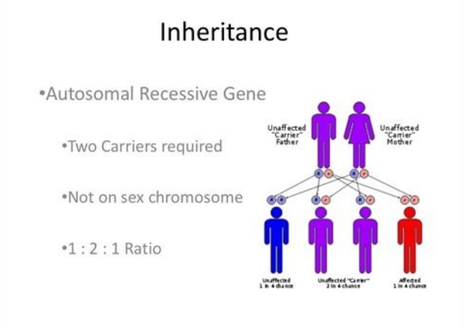


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Inheritance format pdf download

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Finally, you can describe how you want your funeral conducted and set aside money. You must be old enough to make or witness a will or serve as an executor. This is 18+ in most states. A notable exception is Georgia (14+). You can make a Will when you’re younger in certain situations, such as in the armed forces or married. If you die without a will — known as dying intestate — your state’s laws define who your property goes to and who cares for your children. You need a Last Will to choose what happens to your property and loved ones after you pass away. A will can be created as an alternative or in addition to a revocable living trust. You must understand the differences between a will vs. trust and which is right for you. Yes, you can make your own will. Especially if you have a small estate, you won’t need to go through a lawyer to create a simple, legally binding document. You can use our document builder to create a filled and printable Last Will. Who Needs a Last Will and Testament? You generally need a will if you expect to own property, have children, or have any money at your death. Consider creating or updating your Will if you: Travel a lot or live abroad Recently moved or purchased a new home Serve in the military Came into new wealth, assets, or property Recently married or divorced Are a parent or grandparent Are a pet owner What happens if you don’t have a Last Will?
If you don’t have a valid last will, you put yourself and your loved ones at risk. For example: You have no control over who gets your property — the laws of your state decide what happens to your estate. This usually means your spouse, children, parents, and siblings get your property (in that order) Your children might not receive their inheritance, which goes to a second spouse instead Your relatives dispute about who receives what, causing rifts in your family You have no say over your funeral, including what happens to your remains and how much money is spent The courts appoint an unwanted guardian for your children, elderly parents, and pets Your digital property and online accounts are managed by someone who you might not trust or even know Everyone should consider having a Last Will and Testament as part of their estate plan to take care of their property and other assets. According to the American Bar Association, you don’t have to use a lawyer to write your Will. A will is legally valid if it meets your state’s requirements. [1] If, however, you have extensive wealth or complicated concerns, a lawyer can help you navigate your bequests’ legal and tax implications and preferences. What to include in a Last Will?

The main areas that you need to pay attention to in a Last Will are: 1. Appointment of an Executor The executor is the person you want to settle your affairs with and ensure your last will is entirely carried out. The document should also name a backup executor if your first-choice executor passes away or can’t serve. For instance, they disappear or suffer from a mental health condition). You can arrange for the executor to be paid for their time. This payment can be a percentage of your estate or a flat or hourly fee. 2. Assets and Beneficiaries Your assets are your money and property. They can be real assets (tangible personal property, land, and houses) or digital assets (such as online accounts, social media accounts, domain names, and money in various online accounts). Identify your assets in your Last Will and what you want to be done with them after you pass away. 3. Beneficiaries are people and organizations from who you want to receive your assets. These are usually family and friends, but they can also be charitable organizations and other institutions you donate your assets (like a university or church). Before your assets are distributed to your beneficiaries, debtors collect what you owe them from your estate. The remainder is your residuary estate. Also, note that only assets owned solely by you at your death are included in your estate. For example, a joint bank account in your name and your spouse will not be part of your estate, as it becomes your spouse’s property. This also applies to homes, automobiles, land, life insurance, and an asset that includes more than one owner on the title or that specifies in the title who the beneficiaries will be. 4. Designated Guardians A guardian takes responsibility for your dependent minors (children) or elders if you and your spouse are deceased or if your spouse cannot care for them after you pass away. You can also use your Last Will to appoint a pet caretaker and set aside money for your pet’s care. 5. Plan and Pay for Your Funeral When you fill out your will form, outline your funeral wishes. Include how and where you want it held, and allocate money. Also, if you expect significant medical expenses in the days before your death, put aside funds to cover them. 6. Signed witnesses To make your Last Will form official, it must be signed by both you and at least two witnesses (the number depends on the law in your state). State laws also differ on who can witness the last Will. Still, typically they must be a disinterested party, of legal age, and of “sound mind.” If you want to change your Will, you can either create a new one or amend your existing one by using a codicil to your Will. How to Write a Last Will (7 Steps) Step 1 – Add personal information In the document’s header, you must fill in your name (the person for whom the last Will is being created). Then, add your address and details about your spouse and children. Step 2 – Add executor information. Who will carry out the terms of the Will? Depending on your state, there might be restrictions regarding who can legally be an executor. However, all states require the executor to be 18 years old. You should appoint a successor executor if your first choice cannot fulfill its duties.





