

PROBATE COURT OF GREENE COUNTY, OHIO
THOMAS M. O'DIAM, JUDGE

ESTATE OF _____, DECEASED
CASE NO. _____

**MOTION TO TERMINATE TESTAMENTARY TRUST
SET FORTH IN DECEDENT'S WILL**
[R.C. §2109.62; Local Rule 78.2(G)]

The undersigned Fiduciary moves the Court for an order terminating the testamentary trust set forth in the decedent's will in this matter pursuant to R.C. §2109.62. A copy of the Decedent's will which sets forth the trust agreement is attached to this Motion. The Fiduciary states that all of the following conditions apply which permit the Court to terminate the trust:

1. It is not economically feasible to establish the trust.
2. The termination of the trust is for the benefit of the named beneficiary or beneficiaries.
3. The termination of the trust is equitable and practical.
4. The value of the proposed trust is less than \$100,000.00.
5. The termination of the trust does not clearly defeat the intent of the decedent set forth in the decedent's will.

Beneficiary Information

The beneficiary or beneficiaries who are known to have a vested interest in the trust are as follows:

Name of Beneficiary _____	<input type="checkbox"/> Consent attached
Address _____	
Name of Beneficiary _____	<input type="checkbox"/> Consent attached
Address _____	
Name of Beneficiary _____	<input type="checkbox"/> Consent attached
Address _____	

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Contingent Beneficiary Information

The beneficiary or beneficiaries who are known to have a contingent interest in the trust are as follows:

Name of Beneficiary _____	<input type="checkbox"/> Consent attached
Address _____	
Name of Beneficiary _____	<input type="checkbox"/> Consent attached
Address _____	
Name of Beneficiary _____	<input type="checkbox"/> Consent attached
Address _____	

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Therefore, the Fiduciary requests permission from the Court to terminate the testamentary trust set forth in the decedent's will and make outright distribution of the property directly to all adult beneficiaries. The Fiduciary requests that any distributions to a minor beneficiary be made to a custodian for the minor as set forth in R.C. §5804.02. The distribution will be reflected in the Fiduciary's final and distributive account.

I certify that all of the information in this motion and all attached documents are complete and correct to the best of my knowledge and belief.

Attorney for Applicant

Applicant's Signature

Typed or Printed Name

Typed or Printed Name

Address

Address

City State Zip

City State Zip

Telephone Number (include area code)

Telephone Number (include area code)

Attorney Registration No.

Email Address

CERTIFICATE OF SERVICE

I certify that I served a copy of this Motion to Terminate Testamentary Trust Set Forth in Decedent's Will by ordinary mail on all persons and entities entitled to notice under R.C. §2109.62 except those who have waived notice, simultaneously with filing this Motion.

Attorney/Fiduciary