**SURROGATE’S COURT OF THE STATE OF NEW YORK COUNTY OF**

**X**

**PROCEEDING FOR VOLUNTARY ADMINISTRATION DUE DILIGENCE**

**Estate of AFFIDAVIT**

a/k/a

**Deceased File No. X**

STATE OF )

COUNTY OF )

I, , BEING DULY SWORN, DEPOSE AND SAY: I AM OVER THE AGE OF 18 AND RESIDE AT:

**MY RELATIONSHIP TO THE DECEDENT IS** (examples: cousin, family friend, clergyperson, etc.)**:**

I KNEW THE DECEDENT FOR YEARS, AND MY KNOWLEDGE OF HIS/HER FAMILY TREE IS

**BASED ON** (examples: conversations with decedent or decedent’s family, visits, etc.)**:**

The decedent was survived by [no distributee][only one distributee][the only distributee(s) relationship to the decedent is (grandparents, aunts, uncles, first cousins, or first cousins once removed)]

IF ONLY ONE: The relationship of the sole distributee and the decedent is (FILL IN FROM FAMILY TREE AFFIDAVIT?) Attached exhibit of family tree/table? (NO TREE, TABLE, OR DIAGRAM IS NECESSARY IF THE SOLE DISTRIBUTEE IS THE SPOUSE OR ONLY CHILD OF THE DECEDENT)

IF MULTIPLE BUT ONLY GRANDPARENTS, AUNTS, UNCLES, FIRST COUSINS, ETC.: The relationship between the known distributees and the decedent are provided in the attached diagram?

No other persons of the same or a near degree of relationships survived the decedent. The decedent had (parents, spouse, children, siblings) who are deceased (date of death?)

This is proven by this affidavit of an uninterested person. (IF THERE IS ONLY ONE DISTRIBUTEE, THE UNINTERESTED TESTATOR CANNOT BE THE SPOUSE OR CHILD OF THE DISTRIBUTEE)

I, petitioner, am a disinterested party and will not receive anything from the estate.

There are no other known distributees of the decedent’s estate. In conducting due diligence to ascertain the unknown identity, names, and addresses of all such persons who are or may be distributees of the Estate of [DECEDENT], I took the following steps:

1. I examined the decedent’s personal belongings, including address books (examples: [iPhone] [calendar] [any other contact list];
2. I inquired the following individuals and institutions
	1. Relatives: I contacted X’s cousin and she informed me that there are no other relatives of decedent, etc.
	2. Neighbors
	3. Friends
	4. Former business associates and employers
	5. Post office
	6. Banks
3. I sent a letter to the last known address of any missing distributees (should be attached as exhibit) (I sent a letter to [missing distributee] at [last known address] on [date] informing them that [decedent] had died and they may have an interest in the estate.
4. I (sent a letter, called via telephone, conducted an internet search for) persons of same or similar name in the area where the person being sought lived (example: ancestry search, google search, checking the phone book)
5. To ascertain the address of [known distributee/next of kin], I wrote to the DMV and Board of Elections of the state or county of [HIS/HER] last-known address or examined the records

**Signature:**

**Sworn to before me on**

 **, 20 Print Name**

**Notary Public**

My Commission Expires:

(Affix Notary Stamp or Seal) - 4 -