Step 3 – Include executor compensation and powers. Mention if you want the executor to be entitled to any compensation or if they should have any specific powers. In this section, you can provide as much detail as you want about how the executor should be paid or leave it to their discretion. Step 4 – Specify the beneficiaries of your assets. Personal property, cash, or remaining estate must include the person’s name and the specific assets they will receive. After all property, expenses, and debt has been distributed, you can assign a beneficiary to the remaining estate. Step 5 – Appoint guardians. In this section, you’ll point to guardians for minors, elders, or pets. You can also designate funds to ease the burden on the guardian. Step 6 – Assign witnesses and signatures.



Check your state laws to determine how many witnesses you need and who can’t legally serve as a witness where you live. Witnesses must sign the document indicating that you are of sound mind and that they witnessed you sign it willingly (without undue influence). Step 7 – Add a self-proving affidavit. A self-proving affidavit is a sworn statement that proves Will’s validity.


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The Making of Inheritance Certificate in The Process of Transferring Right Over Land by Inheritance in Padang

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Abstract

Making a certificate of inheritance in the process of transferring rights over land by inheritance is guided by Article 111 paragraph (1) letter c number 4 of the Regulation of the Minister of Agrarian Affairs / Decree of the Land Agency Number 3 of 1997 concerning Implementing Regulation of Government Regulation Number 24 of 1997 concerning Land Registration. The article divides the authority to make inheritance certificate based on community classification so that it is contrary to the 1945 Constitution, Law Number 12 of 2006 concerning Citizenship, Law Number 40 of 2008 concerning Elimination of Racial and Ethnic Discrimination, Law Number 12 of 2011 concerning Law Enforcement. This study uses a normative juridical method with a statutory approach, a conceptual approach, and uses secondary data with primary legal materials, secondary legal materials, and tertiary legal materials. Data are analyzed qualitatively. From the results of the study concluded that in the process of transferring rights by inheritance, the heirs must show proof of inheritance certificate from a notary by giving attribution authority by Law Number 12 of 2014 in conjunction with Law Number 30 of 2004 concerning Notary Position, differentiation in the making of inheritance certificate is an urgency of the existence of legal pluralism so that in making the certificate of inheritance according to which law is used by the testator, due to differentiation in the making of inheritance certificate, there will be a deviation from the law itself (pluralism) so that the inheritance dispute will occur.

Keywords: Inheritance Certificate, Dividing Authority based on Population Differentiation

Introduction

The certificate of inheritance is made to prove who deserve to be the heirs because of the death of devisers as the base of inheritance division both who deserve and or how much the portion owned by the heirs based on *legitime portie*[1] and/or will.[2] The element of inheritance according to inheritance law is:

[1] *Legitime portie* is the absolute right obtained by certain parties on certain number from inheritance or provision which prohibits the heirs in making the provision like granting certain parts from their inheritance to other parties, or in the form of inheritance distribution determined by the heir themselves in order to fulfill the absolute part (*legitime portie*) the heirs that have the right. As stipulated in *Anisitus Amanat, Dividing Inheritance based on BW Civil Law Articles*, Raja Grafindo Persada, Jakarta, 2001, p. 1.

