



Angelina “Angel” Colonnese

CLERK OF THE CIRCUIT COURT AND COMPTROLLER OF MANATEE COUNTY

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Disposition of Personal Property without Administration Pursuant to Florida Statute 735.301

To obtain a Disposition of Personal Property without Administration, any interested party must satisfy the requirements of F.S. 735.301 and file the completed forms as follows:

- Disposition without Administration Petition – 3 pages, notarized (required)
- Certified Death Certificate (required)
- Original Will – If the decedent had a will, the original has to be filed with the verified statement, unless previously filed.
- Decedent must have been domiciled in Manatee County at time of death, or the property is located in Manatee County.
- Copy of funeral bill and receipts.
- Copy of medical and hospital expenses for last 60 days of decedent’s last illness with receipts.
- The value of nonexempt personal property shall not exceed the sum of the amount of preferred funeral expenses and reasonable and necessary medical and hospital expenses of the last 60 days of the last illness.
- Copy of paperwork showing assets including a dollar amount at the time of decedent’s death. You must provide a copy of stock, bank statement and insurance policies etc.; including addresses with account numbers, policy numbers and addresses.
- Consent of any additional heirs with address and notarized signature, death certificate, if applicable.
- For current filing fee, please see Fee Schedule at www.manateeclerk.com.

When filling out the Petition:

- Print the decedent’s name after the words “In Re:”
- Print your name and address, as well as all other required information.
- Check correct box indication that either there is no will, or that you are filing it at this time.
- List beneficiaries (heirs) in descending order at item no. 2; you may use the back of the form, indicate on the front of the form that you have done so.
- Attach a copy of the paid funeral bill and the last 60 days medical expenses and receipts showing payment. (If the asset is needed to pay the bill, the order can reflect that the proceeds go directly to the funeral home.)

The forms may be sworn to before the deputy clerk or a notary public. After completing the forms, file all documents with the clerk along with the filing fee. All documents will be forwarded to the judge. If granted, two certified copies of the Order to Disburse or Transfer Assets will be provided to you. The certified copies are to be presented by you to the financial institution.

“Pride in Service with a Vision to the Future”

Clerk of the Circuit Court – Clerk of Board of County Commissioners – County Comptroller – Auditor and Recorder

IN THE CIRCUIT COURT IN AND FOR MANATEE COUNTY, FLORIDA

IN RE: ESTATE OF

PROBATE DIVISION

File Number _____

(Decedent's Name)

**Disposition of Personal Property without Administration
Pursuant to Florida Statute 735.301
Affidavit**

Petitioner alleges:

1. Petitioner, whose name and address are _____

and whose Social Security number is _____, is _____ (relationship to
decedent) of _____ (decedent),

who died at _____ on the _____ of _____, 20____, a resident of
_____, whose last known address was

_____, and whose age, if known, was
_____ and whose Social Security number is _____.

☐ The decedent left no will

☐ The decedent's original will accompanies this affidavit.

☐ The decedent's original will was deposited with the Clerk on _____, 20____.

2. So far as is known, the names of the beneficiaries of decedent's estate and of the decedent's surviving spouse, if any, their addresses and relationship to decedent, and the ages of any who are minors are:

NAME	ADDRESS	RELATIONSHIP	AGE (Birth Date if Minor)

3. The estate of decedent consists only of personal property exempt from the claims of creditors under the Constitution of Florida, and non-exempt personal property the value of which does not exceed the sum of the amount of preferred funeral expenses and reasonable and necessary medical and hospital expenses of the last 60 days of the decedent's last illness, all being described as follows:

EXEMPT:	Description	Value

NON-EXEMPT:	Description	Value

Preferred funeral expenses (statement or receipts attached):

Services by	Amount	Paid or Due

Medical and hospital expenses for last 60 days of last illness (statement or receipts attached):

Services by	Type of Service	Amount	Paid or Due

Other debts of decedent:

Creditor	Goods or Services (How incurred)	Amount

Requested payment of distribution to:

Name	Property	Amount or Value

I know of no other assets or debts of the decedent except: _____

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true, to the best of my knowledge and belief.

(Signature of Petitioner)

(Address of Petitioner)

(Telephone)

(Email Address of Petitioner)

Sworn to and subscribed before me by means of ☐ physical presence or ☐ online notarization
this _____ day of _____, 20____, who ____ is personally known or ____ produced identification.
Type of identification produced _____.

Signature of person taking acknowledgment

-- OR --
Angelina Colonnese,
Clerk of Circuit Court
P. O. Box 25400, Bradenton, FL

Name of Acknowledger typed, printed or stamped

By: _____
Deputy Clerk

Title

(seal) Commission Number & Expiration Date

_____, _____

Florida Statute -

735.301 Disposition without administration -

- (1) No administration shall be required or formal proceedings instituted upon the estate of a decedent leaving only personal property exempt under the provisions of s. 732.402, personal property exempt from the claims of creditors under the Constitution of Florida, and nonexempt personal property the value of which does not exceed the sum of the amount of preferred funeral expenses and reasonable and necessary medical and hospital expenses of the last 60 days of the last illness.
- (2) Upon informal application by affidavit, letter, or otherwise by any interested party, and if the court is satisfied that subsection (1) is applicable, the court, by letter or other writing under the seal of the court, may authorize the payment, transfer or disposition of the personal property, tangible or intangible, belonging to the decedent to those persons entitled.
- (3) Any person, firm or corporation paying, delivering, or transferring property under the authorization shall be forever discharged from any liability thereon.

