PROBATE COURT OF JEFFERSON **COUNTY, OHIO**

ESTATE OF _____, DECEASED

CASE NO. _____

APPLICATION TO DISTRIBUTE IN KIND

[R.C. 2113.55]

The fiduciary asks the Court to authorize distribution in kind, according to the within schedule, of personal property in the estate which is not specifically bequeathed and is available for distribution.

[Check one of the following] - ☐ Decedent's known debts have been paid or secured to be paid - ☐ Sufficient assets are in hand to pay decedent's known debts.

[Check whichever of the following paragraphs are applicable]:

☐ All interested persons whose interests may be affected by the distribution have consented to the distribution as proposed in the within schedule.

☐ All interested persons whose interests may be affected by the distribution have not consented to the distribution as proposed in the within schedule. The fiduciary will give notice as required by law to all interested persons who have not consented and who are listed on the notice of hearing accompanying this application.

☐ The distribution is to satisfy part or all of the allowance for support due decedent's **[check applicable boxes]** - ☐ surviving spouse - ☐ minor children.

☐ The distribution is with the consent of the surviving spouse, and is to satisfy part or all of the specific monetary share due the surviving spouse under the Statute of Descent and Distribution **[if this paragraph is checked, the following must be completed and the surviving spouse must sign the consent form]**:

Specific monetary share due surviving spouse	$_____
Less: Value of property to be distributed hereunder to surviving spouse	$_____
Probate assets previously received by surviving spouse in excess of the allowance for support	$_____
Balance of specific monetary share remaining	$_____

_____
Fiduciary

(Reverse of Form 10.0)

CONSENT TO DISTRIBUTION IN KIND

The undersigned, being the decedent's surviving spouse or other interested persons, hereby consent to the distribution as described herein.

_____ _____
Surviving Spouse

_____ _____

_____ _____

SCHEDULE OF PROPERTY TO BE DISTRIBUTED IN KIND

Name of Distributee	Item to be Distributed	$ Appraised Value

JUDGMENT ENTRY

[Check the applicable boxes]

☐ The Court finds that the distribution in kind as set forth herein is not prohibited by law and will be in the best interests of the estate, and that all interested persons have consented to the proposed distribution. It is ordered that the fiduciary is authorized to distribute the personal property in accordance with the within application.

☐ The Court finds that all interested persons have not consented, and it is therefore ordered that the Application to Distribute in Kind is scheduled for hearing before the Court located at _____ _____ on _____ at _____o'clock _____M., and that the fiduciary shall serve a copy of the application and notice of the hearing as required by law, upon all interested persons who have not consented.

☐ The Court further finds and orders: _____ _____.

_____ _____
Date **Probate Judge**