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| Form 10  Probate District:  Probate Court File No: |

**IN THE COURT OF PROBATE FOR NOVA SCOTIA**

**IN THE ESTATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Deceased**

**Application for a Grant of Administration with the Will Annexed**

**(S. 33(3))**

I,               name in full               , of               street and postal address               ,        place        , in the County of              county                     , Province of        province        , postal code , applicant,

**make oath and say:**

1. The executor named in the will and any codicil(s) exhibited in the affidavit in proof of execution of a will/ affidavit attesting to the authenticity of the signature of the deceased/affidavit explaining circumstances attached to this application is unable to take out probate because [give explanation]
2. I am              relationship of applicant               to the deceased and am therefore entitled to make this application.

[Attach Form 12, 14 or 15 renunciation/nomination/consent from persons having a prior or equal right to apply.]

1. name of deceased              late of        place        , in the County/Municipality of county/municipality        , Province of Nova Scotia,               occupation               , died on or about month and day       , 20 , at        place        , in the County/Municipality of        county/municipality        , Province of        province        , and at the time of death the residence of the deceased was
   1. at        place        , in the County/Municipality of        county/municipality         , Province of Nova Scotia.

OR

* 1. outside Nova Scotia and the deceased had, at such time, property in Nova Scotia.

[Choose (a) or (b) and delete the other.]

1. To the best of my information and belief:

(a)    the deceased was/was not of the age of majority at the time the will was made and was/was not married and was/was not a registered domestic partner at that time;

       (b)    the deceased, at the time of death, was married / unmarried / a widower / a widow / separated / divorced / a registered domestic partner; [circle one]

       (c)    the deceased did/did not marry and was/was not a registered domestic partner after the deceased’s will was made;

       (d)    neither name of witness nor        name of witness        , the witnesses to the will and any codicil(s) exhibited in the affidavit in proof of execution of a will/ affidavit attesting to the authenticity of the signature of the deceased/affidavit explaining circumstances attached to this application, is a beneficiary or the spouse of a beneficiary named in the will or any codicil(s); [If so, give details.]

       (e)    the deceased was predeceased by [List the names, addresses and dates of death respectively of predeceasing beneficiaries named in the will, predeceasing spouse(s) and predeceasing child(ren).] ;

       (f)     the deceased died leaving the following heirs: [List the names and addresses of heirs.] ;

       (g)    there are/are no marriage contracts, separation agreements or court orders that affect the appointment of the applicant as personal representative of the estate of the deceased; [If there are, give details.]

       (h)    the will and codicil(s) exhibited in the affidavit in proof of execution of a will/ affidavit attesting to the authenticity of the signature of the deceased/affidavit explaining circumstances attached to this application is/are the true and original last will and codicil(s) of the deceased;

       (i)     no other application has been made for a grant of probate or administration of this estate; and

       (j)     the fair market value of all the assets of the deceased that the deceased died possessed of or entitled to that pass by a will or wills or that are transferred or will be transferred to a trust under a will or wills, whether or not the trust is described in the will as being separate from the estate, or that pass upon intestacy, is:

          (i)   real property less encumbrances$

          (ii)  personal property (gross value)$

                Total:                                                                       $

which includes all insurance, RRSPs, RRIFs, pensions, superannuation and annuities payable to the estate of the deceased. [Do not include real property outside Nova Scotia, real property held in joint tenancy or insurance, RRSPs, RRIFs, pensions, superannuation and annuities payable to a named beneficiary.]

1. The real property of the deceased is situate at              place in Nova Scotia               .
2. I will faithfully administer the property of the deceased by:
   1. paying the just debts of the deceased, all taxes payable in respect of the estate of the deceased and the legacies contained in the attached will and codicil(s) so far as it or they extend and the law binds it;
   2. filing with the court a full and true inventory of all assets of the deceased in Form 29 within three months after the date of the grant;
   3. disclosing to the court the existence of any asset and any encumbrance on real property the value of which has not been disclosed in the inventory within 30 days of when it learns of it;
   4. undertaking to pay the Minister of Finance the taxes payable under the *Probate Act* with respect to any asset that passes to me as the personal representative of the deceased and has not previously been disclosed to the court, upon a determination being made as to the value of that asset;
   5. rendering a true account of my administration whenever required by law to do so; and
   6. distributing all the property of the deceased according to law.
3. I will surrender to this court the grant to be issued to it whenever so required by the court or the registrar.
4. I request that the court issue a grant of administration with the will annexed to the applicant.

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| **Sworn before me** at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,  in the Country of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,  Province of Nova Scotia, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_    A Barrister of the Supreme Court of Nova Scotia, Commissioner of Oaths in and for the Province of Nova Scotia, Notary Public in and for the Province of Nova Scotia | )  )  )  )  )  )  )  )  )  )  )  ) | Signature of applicant |

**[Note: the text and signature areas of this form may be adapted as required where there is more than one applicant.]**