



PROBATE COURT OF \_\_\_\_\_ COUNTY, OHIO

IN THE MATTER OF \_\_\_\_\_

Case No. \_\_\_\_\_ Docket \_\_\_\_\_ Page \_\_\_\_\_

**Application for Appointment of Testamentary Trustee**

Revised Code, Sec. 2109.02

In the Matter of

THE TRUST CREATED BY

1 \_\_\_\_\_ The Will of  
\_\_\_\_\_ Deceased



\_\_\_\_\_ 19\_\_\_\_

**Application for Appointment**

\_\_\_\_\_ a resident of

hereby make\_\_ application to be appointed Trustee<sup>2</sup> \_\_\_\_\_

the Trust Created by<sup>1</sup> \_\_\_\_\_ the Will of \_\_\_\_\_

deceased,<sup>3</sup> \_\_\_\_\_

and being duly sworn, say\_\_\_\_ that the whole of said Trust Estate is as follows, to-wit:

Personal property of the probable value of .....	\$ _____
Real estate of the probable value of .....	\$ _____
Annual real estate rentals which will come into _____ hands, of the probable value of ...	\$ _____
Total .....	\$ _____

Said applicant\_\_ offer\_\_ a Bond as such Trustee\_\_ in the sum of \_\_\_\_\_

Dollars, with \_\_\_\_\_ and \_\_\_\_\_

freeholders, as sureties.

P. O. \_\_\_\_\_

1. Here may be inserted "item \_\_\_\_\_ of"  
 2. Here may be inserted "of" or "to carry into effect"  
 3. Here may be inserted "Said Will was duly admitted to Probate (or Record) in this Court, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_" "Said will was made in the State or Territory of \_\_\_\_\_ and relates to lands situated in this County," "and \_\_\_\_\_ was appointed such Trustee in said Will," or "that no Trustee is named in said Will" or "\_\_\_\_\_ the Trustee appointed in said Will has died, declined to accept, resigned, became incapacitated or been removed," or "\_\_\_\_\_ was named in said Will as Trustee, and by an authenticated copy of \_h\_\_\_\_ appointment, that \_he\_ ha\_\_\_\_ been duly appointed Trustee to execute the said Trust by the \_\_\_\_\_ Court of \_\_\_\_\_ according to the laws of the State or Territory of \_\_\_\_\_."

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**Court of Common Pleas  
Probate Division**

\_\_\_\_\_ County, OH

In the Matter of

**THE TRUST CREATED BY**

\_\_\_\_\_ The Will of

Deceased

**Application for Appointment of  
Testamentary Trustee**

The State of Ohio, \_\_\_\_\_ County.

\_\_\_\_\_ being first duly sworn,  
says the foregoing statement is true, as \_\_\_\_\_ verily believes.

Sworn before me and signed in my presence, this

\_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Judge

Deputy Clerk

PROBATE COURT OF \_\_\_\_\_ COUNTY, OHIO

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

Case No. \_\_\_\_\_ Docket \_\_\_\_\_ Page \_\_\_\_\_

FIDUCIARY'S ACCEPTANCE (TRUSTEE)

In the matter of:

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

Case No. \_\_\_\_\_

\_\_\_\_\_, 19.....

I, the undersigned, hereby accept the duties which are required of me by law, and such additional duties as are ordered by the Court having jurisdiction of the subject matter of the trust, as testamentary trustee

- 1. Making and filing an inventory of the real and personal property contained in the trust estate within 3 months after appointment.
2. Administering the trust estate in accordance with law and the Will of testator.
3. Depositing funds which come into my hands in a lawful depository located within this state.
4. Investing surplus funds in a lawful manner.
5. Making and filing an account at least once in each two years.
6. Filing a final account within 30 days after the trusteeship is terminated.

I acknowledge that I am subject to removal as such fiduciary if I fail to perform such duties.

I also acknowledge that I am subject to possible penalties for improper conversion of the property which I hold as such fiduciary.

Signed \_\_\_\_\_ FIDUCIARY

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

NOTE: Sec. 2109.02. Every fiduciary, before entering upon the execution of a trust, shall receive letters of appointment from a probate court having jurisdiction of the subject matter of the trust.

The duties of a fiduciary shall be those required by law, and such additional duties as the court orders. Letters of appointment shall not issue until a fiduciary has executed a written acceptance of his duties, acknowledging that he is subject to removal for failure to perform his duties, and that he is subject to possible penalties for conversion of property he holds as a fiduciary. The written acceptance may be filed with the application for appointment.

