

**IN THE COURT OF COMMON PLEAS OF JEFFERSON COUNTY,  
OHIO PROBATE DIVISION  
FRANK W. NOBLE, JR., JUDGE**

**ESTATE OF \_\_\_\_\_, DECEASED**  
**CASE NO. \_\_\_\_\_**

**APPLICATION TO PROBATE LOST,  
SPOILIATED, OR DESTROYED WILL**  
[R.C. 2107.26 and 2107.27]

Applicant states that the decedent died on \_\_\_\_\_

Decedent's domicile was \_\_\_\_\_  
Street Address

\_\_\_\_\_  
City or Village, or Township if unincorporated area County

\_\_\_\_\_  
Post Office State Zip Code

A copy of the document purporting to be decedent's last will or a document listing the contents of the will is attached and offered for probate, and applicant waives notice of probate of this will.

Decedent's surviving spouse, children, next of kin, and legatees and devisees, known to applicant are listed on the attached Form 1.0.

The surviving spouse of the testator, or persons who would be entitled to inherit from the testator under Chapter 2105 of the Revised Code if the testator had died intestate, all legatees or devisees that are 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, will receive written notice by certified mail of the application to probate the lost, spoliated, or destroyed will.

The Applicant will further cause all persons who witnessed the will, or have relevant and material knowledge about the will, to appear before this Court to give testimony or submit written testimony in the form of affidavits to the Court.

\_\_\_\_\_  
Attorney for Applicant

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
City State Zip

\_\_\_\_\_  
Telephone Number (include area code)

\_\_\_\_\_  
Telephone Number (include area code)

\_\_\_\_\_  
Attorney Registration No.

**IN THE COURT OF COMMON PLEAS OF JEFFERSON COUNTY,  
OHIO PROBATE DIVISION  
FRANK W. NOBLE, JR., JUDGE**

**ESTATE OF \_\_\_\_\_, DECEASED**  
**CASE NO. \_\_\_\_\_**

**ACKNOWLEDGMENT OF APPLICATION TO ADMIT  
LOST, SPOILIATED, OR DESTROYED WILL  
AND WAIVER OF NOTICE OF APPLICATION**

The undersigned, being decedent's surviving spouse, children, next of kin, legatees and devisees, and/or any legatee and devisee named in the most recent will executed prior to the lost, spoliated, or destroyed will that is known to applicant, acknowledge the filing of the application to admit a lost, spoliated, or destroyed will to probate, waive written notice of the application to probate the lost, spoliated, or destroyed will and consent to its admission in its entirety. The undersigned further state that to the best of their knowledge, the decedent had not revoked the will prior to death.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

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Date

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Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**IN THE COURT OF COMMON PLEAS OF JEFFERSON COUNTY,  
OHIO PROBATE DIVISION  
FRANK W. NOBLE, JR., JUDGE**

**ESTATE OF \_\_\_\_\_, DECEASED  
CASE NO. \_\_\_\_\_**

**NOTICE OF APPLICATION TO ADMIT LOST, SPOLIATED, OR  
DESTROYED WILL TO PROBATE  
[R.C. 2107.27]**

To the following person:

\_\_\_\_\_  
Name Address  
\_\_\_\_\_  
City, State, Zip

You are notified that an application has been filed in the Probate Court of Jefferson County, Ohio asking the Court to admit to probate a document purported to be the lost, spoliated, or destroyed will of the above named 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.

The hearing on the application will be held \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
in the Jefferson County Probate Court.

The Court is located at 301 Market Street, Fourth Floor, Steubenville, Ohio 43952.

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

\_\_\_\_\_  
Date Applicant  
\_\_\_\_\_  
Typed or printed name

**IN THE COURT OF COMMON PLEAS OF JEFFERSON COUNTY,  
OHIO PROBATE DIVISION  
FRANK W. NOBLE, JR., JUDGE**

**ESTATE OF \_\_\_\_\_, DECEASED  
CASE NO. \_\_\_\_\_**

**AFFIDAVIT OF WITNESS TO EXECUTION OF WILL  
[R.C. 2107.26 & 2107.27]**

STATE OF OHIO

SS:

COUNTY OF \_\_\_\_\_,

The undersigned affiant witnessed the execution of the document that is before the Court and purported to be a copy of the lost, spoliated or destroyed will of the above listed decedent and certifies that the document purporting to be a copy of the lost, spoliated, or destroyed will matches the contents of the will at the time of execution. To the affiant's knowledge, the will complied with the formalities required by law at the time that the will was executed. The undersigned has no knowledge that decedent revoked the will prior to death.

The undersigned certifies under penalty of perjury that the statements in this Affidavit are true and complete.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness to execution of will

Sworn to and subscribed in my presence this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

**IN THE COURT OF COMMON PLEAS OF JEFFERSON COUNTY,  
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FRANK W. NOBLE, JR., JUDGE**

**ESTATE OF \_\_\_\_\_, DECEASED**  
**CASE NO. \_\_\_\_\_**

**JUDGMENT ENTRY SETTING HEARING**

[R.C. 2107.26 and 2107.27]

Upon the filing of the application to admit a will that was lost, spoliated, or destroyed, it is ordered that a hearing will be held on \_\_\_\_\_, 20\_\_ at \_\_\_\_\_M.

Unless waived, the applicant or applicant's attorney shall give written notice by certified mail to the surviving spouse of the testator, or persons who would be entitled to inherit from the testator under Chapter 2105 of the Revised Code if the testator had died intestate, all legatees or devisees that are 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.

The applicant or applicant's attorney must file proof evidencing service no later than five (5) days prior to the hearing.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Frank W. Noble, Jr., Probate Judge

**IN THE COURT OF COMMON PLEAS OF JEFFERSON COUNTY,  
OHIO PROBATE DIVISION  
FRANK W. NOBLE, JR., JUDGE**

**ESTATE OF \_\_\_\_\_, DECEASED  
CASE NO. \_\_\_\_\_**

**ENTRY ADMITTING LOST, SPOLIATED,  
OR DESTROYED WILL TO PROBATE  
[R.C. 2107.26 & 2107.27]**

The Court finds that the document purported to be the lost, spoliated, or destroyed will of decedent, either on its face or from testimony of the witnesses, complies with the formalities of the applicable law and its contents have been established by clear and convincing evidence. The Court additionally finds that no party has proven that decedent revoked the will prior to death.

It is ordered that the lost, spoliated or destroyed will be admitted to probate and notice of probate of the will shall be given to all parties entitled to notice.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Frank W. Noble, Jr., Probate Judge