

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

RIVERSIDE 4050 Main St., Riverside, CA 92501 **TEMECULA** 41002 County Center Dr., #100, Temecula, CA 92591

RI-PR081

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar Number and Address</i>)		FOR COURT USE ONLY
TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____		CASE NUMBER: _____
IN THE MATTER OF: _____		
Hearing Date: _____	Time: _____	Department: _____
PETITION TO SET ASIDE PROBATE HOMESTEAD Probate Code §§6520 – 6528		

1. Petitioner (name): _____ is (check all that apply):
 - a. surviving spouse of the decedent
 - b. registered domestic partner of the decedent
 - c. minor child of the decedent
 - d. interested party (relationship to the decedent): _____
 - e. personal representative

2. Petitioner requests an order that the Court set aside the following probate homestead (provide legal description):

3. Petitioner requests the probate homestead as described in item 2 above be set aside for the following length of time: _____

4. Petitioner alleges the property described above in item 2 should be set aside for the following reasons:

5. a. Decedent died leaving minor children and the minor children are to be included in this order.
or
b. Decedent died without leaving minor children and order only includes petitioner.

IN THE MATTER OF:	CASE NUMBER:
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6. Decedent died on (date): _____
7. Letters were issued on (date): _____
8. Inventory and Appraisal was filed on: _____ and the subject probate homestead has an inventory value of \$ _____.
9. The character of the property subject to the probate homestead is decedent's: separate property; community property; or quasi-community property
10. The approximate annual income of petitioner is: \$ _____.
11. a. The following third person(s) has a right to possession of the subject property and consents to this petition: _____ (consent must be attached to this form).
or
b. No other person has a right to possession of the real property.
12. The estate is expected to be: solvent insolvent

13. The following creditors have filed claims:

File Date	Payee	Description	Amount

14. The subject property includes the following secured liens and encumbrances:

Lien/Encumbrance	Description	Amount

15. Request for Special Notice:
 has been filed by: _____
or
 has not been filed

IN THE MATTER OF:	CASE NUMBER:
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16. The decedent's heirs/beneficiaries entitled to notice include the following (name, relationship, age (adult or minor as of date of death)):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

(PRINT NAME)

(SIGNATURE)