

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: _____ In the Matter of the Determination of Heirs or Devisees or Both and of Interests in Property of: Deceased	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): _____ Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	Case Number: _____ Division _____ Courtroom _____
PETITION FOR THE DETERMINATION OF HEIRS OR DEVISEES OR BOTH, AND OF INTERESTS IN PROPERTY	

The petitioner, a person entitled to file this petition in accordance with § 15-12-1302(1), C.R.S., makes the following statements:

1. Information about the petitioner:

Name: _____
 Street Address: _____
 City: _____ State: _____ Zip Code: _____
 Mailing Address, if different: _____
 City: _____ State: _____ Zip Code: _____
 Primary Phone: _____ Alternate Phone: _____
 Email Address: _____

2. The petitioner:

is an interested person. The interest is as follows:

- Petitioner is an owner by descent or succession as defined by §15-12-1301(2), C.R.S.;
- Petitioner is an alleged heir or devisee of a decedent addressed in this petition; or
- Petitioner is a person claiming an ownership interest derived from an owner by descent or succession as defined by § 15-12-1301(2), C.R.S. or from an alleged heir or devisee of a decedent addressed in this petition; or

is a person who may be affected by the ownership of property that is the subject of this petition based on the following: _____

3. The property that is the subject of this petition is (including legal description if real property):

	Description of Property (ONLY IF KNOWN, petitioner may include fractional or percentage ownership)	Location of Property
Property 1		
Property 2 (if any)		
Property 3 (if any)		
Property 4 (if any)		

This petition also covers any other property owned by the Original Decedent (as defined below) at the time of his or her death or that the Original Decedent was entitled to at the time of his or her death.

This petition does not cover any other property owned by the Original Decedent.

4. This petition concerns the following decedent(s), who are related by successive interests in the property described in Paragraph 3 above if there is more than one decedent: _____
_____ (name of each decedent). The decedent with the originating property interest will be referred to herein as the Original Decedent; each other decedent will be referred to as an Additional Decedent. The information in Paragraph 5 through 13 is provided for the Original Decedent and each Additional Decedent.

For each decedent covered by this petition, starting with the Original Decedent and continuing in order for each Additional Decedent (if any), complete items 5 through 13. (Note: Use additional pages if necessary.)

Original Decedent - _____ [name]:

5a. The Original Decedent, at the age of _____ years, died on _____ (date)
at _____ (place of death).

6a. One year or more has passed since the date of the Original Decedent's death.

- 7a. Administration of the Original Decedent's estate has not been granted or commenced in any jurisdiction.
 Administration of the Original Decedent's estate has been granted or commenced, but the estate has been settled without a determination of the descent or succession of all or a portion of the Original Decedent's property.

8a. The Original Decedent was last domiciled or resided in the City of _____ County of _____
_____, State of _____.

- 9a. The Original Decedent died without a Will.
 The Original Decedent died with a Will. The date of the Original Decedent's last Will is _____. The dates of all codicils are _____. The Will and any codicils are referred to as the Will.
 The Will was admitted to probate in _____ (county and Court), State of _____, in Case No. _____, on _____ (date). Certified copies of the Will and the order admitting the Will to probate are filed with this petition. (§ 15-12-1302(4)(a), C.R.S.)
 The Will has not been probated. The Will has been lodged in _____ (Court). The petitioner believes that is the Original Decedent's last Will and that it was validly executed. Except as may be disclosed in an attached explanation and after the exercise of reasonable diligence, the petitioner is unaware of any instrument revoking the Will and is unaware of any prior Wills relating to property in Colorado that have not been expressly revoked by a later instrument. A certified copy of the Will is attached or, if certification is not possible, a copy of such Will is attached, along with an explanation as to why certification was not possible. (§ 15-12-1302(4)(b), C.R.S.)

The Will has not been probated and the original Will has not been lodged with any Court. The Will is lost, destroyed, or otherwise unavailable. The petitioner believes that is the Original Decedent's last Will and that it was validly executed. Except as may be disclosed in an attached explanation and after the exercise of reasonable diligence, the petitioner is unaware of any instrument revoking the Will and is unaware of any prior Wills relating to property in Colorado that have not been expressly revoked by a later instrument. A copy of the Will is attached or, if a copy is not available, the contents of the Will are set forth in an attachment to this petition.

10a. List names, addresses, and relationship of all interested persons as defined in § 15-12-1301(1), C.R.S., including owner(s) by descent or succession, an alleged heir or devisee of a decedent, any other person claiming an ownership interest derived from an owner by descent or succession, or an alleged heir or devisee in any property the descent or succession of which is to be determined by this petition for the Original Decedent.

- ◆ If a guardian or conservator has been appointed for one of the persons listed below, also provide the name and address of the guardian or conservator.
- ◆ If a minor child is listed, list the child's parent(s), guardian or conservator.
- ◆ If a spouse, partner in a civil union, or child has predeceased the Original Decedent, include the date of death.
- ◆ See additional instructions below.

Name	Address (or date of death)	Age, only if Minor	Relationship (e.g. spouse, partner in a civil union, child, brother, guardian for spouse, etc.)

11a. This petition concerns the descent or succession of the Original Decedent's interest in the property identified in Paragraph 3 above.

12a. The owners by descent or succession of the Original Decedent's interest in the property identified in Paragraph 3 above:

Owner(s) by Descent or Succession	Share of Original Decedent's Interest in Property (Fraction or Percentage)

13a. The relief sought by this petition is not inconsistent with any previous administration of the Original Decedent's property.