It is signed by you and your witnesses in front of a notary. The last Will does not need a self-proving affidavit to be legal, but having one will significantly speed up the probate process for your family. To write your Will — for example, by using our free template — fill in the blanks with your information. You’ll need to have this form witnessed and notarized according to your state’s laws to have any legal effect. Key Terms If you want to write your own Last Will, you need to understand the following key terms: Testator (or testatrix): you, the person making the Will Probate: the legal process carried out in court after the testator passes away — specifically to assess your Last Will and make sure it’s valid Executor (or executrix): the person you name to settle your affairs and make sure your wishes, as outlined in your Will, are carried out Guardian: the person you want to look after your children, elders, and/or pets if your spouse is also deceased or cannot care for them Beneficiary: the people or organizations who you want to receive your assets Assets: money, property, and other items of value Witness: someone mentally fit and of legal age who signs your last Will and Testament Sample Here you can get a free Last Will template to get started.
Just download our blank form in PDF or Word and print it out. HOW TO GUIDE - GET A WILL IN PLACE What to do?
How to do it? List, nominate and decide Before getting started on drafting your last Will and Testament, you must do the following: Make a detailed list of your property: full description of the property owned. For example: a red Ferrari, 2005 model, with registration number PPL 123 GP; and/or R50 000 held in an ABSA, savings account. Make a detailed list of your heirs: the names and identity numbers of the persons to inherit your property (“heirs”), as well as the type of relationship with these persons. For example, Maria Pelser, sister, with identity number 8701290017083. It is also possible to list alternative heirs, in case the original heir dies. Decide on distribution of your property: how you would like your property to be distributed to your heirs (full or partial). For example, Maria Pelser, sister, with identity number 8701290017083 will inherit the red Ferrari, 2005 model with registration number PPL 123 GP. Nominate an executor: family member, friend or professional (name, identity number and contact details) nominated to administrate your estate when you die. Nominate a legal guardian: family member, friend or colleague (name, identity number and contact details) nominated to look after your child (under the age of 18 years) when you die. RISKS = Failure by you to list, describe or decide on the distribution of your property to your heirs, will lead to confusion or even intestate succession. According to intestate succession, property will be distributed amongst your family (if no family, the State). If you fail to nominate an executor, the Master of the High Court might be doing so. If you fail to nominate a legal guardian, the High Court may be doing so.
Below is a basic template of a last Will and Testament, however, it is advised that you approach a professional to assist with drafting of a Will, for example, an attorney. Provide information: if using a professional, you must provide the abovementioned information to him/her, as well as your marital status and proof of same.
Please note: a Will may look different depending on each person’s circumstances. Possibility to create a testamentary trust: if necessary, a trust can be created in the Will to provide for your children until s/he reaches a certain age, or other dependants. Confirm the content of the Will: you must make sure that you understand the content of the Will and that it reflects your exact wishes. Comply with legal requirements before and when signing a Will: You must be older than 16 years in order to get a Will in place. The Will must be in writing. Each page of the Will must be signed by yourself and two witnesses, who must be older than 14 years. If any changes are made on the Will in ink, you must sign/initial next to those changes, together with the witnesses. People who are named as heirs, guardians, executors or trustees (and also their spouses) are not allowed to witness the Will. You and the witnesses must sign the Will in each other’s presence; the Will must indicate the date and place of signatures. RISKS = A Will is not valid if the above legal requirements are not met. A witness may not inherit from the Will that s/he signed. Failure by the testator to create a testamentary trust will lead to the inheritance of a child going to the Guardian’s Fund to hold for a certain period. Your last Will and Testament should be kept in a place that is safe and where it can be easily found after your death. If your Will was drafted by a professional, your Will may be kept at their premises for safe keeping. Inform a reliable person/s where the Will is kept.


INHERITANCE AFFIDAVIT

If a deceased owner's estate is not probated, their interest in a vehicle may be assigned through the use of this affidavit signed by all the heirs of the owner(s) stating the name of the person to whom the ownership interest has been assigned. (ORS 803.084)

This form must be completed by the heir(s) and submitted to DMV with the title (if available), application for title, and title transfer fee.

