

**AFFIDAVIT TRANSFERRING CERTAIN
PERSONAL PROPERTY**

STATE OF KANSAS)
) ss:
COUNTY OF _____)

(name of affiant), of lawful age, first being duly sworn states:

(1) On ___ *(date)* ___, _____, ___ *(name of decedent)* ___ died (testate) (intestate) at ___ *(location)* ___, leaving an estate not exceeding \$40,000 in value, and I have attached a certified copy of the death certificate hereto.

(2) That no petition for the appointment of an executor or administrator of the decedent's estate is pending or has been granted.

(3) That all unpaid debts, claims or demands against the decedent or the decedent's estate and all estate, and inheritance taxes due, if any, on the property transfers involved, have been or will be paid.

(4) That the following are the names, ages, relationships and addresses of the beneficiaries under the decedent's will or heirs of the decedent:

<u>Name</u>	<u>Age</u>	<u>Relationship</u>	<u>Address</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(5) That the decedent's estate consists of the following property: (include the proceeds from insurance policies payable to the estate and identify the policy by number):

<u>Property</u>	<u>Value</u>
_____	_____
_____	_____
_____	_____
_____	_____

(6) That affiant(s) (has) (have) the sole and exclusive right to succeed to the personal property of the decedent and that affiant(s) (is) (are) over 18 years of age and (is) (are) legally competent in all respects to make this affidavit and to receive the above mentioned personal property, apportioned among the affiant or affiants, if more than one, as follows: _____.

Wherefore, affiant(s) hereby (requests) (request) that the above mentioned personal property be transferred to the affiant(s).

(Signature of Affiant)

Subscribed and sworn to before the undersigned on the _____ d a y o f _____, 2____ .

Notary Public

My Appointment Expires:

Authority

K.S.A. 59-1507b.

Notes on Use

This affidavit may be used to obtain the transfer, to a decedent's successor in interest, of certain personal property that would be transferrable to the decedent, without obtaining letters of administration or letters testamentary, where the total value of the estate subject to probate does not exceed \$40,000. The transfer is treated as one to the personal representative of the decedent, and the receipt of the transfer operates as a full discharge and release of the transferor.

Comment

Prior to July 1, 2000, K.S.A. 59-1507b consisted of two subsections. Subsection (a) related to only the surviving spouse and subsection (b) related to all successors of the decedent. The 2000 Legislature repealed subsection (a) and raised the limitation from \$10,000 to \$20,000. The 2008 Legislature raised the limitation from \$20,000 to \$40,000.