

At a SURROGATE'S COURT,

held in and for the County of Erie, State of New York  
County Hall, in the City of Buffalo on the \_\_\_\_\_

ACEA M. MOSEY, Surrogate

In the Matter of Proving  
The Last Will and Testament of

**Decree**

File No.: \_\_\_\_\_

\_\_\_\_\_ Deceased.

\_\_\_\_\_, having heretofore presented a written petition praying that the instrument bearing date of \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ purporting to be the Last Will and Testament of \_\_\_\_\_ late of the \_\_\_\_\_ of \_\_\_\_\_ in said County of the deceased, be admitted to probate as a Will valid to pass real and personal property, and that a citation issue to the personal entitled thereto, citing them to show cause why a decree should not be granted.

And a citation having duly issued to all of the persons necessary to be cited requiring them to show cause before the court on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at (9:30 am ) (2:00 pm) that date why said Will should not be admitted to probate, and the service of said citation having been duly made upon each persons therein named as appears from the affidavit of service duly filed herein.

And the following named persons having duly appeared herein or having duly waived the issuance and service of said citation and having consented to the probate of the said Last Will and Testament: \_\_\_\_\_

And said petitioner having given satisfactory notice to each of the persons herein cited as to the reason for the service of the citation upon \_\_\_\_\_ and jurisdiction having been obtained of all necessary parties.

And a Guardian Ad Litem having been appointed for \_\_\_\_\_ by an order made in this proceeding by said Surrogate and having personally appeared herein and having filed his report and recommendation.

And petitioner having appeared in person and by \_\_\_\_\_  
his attorney.

And it appearing that \_\_\_\_\_ subscribing witness to  
the decedent's Last Will and Testament is (deceased) (absent from the State of New York), testimony is hereby  
dispensed with (proof of his handwriting having been submitted) \_\_\_\_\_

And the several witnesses called having been examined (before said Surrogate) and (before \_\_\_\_\_  
\_\_\_\_\_, an officer duly authorized to administer oaths), and the proofs taken reduced to  
writing, and said Surrogate having inquired particularly into all the facts and circumstances, and heard the proofs  
and allegations of the parties duly deliberated thereon, and being satisfied of the genuineness of the instrument  
propounded for the probate for and the Last Will and Testament of said testator and the validity of its execution,  
and it appearing that said instrument was duly executed; that the said testator at the time of executing the same was  
in all respects competent to make a will and not under restraint, and the probate thereof not having been contested:

It is Ordered and Decreed that the said instrument be and the same is hereby admitted to probate and  
established as and for the Last Will and Testament of said testator, valid to pass real and personal property, and the  
same be recorded accordingly.

And it is further Ordered and Decreed that Letters Testamentary \_\_\_\_\_  
\_\_\_\_\_ issue to \_\_\_\_\_  
Executor \_\_\_\_\_ in said will named, having appeared and taken the official oath and filed  
the designation prescribed by law, upon filing proof of service of a written notice to all beneficiaries under said will  
that the same has been offered for probate or probated, as the case may be.

And it is further Ordered and Decreed that \_\_\_\_\_ Guardian Ad Litem  
herein is allowed the sum of \$ \_\_\_\_\_ as and for his services herein.

\_\_\_\_\_  
HON. ACEA M. MOSEY  
Surrogate Judge