- DMV must receive an affidavit completed and signed by all heirs. Heirs are determined according to ORS Chapter 112. DMV cannot determine the heirs for you. You may wish to seek legal counsel to determine who the heirs are.
- If there is more than one heir, the heirs may either complete and sign the same affidavit or complete and sign separate affidavits. Each affidavit must indicate to whom ownership of the vehicle is assigned.
- If there are no other heirs, leave the space provided below for listing heirs blank.
- If the heir is a minor or is incapacitated, the parent or guardian must sign for the heir. (Example: Jane Q. Public, age 10, by Jodie Q. Public, parent.) If the guardian signs, a copy of the court papers showing guardianship must be submitted with the affidavit.
- The affidavit must be signed before a notary. (The notary does not have to be from the State of Oregon.)

I/We, _____,
declare that _____
died on the _____ day of _____, 20 _____; and that the estate has not and will not be probated.

At the time of death, the deceased was the owner of the following described vehicle:

YEAR/MAKE | VIN | MAKE | MODEL/SERIOUS/CLASS

List all heirs. (Any heirs not signing this affidavit must complete a separate affidavit.) I certify if there are no names listed below, there are no other heirs.

I/we release any and all claim to the following party:

NAME OF PERSON TO WHOM INTEREST OF THE VEHICLE HAS BEEN ASSIGNED | ADDRESS

CITY | STATE | ZIP CODE

ALL HEIRS MUST SIGN BELOW

SIGNATURE OF HEIR | SIGNATURE OF HEIR

X | X

SIGNATURE OF HEIR | SIGNATURE OF HEIR

X | X

State of _____ County of _____

Subscribed and sworn before me this _____ day of _____, 20 ____.

By _____

X _____

SIGNATURE OF NOTARY PUBLIC

Update your Will regularly. LAST WILL AND TESTAMENT I, the undersigned, _____ (insert full names of testator) Identity Number: _____ being _____ (insert marital status) and presently residing at _____ (insert address) in the province of _____ (insert province), do hereby declare this to be my Last Will and Testament.
I hereby revoke all Wills, Codicils and other Testamentary Dispositions previously made by me, jointly or severally. I nominate _____ (insert full name and identity number) as Executor of this Will, should s/he fail to be appointed, I nominate _____ (insert full name and identity number) to be the Executor of my estate. Should any person nominated as Executor in terms of this Will for any reason whatsoever decide to relinquish such office, such person will be entitled to resign from such office and prior to resignation thereof, in his/her absolute discretion assume a person of his/her choice to substitute him/her as Executor in terms of this Will.

(For example, something specific that must be inherited by a specific person; or the entire estate must go to one person or more than one person in certain percentages.
Be as detailed as possible about the item and the person.) Exclusion of Community of Property I direct that any inheritance or income accruing in terms of this Will shall neither form part of any existing or future community estate. The right of accrual as referred to in the Matrimonial Property Act 88 of 1984 is hereby specifically excluded from any inheritance received in terms of this Will. Such inheritance shall not be subject to the right of attachment or execution by any creditor of any spouse. SINGED AT _____ ON THE _____ DAY OF _____ 20 _____ IN THE PRESENCE OF THE UNDERSIGNED WITNESSES ALL BEING PRESENT AND SIGNING AT THE SAME TIME AND IN THE PRESENCE OF ONE ANOTHER. The information contained on this website is aimed at providing members of the public with guidance on the law in South Africa. This information has not been provided to meet the individual requirements of a specific person and LegalWise insists that legal advice be obtained to address a person’s unique circumstances. It is important to remember that the law is constantly changing and although LegalWise strives to keep the information up to date and of high quality, it cannot be guaranteed that the information will be updated and/or be without errors or omissions. As a result, LegalWise, its employees, independent contractors, associates or third parties will under no circumstances accept liability or be held liable, for any innocent or negligent actions or omissions by LegalWise, which may result in any harm or liability flowing from the use of or the inability to use the information provided.