

PROBATE COURT OF FRANKLIN COUNTY, OHIO
JUDGE ERIC BROWN

ESTATE OF
GUARDIANSHIP OF _____ INCOMPETENT
TRUST OF _____ , DECEASED

CASE NO. _____

FILING INFORMATION

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

Documents are attached and offered for filing.

Attorney for Applicant

Typed or Printed Name

Address

City, State, Zip

Telephone Number [include area code]

Attorney Registration No.

Applicant

Typed or Printed Name

Address

City, State, Zip

Telephone Number [include area code]

PROBATE COURT OF FRANKLIN COUNTY, OHIO
ROBERT G. MONTGOMERY, JUDGE

ESTATE OF _____, DECEASED

CASE NO. _____

APPLICATION FOR CERTIFICATE OF TRANSFER
 [R.C. 2113.61]

Applicant states that decedent died on _____.

Decedent's residence at death was: _____
Street Address

City or Village, or Township if unincorporated area County

Post Office State Zip Code

Decedent died owning the real property described in the accompanying Certificate of Transfer No. _____, which also lists those persons to whom the real property passed. Applicant asks the Court to issue a Certificate of Transfer so that new ownership interests may be recorded.

[Check the applicable boxes]

- Decedent died intestate.
- Decedent died testate on _____; Will admitted to probate on _____.
- Decedent's known debts have been paid or secured to be paid.
- Sufficient other assets are in hand to pay decedent's known debts.
- Estate is insolvent and the transfer shall apply toward the allowance for support.
- Applicant was appointed by this Court on _____ and is the qualified and acting executor or administrator of decedent's estate.
- Executor or administrator of decedent's estate failed to file this application before being discharged.
- Applicant is the executor or administrator appointed in another state. There is and has been no ancillary administration in Ohio. The real property to be transferred is located in this county.
- The transfer is subject to a written contract for the sale and conveyance of the real property, entered into but uncompleted by decedent before death. A copy of the contract is attached.
- There has been no administration and none is contemplated [R.C. 2113.61(D)].
- The transfer is pursuant to decedent's Will.
- The transfer is pursuant to the statutes of descent and distribution.

- The transfer is pursuant to summary release from administration [R.C. 2113.031(D)(3)].
- The real property to be transferred is subject to a charge in favor of the surviving spouse in the amount of \$_____ as computed pursuant to R.C. 2106.11 on attached Exhibit A, and as shown on the accompanying Certificate of Transfer, in respect of the unpaid balance of the specific monetary share which is part of the surviving spouse's total intestate share.
- Spousal elections have been exercised.
- Disclaimers or assignments have been filed.
- The transfer is of decedent's entire interest in the mansion house to the surviving spouse, who hereby elects to take such interest as part or all of the intestate share and/or allowance for support. **[If this paragraph is checked, the following must be completed, and both the surviving spouse and applicant must sign this form].**

The value of the total intestate share to which decedent's surviving spouse is entitled is\$ _____

The value of the allowance for support to which decedent's surviving spouse is entitled is\$ _____

The value of decedent's entire interest in the mansion house is:

Interest in mansion house.....\$ _____

Interest in household goods in house\$ _____

Interest in lots or farm land adjacent to house and used in conjunction with it, which are described in the Certificate of Transfer and which spouse hereby elects to include\$ _____

Less: Decedent's share of liens on any and all of the above\$ _____

Total\$ _____ \$ _____

Surviving Spouse

Applicant

Title or Status

ENTRY ISSUING CERTIFICATE OF TRANSFER

The Court finding that the above application contains the information required by statute orders that Certificate of Transfer No. _____ be filed with this Entry and a copy of the Certificate of Transfer be issued for recording.

[Check if applicable] The Court further finds that the transfer is subject to a charge pursuant to R.C. 2106.11.

Date

Robert G. Montgomery
Probate Judge

CASE NO. _____

The legal description of decedent's interest in the real property subject to this certificate is:

[use extra sheets, if necessary]

Street address of this property: _____

Prior Instrument Reference:

Parcel No:

This Instrument was prepared by _____.

ISSUANCE

This Certificate of Transfer is issued this _____ day of _____, 20 _____.