IN THE CIRCUIT COURT IN AND FOR MANATEE COUNTY, FLORIDA

IN RE: _____

Case number: _____

Deceased

Probate: Division

CONSENT TO DISPOSITION OF PERSONAL PROPERTY

I, _____, as _____, of the
(beneficiary) (relationship)
decedent, do agree to the distribution of assets as listed below and in the Petition for
Distribution of Personal Property without Administration filed by _____.
(petitioner)

Description of Asset	Account Number	Dollar Amount
_____	_____	_____
_____	_____	_____
_____	_____	_____

Sworn to and subscribed before me by means of ☐ physical presence or ☐ online notarization
this _____ day of _____, 20____, who _____ is personally known or _____ produced
identification.

Type of identification produced _____.

Statement made before:

_____	_____
(Deputy Clerk or Notary)	(Signature)

	(Print Name)

My commission expires:

(Street Address)

(City, State, Zip Code)

(Telephone)

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT COURT
IN AND FOR MANATEE COUNTY, FLORIDA
PROBATE DIVISION

IN RE: ESTATE OF:

Case No.:

**CHECKLIST FOR DISPOSITION OF PERSONAL PROPERTY WITHOUT
ADMINISTRATION**

PART I: F.S. 735.301			
☐testate or ☐intestate			
YES	NO	N/A	TOPIC/QUESTION
			1. Decedent's Death Certificate was filed
			2. Decedent's Death Certificate reflects s/he died in Manatee County
			3. Is the Petition/Application/Affidavit signed and notarized by applicant?
			4. Is Applicant an interested party i.e. beneficiary or heir (not a creditor)
			5. Is decedent's original will filed?
			6. Is there a surviving spouse?
			7. Are there surviving children of decedent?
			8. Is all the listed as exempt actually exempt?
			9. If there is a spouse is she getting a share of exempt property or has waived in favor of decedent's children.
			10. If exempt property is being distributed to only one of decedent's children are there waivers from the surviving spouse and/or other children.
			11. Do you have a title in Decedent's name for each exempt vehicle?
			12. Both the exempt and nonexempt property, contain no real property?
			13. Is there a specific list of each piece of nonexempt personal property to be distributed; including name, address, financial institution, account number, policy number etc?
			14. Is there a dollar value at time of decedent's death listed for each item of nonexempt personal property?
			The total dollar value of the nonexempt personal property is: A. \$ _____ (place this figure in grey box below)
			15. Are there medical bills listed for the last 60 days of decedent's last illness?
			16. Are there receipts for each medical and hospital bill marked paid or provided for in proposed distribution?

			17. Are their receipts for each hospital bill marked paid or provided for proposed distribution?
			The total dollar value of the paid receipts for medical and hospital bills is: B. \$_____ (place this figure in grey box below)
			18. Are there funeral bills listed?
			19. Are there receipts for the funeral bills marked paid or provided for in the proposed distribution?
			The total dollar value of the paid receipts for funeral bills is: C. \$_____ (place this figure in grey box below)
☐ A. \$_____ is less than < B. \$_____ + C. \$_____			
☐ ALL ANSWERS TO QUESTIONS 1-4 AND 8-18 ARE YES , if there is a spouse and child(ren)			
☐ TESTATE: Answer to #5 is YES exempt and nonexempt property shall be distributed as directed by will unless waiver by spouse or adult children			
☐ INTESTATE: Answer to # 5 is NO, AND ☐ Answer to #6 is No or N/A, there must be a child of decedent receiving exempt property ☐ Answer to #7 is NO or N/A, there must be spouse of decedent receiving exempt property ☐ If #6 and #7 are both YES and the decedent's children are minors, spouse may get all shares of exempt personal property			
☒ If all four above boxes correct an ORDER APPROVING should be entered.			
☒ If all four boxes above are not correct an ORDER DISAPPROVING should be entered with discrepancies marked.			

PART II A. : EXEMPT PERSONAL PROPERTY REQUIRES F.S. 732.402	
Decedent to have been domiciled in the State of Florida at the time of death	
Beneficiary/Heir must be a spouse or children of decedent	
Exempt Property consists of:	
	Household furniture, furnishings and appliances in decedent's usual place of abode up to \$20,000.00
	Motor vehicles
	no more than two
	neither weighing more than 15,000 lbs
	titled in decedent's name
	Vehicles were regularly driven by decedent or immediate family member
	All qualified tuition programs such as 529 and Florida Prepaid etc
	All benefits per 112.1915 teacher and school admin. death benefits
PART III A. : EXEMPT PERSONAL PROPERTY CONSTITUTION	
Spouse or heir may claim \$1,000.00 of personal property	