

# CHECKLIST - CERTIFICATE OF TRANSFER

(Disclaimer: This checklist is intended as a guideline only and is subject to modification by the Court at any time)

## MANDATORY DEPOSIT DUE AT TIME OF FILING: (CHECK / CASH/ MONEY ORDER – ONLY)

\$68.00 WITH WILL

\$35.00 WITHOUT WILL

## REQUIREMENTS

The decedent must have been a resident of Lake County, Ohio at the time of death, or owned real estate in Lake County. Real estate must be the only asset in the estate. For more information please see O.R.C 2113.61(D).

**Note: All paperwork should be typed, single sided, and please do not staple originals.  
All documents being filed must have original signature.**

INITIAL FILING: All forms listed and the filing fee must be presented together or the proceeding will not be initiated:

- Photocopy of the death certificate – with the social security number redacted
- Application for Certificate of Transfer (Form 12.0)
- Certificate of Transfer (Form 12.1)
- Surviving Spouse, Children, Next of Kin, Legatees and Devisees (Form 1.0)
- Proof of the Auditor Valuation and Legal Description of the property (Deed).
- For dates of death prior to January 1, 2013, Form ET 22 is required.
  - Additional fee of \$30 if Section A is filled out      -Additional fee of \$5 if Section B is filled out

WHEN ADMITTING THE WILL: *If a transfer is pursuant to a Will, you **must** do all of the following.*

- File the **Original** Will
- Complete the Application to Probate Will (Form 2.0)
- Complete the Surviving Spouse, Children, Next Of Kin, Legatees and Devisees (Form 1.0)
- Waiver of Notice of Probate of Will (Form 2.1)
  - Signatures on the waiver form are from EVERYONE listed on the FRONT and BACK of the Next of Kin Form (Form 1.0)

LATER FILINGS -WITH WILL ONLY (CAN BE FILED AFTER THE CASE HAS BEEN INITIATED):

- Notice of Probate of Will (Form 2.2)
- Certificate of Service of Notice of Probate of Will (Form 2.4)

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Court of Common Pleas  
Division of Probate  
*Judge Mark J. Bartolotta*



Lake County Courthouse, West Annex  
**Physical Address:** 25 North Park Place,  
Painesville, Ohio 44077  
**Mailing Address:** P.O Box 490  
Painesville, Ohio 44077  
#440-350-2626  
[www.lakecountyohio.gov/probatelco](http://www.lakecountyohio.gov/probatelco)

**PROBATE COURT OF LAKE COUNTY, OHIO  
JUDGE MARK J. BARTOLOTTA**

**ESTATE OF \_\_\_\_\_, DECEASED**

**CASE NO. \_\_\_\_\_**

**CONTACT INFORMATION FORM**

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Attorney for Applicant(s) \_\_\_\_\_

Attorney's Street Address \_\_\_\_\_

City, State and Zip Code \_\_\_\_\_

Attorney's Telephone Number \_\_\_\_\_

Fax Number \_\_\_\_\_

Attorney's Email Address \_\_\_\_\_

Attorney's Registration Number \_\_\_\_\_

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Applicant's Name \_\_\_\_\_

Applicant's Street Address \_\_\_\_\_

City State and Zip Code \_\_\_\_\_

Applicant's Telephone Number \_\_\_\_\_

Applicant's Email Address \_\_\_\_\_

**PROBATE COURT OF LAKE COUNTY, OHIO  
JUDGE MARK J. BARTOLOTTA**

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

**APPLICATION TO PROBATE WILL**

[R.C. 2107.11, 2107.12, and 2107.19]

The applicant states that decedent died on \_\_\_\_\_

Decedent's domicile was \_\_\_\_\_

Street Address

\_\_\_\_\_  
City or Village, or Township if unincorporated area County

\_\_\_\_\_  
Post Office State Zip Code

A document purporting to be decedent's last will is attached and offered for probate, and applicant waives notice of probate of this will.

Decedent's surviving spouse, children, next of kin, and legatees and devisees, known to applicant, are listed on the attached Form 1.0.

