

# AFFIDAVIT FOR COLLECTION OF PERSONAL PROPERTY OF THE DECEDENT §72-3-1101, MCA

Name of Affiant, being duly sworn, states:

The name of the "affiant," or the person entitled to the property that was owned by the "decedent," or the original owner of the property that has passed away.

1. Name of Decedent died on date, year.

Decedent's death date needs to match the date on the death certificate.

2. Affiant is the successor of the decedent because Choose an item. Choose an item. the surviving Relation to Decedent of the decedent.

By "relation to decedent", we mean, are they the Daughter, Son, Nephew, Aunt, etc.

Don't forget to choose the correct pronouns and tenses.

3. The value of the entire estate of the decedent, wherever located, less liens and encumbrances, does not exceed \$50,000.00

Estates totaling more than \$50,000 (gross, not net) require the probate process and cannot be claimed using this form

4. Thirty days have lapsed since the death of the decedent.

5. No application or petition for the appointment of a Personal Representative of the decedent's estate is pending or has been granted in any jurisdiction.

The affiant will not be considered the "Personal Representative" until the court appoints them as such.

6. The affiant, as successor of the decedent, is entitled to the payment of any sums of money due and owing the decedent, to the delivery of all tangible personal property belonging to the decedent and to the delivery of all instruments evidencing a debt, obligation, stock, or choice in action belonging to the decedent. This money and property is described as follows:

Description of Property

Example of description of property:  
Checking Account #XXXXXXXXXXXXXXXXXX  
Savings Account #XXXXXXXXXXXXXXXXXX  
Dining room table, serial #XXXXXXXXXXXX  
Jewelry collection, 15 pieces, gold and silver

and is presently held by Entity currently in possession of asset located at Address, City, State, Zip.

By "entity currently in possession" we mean who has it now?

For the address, we need the location in which the property is currently held.

STATE OF MONTANA

County of \_\_\_\_\_

\_\_\_\_\_  
Affiant

County and Date needs to reflect  
the location and date of notarization

Signed and sworn to before me by \_\_\_\_\_, Affiant, and  
\_\_\_\_\_ and \_\_\_\_\_,  
witnesses, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(Notarial Seal)

You can fill in the name of the affiant and date  
if notarizing the same day and location.

\_\_\_\_\_  
Notary Signature