessee Hamblen County Chancery Court Probate Division 511 West 2 nd North Street Morristown, Tn 37814 (423) 586-9112	LIMITED LETTERS OF ADMINISTRATION/LIMITED LETTERS TESTAMENTARY OF A SMALL ESTATE	Case Number
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In the Matter of the Estate of: _____

Deceased _____

Personal Representative _____

Whereas, it appearing that the above-named deceased person left property and debts subject to administration pursuant to T.C. A. § 30-4 - 10 I, et- seq. and the above-named Personal Representative is hereby authorized to serve in the limited role of Personal Representative.

Assuch, Limited Letters of Administration / Letters Testamentary of a Small Estate are hereby issued to the above-named individual being now therefore empowered to collect and preserve all assets of the estate, remove any personal property from a property leased by the decedent, cancel any insurance policies no longer applicable due to the decedent's death. Said assets are limited to those itemized in the Petition a copy of which is attached hereto. The total value of the decedent's property shall not exceed \$50,000.00.

There is no real property at issue in this matter, and this limited letter in no way gives any authority to the Personal Representative to handle any real estate matters of the decedent.

In witness whereof, I have issued this Limited Letter of Administration/Limited Letter Testamentary.

 Clerk and Master

 Date

I swear that all statements in the Small Estate documents are true and accurate and I am not disqualified from serving because of having been sentenced to imprisonment in a penitentiary as set forth in § 40 -20- 115 or otherwise. I do solemnly swear or affirm that I will faithfully and honestly discharge the duties imposed on me and as required by law .

 Personal Representative

 Date

STATE OF TENNESSEE
 COUNTY OF HAMBLEN

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS
 THE ____ DAY OF _____, 20__

 Notary Public

My Commission Expires: _____

I, Clerk and Master of this Court certify that:

(i) this is a Court of Record;

(ii) the above is a true, full, and correct copy of these Limited Letters of Administration / Limited Letters Testamentary issued by this Court in this estate;

(iii) these Letters are still in full force and effect as of this date.

 Clerk & Master

 Date