Robert G. Montgomery
Probate Judge

CERTIFICATION

I certify that this document is a true copy of the original Certificate of Transfer No. _____ issued on _____ and kept by me as custodian of the official records of this Court.

Date

Robert G. Montgomery
Probate Judge

By _____
Deputy Clerk

PROBATE COURT OF FRANKLIN COUNTY, OHIO
JUDGE ERIC BROWN

ESTATE OF _____, DECEASED

CASE NO. _____

REAL PROPERTY QUESTIONNAIRE

1. Type of interest the decedent held:

2. All names on the Deed of the real property:

3. Street number of the real property:

4. Parcel number of the real property:

5. If real property is outside Franklin County, in what county and state is it located:

Applicant

No Administration

Full Administration

Date Estate Tax Return and/or this Form Filed in Probate Court

**Certificate of Estate Tax Payment and
Real Property Disclosure
for Dates of Death on or after November 8, 1990**

This form should not be sent to the Estate Tax Division in Columbus.

Estate of: Decedent's last name		Decedent's first name and initial	
County of residence	Case number	Date of death	

Part I – Please complete either Section A or B, whichever is applicable.

A. This section is to be completed by the estate representative where an Ohio estate tax return is required to be filed.

Date of death (please check one):

- On or after Jan. 1, 2002 – more than \$338,333
- On or after Jan. 1, 2001 through Dec. 31, 2001 – more than \$200,000
- On or after June 30, 1983 through Dec. 31, 2000 – more than \$25,000.

1. The estate tax return due for this estate was filed in probate court on the date stamped hereon.
2. All estate taxes shown due, if any, on the return have been paid in full. (This step will take effect upon verification by the county auditor on page 3, Part II of this form.)
3. All real property listed in the inventory for the decedent's estate is included in the estate tax return as well as the following real property not listed in the inventory and attached to this certificate.
4. The real property attached to this certificate shall be free of any lien for estate taxes under Ohio Revised Code (R.C.) sections 5731.02 and 5731.19(A). This certificate does not take effect until verification of payment of tax is received from the county auditor's office. This certificate does not reflect the tax commissioner's final determination of estate tax under R.C. section 5731.26.

B. This section is to be completed by the estate representative where no Ohio estate tax return is required to be filed.

Date of death (please check one):

- On or after Jan. 1, 2002 – under \$338,333
- On or after Jan. 1, 2001 through Dec. 31, 2001 – under \$200,000
- On or after June 30, 1983 through Dec. 31, 2000 – under \$25,000.

1. No estate tax return is required to be filed because the gross estate, which includes all real property, falls below the filing requirements set forth in R.C. section 5731.21(A)(3).
2. All real property listed in the attached inventory for the decedent's estate, as well as the following real property not listed in the inventory and attached to this certificate, shall be free of any lien for estate taxes under R.C. sections 5731.02 and 5731.19(A).

Declaration

The information contained on this certificate, to the best of my knowledge, is true and complete.

Name of estate representative

Signature of estate representative

Address of estate representative

Date

Instructions for Completion

Estate Representative

If an estate tax return is required to be filed

- ▶ The estate representative completes **Section A** in **Parts I and II** of this certificate. The estate representative is required to sign **Part I** of the certificate. For dates of death on or after Nov. 8, 1990, this certificate is required to accompany one of the following returns when it is filed with the probate court:
 - (a) Resident Ohio Estate Tax Return (estate tax form 2)
 - (b) Nontaxable Return (estate tax form 2)
 - (c) Ohio Nonresident Estate Tax Return (estate tax form 4)
 - (d) Amended Resident Ohio Estate Tax Return (estate tax form 2X)

If no estate tax return is required to be filed

- ▶ The estate representative completes **Section B** in **Part I** only. The estate representative is required to sign **Part I** of this certificate.

Probate Court

If an estate tax return is required to be filed

- ▶ Upon receipt of one of the above-listed returns for filing, the probate court date stamps both the return and **Part I** of this certificate.

Part I is maintained in the court's public record file. **Part II** of this certificate is forwarded to the county auditor with the filed return or estate tax form 5 for verification of payment of tax.

After receipt of **Part II** of this certificate from the county auditor, the probate court signs and date stamps **Section C. Part II** is then filed with **Part I** in the public record file.