\_\_\_\_\_  
Attorney for Applicant

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Phone Number (include area code)

\_\_\_\_\_  
Phone Number (include area code)

Attorney Registration No. \_\_\_\_\_

**WAIVER OF NOTICE OF PROBATE OF WILL**

The undersigned, being persons entitled to notice of the probate of this will, waive such notice. After a certificate is filed evidencing these waivers and any notices given, any action to contest the validity of this will must be filed no more than three months after the filing of the certificate for estates of decedents who die on or after January 1, 2002, and no more than four months after the filing of the certificate for estates of decedents who die before January 1, 2002. [print and sign on the lines below]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ESTATE OF \_\_\_\_\_

CASE NO. \_\_\_\_\_

ENTRY ADMITTING WILL TO PROBATE

The Court finds that the purported will of decedent, either on its face or from testimony of the witnesses, complies with applicable law. It is therefore admitted to probate and ordered recorded. The Court further orders that notice of the probate be given to all parties entitled to notice.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Probate Judge

CERTIFICATE OF WAIVER OF NOTICE

The undersigned states that all persons entitled to notice:

[Check applicable boxes]

Have waived notice of the application for probate of this will or of a contest as to jurisdiction.

Have waived notice of this will's admission to probate. The waivers are filed herein.

Have not been notified because their names or places of residence are unknown and cannot with reasonable diligence be ascertained.

\_\_\_\_\_

Fiduciary

Applicant for the admission of this will to probate

Applicant for release from administration

Other interested person

Attorney for any of the above

Attorney Registration No. \_\_\_\_\_

**PROBATE COURT OF LAKE COUNTY, OHIO  
 JUDGE MARK J. BARTOLOTTA**

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

**SURVIVING SPOUSE, CHILDREN, NEXT OF  
 KIN, LEGATEES AND DEVISEES**

[R.C. 2105.06, 2106.13 and 2107.19]

**[Use with those applications or filings requiring some or all of the  
 information in this form, for notice or other purposes. Update as required.]**

The following are decedent's known surviving spouse, children, and the lineal descendants of deceased children. If none, the following are decedent's next of kin who are or would be entitled to inherit under the statutes of descent and distribution.

Name	Residence Address	Relationship to Decedent	Birthdate of Minor
		Surviving Spouse	

**[Check whichever of the following is applicable]**

- The surviving spouse is the natural or adoptive parent of all of decedent's children.
- The surviving spouse is the natural or adoptive parent of at least one, but not all,  
 of decedent's children.
- The surviving spouse is not the natural or adoptive parent of any of decedent's children.
- There are minor children of the decedent who are not the children of the surviving spouse.
- There are minor children of the decedent and no surviving spouse.

CASE NO. \_\_\_\_\_

The following are the vested beneficiaries named in the decedent's will:

Name	Residence Address	Birthdate of Minor

**[Check whichever of the following is applicable]**

- The will contains a charitable trust or a bequest or devise to a charitable trust, subject to R.C. 109.23 to 109.41.
- The will is not subject to R.C. 109.23 to 109.41 relating to charitable trusts.

\_\_\_\_\_ Date

\_\_\_\_\_ Applicant/Attorney (or give other title)

**PROBATE COURT OF LAKE COUNTY, OHIO  
JUDGE MARK J. BARTOLOTTA**

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

**WAIVER OF NOTICE OF PROBATE OF WILL  
[R.C. 2107.19(A)(2)]**

The undersigned, being persons entitled to notice of the probate of this will, waive such notice. After a certificate is filed evidencing these waivers and any notices given, any action to contest the validity of this will must be filed no more than three months after the filing of the certificate for estates of decedents who die on or after January 1, 2002, and no more than four months after the filing of the certificate for estates of decedents who die before January 1, 2002. [sign and print on the lines below]

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**PROBATE COURT OF LAKE COUNTY, OHIO  
JUDGE MARK J. BARTOLOTTA**

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

**CERTIFICATE OF SERVICE OF NOTICE OF PROBATE OF WILL  
[R.C. 2107.19(A)(3)]**

The undersigned states that all persons entitled to notice:

**[Check all applicable boxes]**

- Have waived notice of the admission of this will to probate. The waivers are filed herein.
- Have received notice of the admission of this will to probate.
- Have been notified of the hearing on the probate of this will or a contest as to jurisdiction.
- Evidence of notification is filed herein.
- Have not been notified because their names or places of residence are unknown and cannot with reasonable diligence be ascertained.