First Additional Decedent (if any) - _____ [name]:

5b. The First Additional Decedent, _____ (name), at the age of _____ years, died on _____ (date), at _____ (place of death).

6b. One year or more has passed since the date of the First Additional Decedent's death.

7b. Administration of the First Additional Decedent's estate has not been granted or commenced in any jurisdiction.

Administration of the First Additional Decedent's estate has been granted or commenced, but the estate has been settled without a determination of the descent or succession of all or a portion of the First Additional Decedent's property.

8b. The First Additional Decedent was last domiciled or resided in the City of _____ County of _____, State of _____.

9b. The First Additional Decedent died without a Will.

The First Additional Decedent died with a Will. The date of the First Additional Decedent's last Will is _____. The dates of all codicils are _____. The Will and any codicils are referred to as the Will.

The Will was admitted to probate in _____ (county and Court), State of _____, in Case No. _____, on _____ (date). Certified copies of the Will and the order admitting the Will to probate are filed with this petition. (§ 15-12-1302(4)(a), C.R.S.)

The Will has not been probated. The Will has been lodged in _____ (Court). The petitioner believes that is the First Additional Decedent's last Will and that it was validly executed. Except as may be disclosed in an attached explanation and after the exercise of reasonable diligence, the petitioner is unaware of any instrument revoking the Will and is unaware of any prior Wills relating to property in Colorado that have not been expressly revoked by a later instrument. A certified copy of the Will is attached or, if certification is not possible, a copy of such Will is attached, along with an explanation as to why certification was not possible. (§ 15-12-1302(4)(b), C.R.S.)

The Will has not been probated and the original Will has not been lodged with any Court. The Will is lost, destroyed, or otherwise unavailable. The petitioner believes that is the First Additional Decedent's last Will and that it was validly executed. Except as may be disclosed in an attached explanation and after the exercise of reasonable diligence, the petitioner is unaware of any instrument revoking the Will and is unaware of any prior Wills relating to property in Colorado that have not been expressly revoked by a later instrument. A copy of the Will is attached or, if a copy is not available, the contents of the Will are set forth in an attachment to this petition.

10b. List names, addresses, and relationship of all interested persons as defined in § 15-12-1301(1), C.R.S., including owner(s) by descent or succession, an alleged heir or devisee of a decedent, any other person claiming an ownership interest derived from an owner by descent or succession, or an alleged heir or devisee in any property the descent or succession of which is to be determined by this petition for First Additional Decedent.

- ◆ If a Guardian or Conservator has been appointed for one of the persons listed below, also provide the name and address of the Guardian or Conservator.
- ◆ If a minor child is listed, list the child's parent(s), Guardian or Conservator.
- ◆ If a spouse, partner in a civil union, or child has predeceased the First Additional Decedent, include the date of death.
- ◆ See additional instructions below.

Name	Address (or date of death)	Age, only if Minor	Relationship (e.g. spouse, partner in a civil union, child, brother, guardian for spouse, etc.)

- 11b. This petition concerns the descent or succession of the First Additional Decedent's fractional or percentage interest in the Original Decedent's interest in the property identified in Paragraph 3 above.
- 12b. The owners by descent or succession (including fractional or percentage interest) of the First Additional Decedent's fractional or percentage interest in the Original Decedent's interest in the property identified in Paragraph 3 above:

Owner(s) by Descent or Succession	Share of First Additional Decedent's Interest in Property (Fraction or Percentage)

- 13b. The relief sought by this petition is not inconsistent with any previous administration of the First Additional Decedent's property.
- 14. Jurisdiction is proper because the Original Decedent and each Additional Decedent died leaving an interest in real property in Colorado or died domiciled in Colorado leaving an interest in personal property, wherever located.
- 15. Venue for this proceeding is proper in this county because the Original Decedent (and each Additional Decedent) was (were) domiciled or resided in this county on the date of death or left property situated in this county.
- 16. Based on the foregoing, the petitioner requests that the Court determine the Original Decedent's interest in the property identified in Paragraph 3 to be held as follows:

Owner(s) by Descent or Succession (including address)	Share of Original Decedent's Interest in Property (Fraction or Percentage)

Petitioner requests that after notice and any required hearing, the court enter judgment and decree determining that the petitioner has standing to bring this action and determining the heirs or devisees of the Original Decedent and each Additional Decedent, or both, the owners by descent or succession of the property, a description of the property and any other pertinent facts.

By checking this box, I am acknowledging I am filling in the blanks and not changing anything else on the form.

By checking this box, I am acknowledging that I have made a change to the original content of this form.

VERIFICATION

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the _____ day of
(date)

Executed on the _____ day of
(date)

_____, _____,
(month) (year)

_____, _____,
(month) (year)

at _____
(city or other location, and state OR country)

at _____
(city or other location, and state OR country)

(printed name)

(printed name)

(Signature of Petitioner)

(Signature of Co-Petitioner, if any)

Attorney Signature, (if any)

Date

Instructions for each paragraph 10:

- Include any statements regarding legal disability or other incapacity required by C.R.P.P. 12, and §15-12-1302(3)(d)(IX), C.R.S. List the names and dates of death of any deceased heirs or devisees. (See applicable antilapse statute, §§ 15-11-601 and 603, C.R.S.) Where a listed person is an heir, detail the relationship with the decedent that creates heirship. Examples: son, daughter of pre-deceased son. (§§15-11-101 to 114, C.R.S.) If the name or address of any interested person is unknown, include a statement detailing the reasonable, diligent efforts made to determine the name and/or address of such interested person. (§ 15-12-1302(3)(e), C.R.S.) Attach additional pages if necessary.