If no estate tax return is required to be filed

- ▶ The probate court date stamps **Part I** of this certificate. **Part I** is then maintained in the probate court's public record file. **Part II** is not applicable.

County Auditor

If an estate tax return is required to be filed

- ▶ If the estate taxes have been paid in full, the county auditor completes **Section B of Part II** of this certificate to verify that the taxes have been paid in full. The county auditor validates the date the return was filed. **Part II of this certificate is maintained at the county auditor's office until all taxes shown to be due have been paid.** When the taxes are paid, the county auditor signs and date stamps **Part II**. After completion, **Part II** is returned to the probate court. This same procedure is followed for nontaxable filings.

If no estate tax return is required to be filed

- ▶ Neither **Part I** nor **Part II** of this certificate shall be forwarded to the county auditor's office.

Property Description

If an estate tax return is required to be filed

- ▶ Attach all real property not listed in the inventory including permanent parcel number, address and full legal description.

If no estate tax return is required to be filed

- ▶ Attach a copy of the inventory for the decedent's estate as well as all real property not listed on the inventory, including permanent parcel number, address and full legal description.

**Certificate of Estate Tax Payment and Real Property Disclosure
for Dates of Death on or After November 8, 1990
(R.C. Section 5731.21)**

Part II

A. This section is to be completed by the estate representative.

Estate of _____ Case number _____

Date of death _____ County _____

B. This section is to be completed by the county auditor.

I hereby verify that the estate taxes shown due on the estate tax return filed on _____
have been paid in full.

County auditor

By: _____
Deputy

**Date Tax Paid to
County Auditor**

C. This section is to be completed by the probate judge.

The verification of this certificate by the county auditor was filed in this court on the date
stamped hereon.

Probate judge

By: _____
Deputy

**Date Filed in
Probate Court**

Instructions for Completion

Estate Representative

If an estate tax return is required to be filed

- ▶ The estate representative completes **Section A** in **Parts I and II** of this certificate. The estate representative is required to sign **Part I** of the certificate. For dates of death on or after Nov. 8, 1990, this certificate is required to accompany one of the following returns when it is filed with the probate court:
 - (a) Resident Ohio Estate Tax Return (estate tax form 2)
 - (b) Nontaxable Return (estate tax form 2)
 - (c) Ohio Nonresident Estate Tax Return (estate tax form 4)
 - (d) Amended Resident Ohio Estate Tax Return (estate tax form 2X)

If no estate tax return is required to be filed

- ▶ The estate representative completes **Section B** in **Part I** only. The estate representative is required to sign **Part I** of this certificate.

Probate Court

If an estate tax return is required to be filed

- ▶ Upon receipt of one of the above-listed returns for filing, the probate court date stamps both the return and **Part I** of this certificate.

Part I is maintained in the court's public record file. **Part II** of this certificate is forwarded to the county auditor with the filed return or Estate Tax Form 5 for verification of payment of tax.

After receipt of **Part II** of this certificate from the county auditor, the probate court signs and date stamps **Section C**. **Part II** is then filed with **Part I** in the public record file.

If no estate tax return is required to be filed

- ▶ The probate court date stamps **Part I** of this certificate. **Part I** is then maintained in the probate court's public record file. **Part II** is not applicable.

County Auditor

If an estate tax return is required to be filed

- ▶ If the estate taxes have been paid in full, the county auditor completes **Section B of Part II** of this certificate to verify that the taxes have been paid in full. The county auditor validates the date the return was filed. **Part II of this certificate is maintained at the county auditor's office until all taxes shown to be due have been paid.** When the taxes are paid, the county auditor signs and date stamps **Part II**. After completion, **Part II** is returned to the probate court. This same procedure is followed for nontaxable filings.

If no estate tax return is required to be filed

- ▶ Neither **Part I** nor **Part II** of this certificate shall be forwarded to the county auditor's office.

Property Description

If an estate tax return is required to be filed

- ▶ Attach all real property not listed in the inventory including permanent parcel number, address and full legal description.

If no estate tax return is required to be filed

- ▶ Attach a copy of the inventory for the decedent's estate as well as all real property not listed on the inventory, including permanent parcel number, address and full legal description.