

<b>Hawkins County Chancery Court</b> 100 E. Main Street, Suite 316 Rogersville, TN 37857 (423) 272-8150	<b>PETITION FOR LIMITED LETTERS FOR A SMALL ESTATE</b>	Case Number <hr/>
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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 \_\_\_\_\_ 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 T.C.A.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 proceeding), the identity of each creditor of the decedent, and the amount owing to each identified creditor are shown 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 consent in writings (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 \_\_\_\_\_

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 (\$)
<b>TOTAL DEBTS</b> 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 Personalty	Value (\$)
<b>TOTAL VALUE</b> of the decedent’s estate subject to this small estate proceeding:	

*Attach additional pages if necessary.*