PROBATE COURT OF \_\_\_\_\_ COUNTY, OHIO

IN THE MATTER OF \_\_\_\_\_

Case No. \_\_\_\_\_ Docket \_\_\_\_\_ Page \_\_\_\_\_

**TRUSTEE'S BOND**  
(TESTAMENTARY)

*KNOW ALL MEN BY THESE PRESENTS, That we,.....*

*and.....  
as sureties, are held and firmly bound unto the State of Ohio, in the penal sum of  
..... Dollars, for the  
payment of which sum well and truly to be made, we jointly and severally bind  
ourselves, our heirs, executors and administrators, and each of them firmly by these  
presents.*

*Signed by us this..... day of..... A. D. 19....., at  
....., Ohio.*

*THE CONDITION OF THIS OBLIGATION IS SUCH, That Whereas, on the  
..... day of....., 19....., the Court of Common Pleas  
Probate Division of the County of..... in the  
State of Ohio, appointed the said.....  
as Trustee of the estate of.....  
The object and purpose of said appointment and trust being: That by the last will of  
....., deceased, late of said County  
of....., which said last will has been duly admitted to  
probate and record in said Court, it was among other things provided.....*

*Now, if the said..... shall,*

*1. Make and return to the Court, on oath, within the time required by law, a  
true inventory of all moneys, goods, chattels, rights, credits and real estate belong-  
ing to the trust, which come to ..... possession or knowledge;*

*2. Administer and distribute according to law and the will of the Testator,  
all moneys, goods, chattels, rights, credits and real estate belonging to the trust,  
which come to the possession of the Trustee or to the possession of any other person  
for.....;*

*3. Render upon oath, a just and true account of..... administration at  
any time or times required by the Court or the law.*

*Faithfully and honestly discharge the duties devolving upon..... as  
such Trustee;*

*Then this obligation to be void; otherwise to remain in full force.*

*Executed in the Presence of* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*This Bond approved in open Court, this..... day of....., 19.....*

*Judge*

**PROPERTY STATEMENT OF SURETIES**

**The State of Ohio,** ..... **County**

....., *one of the sureties on the bond*  
*of* ..... *, as Trustee*  
*of* .....  
*dated the* ..... *day of* ..... *A.D. 19*....., *says that*.....*is a resident of*  
.....*in the county of*..... *and State of Ohio,*  
*that*.....*owns real property worth*.....*Dollars*  
*over and above all encumbrances, and that*.....*has property in the State liable to*  
*execution equal to that amount, being Lot No.* ..... *in* ..... *Ohio.*

.....  
**P.O. Address of Surety**

.....  
*Sworn to before me and signed in my presence, this*  
*.....day of* ..... *, 19*.....

.....  
Judge

.....  
Deputy Clerk

**The State of Ohio,** ..... **County**

....., *one of the sureties on the bond*  
*of* ..... *, as Trustee*  
*of* .....  
*dated the* ..... *day of* ..... *A.D. 19*....., *says that*.....*is a resident of*  
.....*in the county of*..... *and State of Ohio,*  
*that*.....*owns real property worth*.....*Dollars*  
*over and above all encumbrances, and that*.....*has property in the State liable to*  
*execution equal to that amount, being Lot No.* ..... *in* ..... *Ohio.*

.....  
**P.O. Address of Surety**

.....  
*Sworn to before me and signed in my presence, this*  
*.....day of* ..... *, 19*.....

.....  
Judge

.....  
Deputy Clerk

**RECAPITULATION**

Total value of Personal Estate, ..... \$ \_\_\_\_\_  
Total value of Real Estate, ..... \$ \_\_\_\_\_  
Yearly Rent of Real Estate, ..... \$ \_\_\_\_\_

**AFFIDAVIT**

The State of Ohio, \_\_\_\_\_ County.

Trustee of \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

being duly sworn, says that the foregoing is a full Inventory of the Real and Personal Estate of the said Trust Estate, with the value of the same, and the value of the yearly rent of said Real Estate, according to the best of \_\_\_\_\_ knowledge.

Sworn and subscribed to before me, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
Judge

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

**JUDGMENT ENTRY**

In the Court of Common Pleas, Probate Division \_\_\_\_\_ County, Ohio

In the Matter of TRUSTEESHIP OF \_\_\_\_\_, 19 \_\_\_\_\_

No. \_\_\_\_\_

**Orders on Filing Inventory**

This day \_\_\_\_\_

\_\_\_\_\_ as \_\_\_\_\_

of \_\_\_\_\_ appeared in open Court and filed

\_\_\_\_\_ Inventory, duly verified, as such \_\_\_\_\_.

It is ordered that said Inventory, together with any material proceedings thereon, after being duly examined, be recorded in the records of this office. It is further ordered that said \_\_\_\_\_

as such \_\_\_\_\_ pay the costs herein, taxed at \$ \_\_\_\_\_

\_\_\_\_\_  
Judge