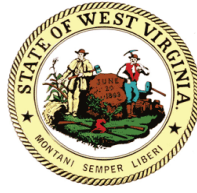


United States of America



State of West Virginia

County of Monongalia, ss:

243 High Street Room 123
Morgantown WV 26505-5461

Phone: (304) 291-7230
Fax: (304) 291-7233

TO FILE AN AFFIDAVIT FOR SMALL ESTATE - \$50,000 or less Personal Property, \$100,000 or less Real Property

- TESTATE (with a Will) Executor can file the Small Estate Affidavit 30 days after death if no other probate has been opened, or a beneficiary may file the Small Estate Affidavit 60 days after death if no other probate has been opened. Complete the attached Affidavit, list out the specific assets, and send the original, notarized Affidavit, Will, and death certificate by mail to our office with the filing fee. The Affidavit is \$12 for up to 5 pages, the Will is \$12 up to 4 pages. The death certificate will be returned to you with the Certificate and Authorization of Small Estate. The fee for each Certificate requested is \$2.50. If the Will is over 4 pages, please call for the filing fee.
- INTESTATE (without a Will) Heir-at-law can file the Small Estate Affidavit 60 days after death if no other probate has been opened. Complete the attached Affidavit, list out the specific assets, and send the original, notarized Affidavit and death certificate by mail to our office with the filing fee. The Affidavit is \$12 for up to 5 pages. The death certificate will be returned to you with the Certificate and Authorization of Small Estate. The fee for each Certificate requested is \$2.50.

All beneficiaries/heirs (devises) listed will be notified that a Small Estate Affidavit was filed, and they have 30 days to object. If there is an objection, full probate will be required. If you find the estate assets are over the limitations for the Small Estate Affidavit, full probate will be required.

****All submissions must include a death certificate, which will be returned to you.**

Return all original, notarized documents, and fees by certified mail to:

Monongalia County Clerk's Office
Attn: Probate Dept.
243 High Street, Room 123
Morgantown, WV 26505

Please contact us with any questions about forms or fees at: 304-291-7230 or
estates@monongaliacountyclerk.com.

IN THE COUNTY COMMISSION OF MONONGALIA COUNTY, WEST VIRGINIA
RE: THE ESTATE OF _____

DOD: _____

AFFIDAVIT FOR SMALL ESTATE

STATE OF WEST VIRGINIA,

COUNTY OF MONONGALIA, to-wit:

I, _____, being a Successor of the Decedent identified below, being first duly sworn, upon oath and under penalty of perjury, do depose and say to the best of my knowledge and belief as follows:

1. My name is _____, and my current address is

_____.

2. The Decedent, _____, died on _____ (date of death), a resident of _____ County, State of West Virginia, with his/her usual residence being

_____.

A certified death certificate has been furnished herewith for filing in this County. I am a Successor of the decedent as _____ (state relationship).

3. TESTACY () [Check if applies] or () [Check if Not Applicable]

At the date of death, the Decedent died with an original Last Will and Testament of the Decedent dated _____, without any codicil thereto () or with codicil(s) thereto dated _____ () [Check if applies]. The aforesaid original Last Will and Testament of the decedent, together with any codicil(s), is furnished herewith for recording in this County as permitted by West Virginia Code **§ 44-1A-2(b)**.

Under the Last Will and Testament of the Decedent, the following person(s) is/are nominated to be the personal representative(s) of the Estate:

a. Name: _____

Address: _____

b. Name: _____

Address: _____

Pursuant to the provisions of the above referenced Will of the Decedent, the following persons are the named beneficiaries of the estate of the Decedent:

a. Name: _____

Address: _____

Relationship to Decedent: _____

Share or percentage or particular item: _____

b. Name: _____

Address: _____

Relationship to Decedent: _____

Share or percentage or particular item: _____

c. Name: _____

Address: _____

Relationship to Decedent: _____

Share or percentage or particular item: _____

d. Name: _____

Address: _____

Relationship to Decedent: _____

Share or percentage or particular item: _____

e. Name: _____

Address: _____

Relationship to Decedent: _____

Share or percentage or particular item: _____

(If more space is needed, attach additional page(s) to affidavit)

4. INTESTACY () [Check if applies] or () [Check if Not Applicable]

At the date of death, the Decedent died intestate with no known will. The Decedent left as his/her heirs-at-law and distributees in accordance with the laws of intestate descent and distribution of the State of West Virginia the following persons:

a. Name: _____

Address: _____

Relationship to Decedent: _____

Share or percentage: _____

b. Name: _____

Address: _____

Relationship to Decedent: _____

Share or percentage: _____

c. Name: _____

Address: _____

Relationship to Decedent: _____

Share or percentage: _____

d. Name: _____

Address: _____

Relationship to Decedent: _____

Share or percentage: _____

e. Name: _____

Address: _____

Relationship to Decedent: _____

Share or percentage: _____

(If more space is needed, attach additional page(s) to affidavit)

5. The Decedent's entire personal probate estate, as of the date of the Decedent's death, wherever located, consists only of small assets and the aggregate fair market value of the small assets does not exceed \$50,000. The small assets of the Decedent are described and itemized as follows:

	Description	Fair Market value
.		
.		
.		
.		
.		
.		
	Total	

(If more space is needed, attach additional page(s) to affidavit)

6. The Decedent did () / did not () [Check one which applies] die seized and possessed of any probate real estate or interests in probate real estate in the state of West Virginia. If the Decedent died seized and possessed of any probate real estate or interest in real estate in the state of West Virginia, the aggregate fair market value of all of the real estate or interests in real property situate in this state does not exceed \$100,000 and the real estate of the Decedent in West Virginia is as follows:

	Description	County	Assessed Value	Fair Market value
	Total			

7. () [Check if applies] or () [Check if Not Applicable] If the affiant is a Successor who was nominated as a personal representative or executor under the provisions of the above Will of the Decedent, at least 30 days have elapsed since the Decedent's date of death and no application for the appointment of a personal representative for the Decedent is pending or has been granted in any jurisdiction;

or

() [Check if applies] or () [Check if Not Applicable] If the affiant is a Successor who was NOT nominated as a personal representative or executor under the provisions of the above Will of the Decedent or if the Decedent died intestate without a will, at least 60 days have elapsed since the Decedent's date of death and no application for the appointment of a personal representative for the Decedent is pending or has been granted in any jurisdiction, and no affidavit of Small Estate has been filed by a Successor nominated as a personal representative or executor under the provisions of the Will of the Decedent.

8. The undersigned Affiant will faithfully administer the small assets of the Decedent in accordance with the law and pay or deliver the same to the Successor or Successors so entitled.

Witness my hand and seal this ____ day of _____, 20 ____.

Signature of Affiant/Successor

Contact information of Authorized Successor (address, phone, email):

Taken, subscribed, and sworn to before me the undersigned authority by _____, this ____ day of _____, 20 ____.

{seal}

My Commission expires: _____

Notary Public

Contact information of Authorized Successor (address, phone, email):

Name
Address

Email
Phone