

WEST VIRGINIA AFFIDAVIT FOR SMALL SUM, ASSET, OR PROPERTY (NOT MORE THAN \$5,000 EACH)

IN RE: DECEDENT _____

DATE OF DEATH _____

STATE OF _____

COUNTY OF _____, to-wit:

I, _____, being related to the Decedent identified below and being entitled to a small sum, asset, or property of the Decedent pursuant to the provisions of West Virginia Code 44-1-28, being first duly sworn, upon oath and under penalty of perjury, do depose and say to the best of my knowledge and belief as follows:

1. My name is _____, and my current address is
Street: _____
City: _____ State: _____ Zip Code: _____
2. The Decedent, _____, died on the _____ day
of _____ 20 _____, a resident of _____ County, State of West Virginia,
with his/her usual residence being

_____.

The Decedent was domiciled in the State of West Virginia. **A Certified death certificate is attached hereto.**

3. **More than 120 days have elapsed since the Decedent's date of death**, and there has been no qualification or application for the appointment of a Personal Representative for the Decedent in any jurisdiction, including by any Affidavit of Small Estate filed in the Decedent's County of residence in West Virginia.
4. I am related to the Decedent as _____ (state relationship).
5. Each small sum, asset, or property of the Decedent is described as follows:
 - a. _____ e. _____
 - b. _____ f. _____
 - c. _____ g. _____
 - d. _____ h. _____

(IMPORTANT: Each small sum, asset, or property CANNOT exceed \$5,000 in value. It can be wages, salary, pension payments or money allowed for burial expenses to a Decedent owed by an employer, a bank account, a savings institution account, a credit union account, a certificate of deposit, a brokerage account, stock, a mutual fund, a security, a bond, a note, a promissory note, an obligation, an instrument evidencing a debt, indebtedness owed to the Decedent, proceeds of life insurance payable to the estate, a deposit, a refund, a tax refund, an overpayment, a chose in action, or an item of personal property including a motor vehicle.)

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6. (____) **CHECK IF APPLICABLE.** At the date of death, the Decedent left _____
as his/her **Surviving Spouse** who is entitled to the small sum, asset, or property.

OR

(____) **CHECK IF APPLICABLE.** At the date of death, the Decedent **did NOT leave any Surviving Spouse** and the Decedent left as his/her distributes in accordance with the laws of intestate descent and distribution of the State of West Virginia the following person or persons who is/are entitled to the small sum, asset, or property:

- a. Name: _____
Address: _____
Share or percentage: _____
- b. Name: _____
Address: _____
Share or percentage: _____
- c. Name: _____
Address: _____
Share or percentage: _____
- d. Name: _____
Address: _____
Share or percentage: _____
- e. Name: _____
Address: _____
Share or percentage: _____

(if more space is needed, attach additional page(s) to affidavit)

7. The above person or persons is/are justly entitled to the above-described small sum, asset, or property under the provisions of West Virginia Code 44-1-28.

Witness my hand and seal this _____ day of _____ 20 _____.

Signature of Affiant

Taken, subscribed, and sworn to me the undersigned authority by _____,
this _____ day of _____ 20 _____.

{SEAL}

Notary Public
My Commission Expires: _____

NOTE TO THE "PERSON" TO WHOM THIS AFFIDAVIT IS TENDERED: West Virginia Code 44-1-28(d) provides that "Payment in accordance with this section is in full discharge and acquittance to all persons whomsoever on account of the property to the same extent as if that person dealt with the Personal Representative of the Decedent. That person is not required to see the application of the asset or proceeds or to inquire into the truth of any statement in the affidavit."