

SURROGATE'S COURT OF THE STATE OF NEW YORK

COUNTY OF _____

— — — — — X

PROBATE PROCEEDING, _____

WILL OF _____

a/k/a _____

Deceased.

— — — — — X

APPLICATION FOR
PRELIMINARY LETTERS TESTAMENTARY
(See SCPA 1412)

File # _____

1. The proposed preliminary executor (s) is/are _____
_____ and is/are designated as executor (s) in the Will
of the above named decedent dated _____
(together with Codicil (s) dated _____) and duly filed with the court.

2. The person (s) who would have a right to letters testamentary pursuant to Section 1412.1 is/are:
[Enter "NONE" or specify name and interest]

3. Preliminary letters are requested for the following reasons:

4. Probate is expected to be completed by: _____

5. A contest is is not expected.

6. The testamentary assets of decedent's estate are estimated as follows: [describe and state value;
annex schedule if space is insufficient]

Personal Property:

Total Personal Property: \$ _____

Real Property:

Total Real Property: \$ _____

18 months rent, if applicable:

Total of 18 month's rent: \$ _____

7. The liabilities of this estate are:

8. By provision in the propounded will, the applicant(s) [is/are] [are not] required to file a bond or other security for the performance of his/her/their duties.

Your applicant (s) respectfully request the issuance to _____

of preliminary letters testamentary upon qualifying.

Dated: _____

(Applicant)

(Applicant)

OATH & DESIGNATION OF PRELIMINARY EXECUTOR

STATE OF NEW YORK _____)

COUNTY OF _____) ss.:

I, the undersigned, _____ being duly sworn say:

1. OATH OF PRELIMINARY EXECUTOR: I am over eighteen (18) years of age and a citizen of the United States; I am an executor named in the Will described in the foregoing petition and will well, faithfully and honestly discharge the duties of preliminary executor and duly account for all money or property which may come into my hands. I am not ineligible to receive letters.

2. DESIGNATION OF CLERK FOR SERVICE OF PROCESS: I hereby designate the Clerk of the Surrogate's Court of _____ County, and his/her successor in office, as a person on whom service of any process issuing from such Surrogate's Court may be made, in like manner and with like effect as if it were served personally upon me whenever I cannot be found and served within the State of New York after due diligence used.

My domicile is : _____

(Street Address)

(City/Town/Village) (State)

(Zip)

(Signature of Petitioner)

(Print Name)

On _____, 20 _____, before me personally came _____

_____, to me known to be the person described in and who executed the foregoing instrument. Such person duly swore to such instrument before me and duly acknowledged that he/she executed the same.

Notary Public: _____

Commission Expires: _____

(Affix Notary Stamp or Seal)

Signature of Attorney: _____

Print Name: _____

Firm Name: _____ Tel No.: _____

Email: _____

Address of Attorney: _____

NOTE: Each Preliminary Executor must complete a combined Oath & Designation of Preliminary Executor.