- 
- Fiduciary
  - Applicant for the admission of this will to probate
  - Applicant for release from administration
  - Other interested person
  - Attorney for any of the above

Attorney Registration No. \_\_\_\_\_



**PROBATE COURT OF LAKE COUNTY, OHIO  
JUDGE MARK J. BARTOLOTTA**

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

**NOTICE OF PROBATE OF WILL  
[R.C. 2107.19(A)]**

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

You are hereby notified that the decedent died on \_\_\_\_\_, \_\_\_\_\_, that the decedent's will was admitted to probate by this Court located at the Lake County Courthouse, 25 North Park Place Painesville Ohio, 44077 on \_\_\_\_\_, \_\_\_\_\_. This notice is given to all persons who would be entitled to inherit from the decedent had the decedent died intestate and to all legatees and devisees named in this will who do not waive.

You are receiving this notice as: [check all of the following that apply]

- The Surviving Spouse
- A person who would be entitled to inherit from the decedent had the decedent died intestate.
- A legatee or devisee named in the will.

After a certificate is filed evidencing any notices given, any action to contest the validity of this will must be filed no more than three months after the filing of the certificate for estates of decedents who die on or after January 1, 2002, and no more than four months after the filing of the certificate for estates of decedents who die before January 1, 2002.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code

\_\_\_\_\_  
Phone Number (include area code)

- Fiduciary
  - Applicant for the admission of this will to probate
  - Applicant for release from administration
  - Other interested person
  - Attorney for any of the above
- Attorney Registration No. \_\_\_\_\_

PROBATE COURT OF LAKE COUNTY, OHIO  
MARK J. BARTOLOTTA JUDGE

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

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

Applicant states that decedent died on \_\_\_\_\_.

Decedent's domicile 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.

CASE NO. \_\_\_\_\_

- 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 Certificate of Transfer and which spouse hereby elects to include ..... \$ \_\_\_\_\_

Less: Decedent's share of liens on any and all of above ..... \$ \_\_\_\_\_

Total ..... \$ \_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_  
Surviving Spouse Signature

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
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

\_\_\_\_\_  
**JUDGE MARK J. BARTOLOTTA**

**PROBATE COURT OF LAKE COUNTY, OHIO  
JUDGE MARK J. BARTOLOTTA**

ESTATE OF \_\_\_\_\_, DECEASED

CASE NO. \_\_\_\_\_

**CERTIFICATE OF TRANSFER**

NO. \_\_\_\_\_

[Check one of the following]

Decedent died intestate.

Decedent died testate.

Decedent died on \_\_\_\_\_ owning the real property described in this certificate. The persons to whom such real property passed by devise, descent or election are as follows:

Name	Residence Address	Transferee's share of decedent's interest
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_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
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_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**[Complete if applicable]** The real property described in this certificate is subject to a charge of \$ \_\_\_\_\_ in favor of decedent's surviving spouse, \_\_\_\_\_ in respect of the unpaid balance of the specific monetary share which is part of the surviving spouse's total intestate share.

CASE NO. \_\_\_\_\_

The legal description of decedent's interest in the real property subject to this certificate is: **[use extra sheets, if necessary]**.

Prior Instrument Reference:

Parcel No:

This instrument was prepared by \_\_\_\_\_

**ISSUANCE**

This Certificate of Transfer is issued this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Probate Judge

**AUTHENTICATION**

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

\_\_\_\_\_  
Probate Judge

By \_\_\_\_\_  
Deputy Clerk

Instructions For Service

CASE NAME \_\_\_\_\_ CASE NO \_\_\_\_\_

GUARDIANSHIP \_\_\_\_\_ ESTATE \_\_\_\_\_ CIVIL \_\_\_\_\_

TYPE OF HEARING: Appointment of Fiduciary \_\_\_\_\_  
\_\_\_\_\_

Please issue notice of hearing on the following persons:

<u>NAME</u>	<u>ADDRESS</u>
_____	_____
_____	_____
_____	_____
_____	_____

**TYPE OF SERVICE REQUESTED:**

Sheriff	Certified Mail
Publication	Regular Mail

Please serve \_\_\_\_\_ by the Court Investigator.



\_\_\_\_\_  
Attorney

Date and time of hearing : \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Street Address

Attorney notified: \_\_\_\_\_

\_\_\_\_\_  
City State Zip Code

Completed: \_\_\_\_\_

\_\_\_\_\_  
Phone Number (include area code)

Date: \_\_\_\_\_