

**IN THE CIRCUIT COURT, EIGHTEENTH JUDICIAL CIRCUIT, IN AND FOR  
SEMINOLE COUNTY, FLORIDA, PROBATE DIVISION**

IN RE: ESTATE OF:

CASE NO. \_\_\_\_\_

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

**PETITION TO DETERMINE  
HOMESTEAD STATUS OF REAL PROPERTY  
(Testate)**

Petitioner, \_\_\_\_\_ alleges:

1. The decedent, \_\_\_\_\_ died testate on \_\_\_\_\_, \_\_\_\_\_. At the time of death, the decedent was; domiciled in Seminole County, Florida, and was survived by: [Strike the following sentence(s) that are not applicable.]

- a. A spouse who has not waived his or her homestead rights.
- b. A spouse who has waived his or her homestead rights.
- c. One or more minor children as described below.
- d. One or more devisees who are neither a spouse nor a minor child or the decedent.

2. At the time of the decedent's death, the decedent owned and resided on the following described contiguous parcel of real property (the "Property"):

<b>PHYSICAL ADDRESS</b>	
<b>PARCEL ID #</b>	
<b>PROPERTY DESCRIPTION</b>	

The Property was the decedent's homestead.

The Property is located (\_\_\_) inside or (\_\_\_) outside of a municipality and is \_\_\_\_\_ contiguous acres.

3. Decedent's last will [and codicils, if any] admitted to probate and record by Order of this Court devised the homestead Property as follows:

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4. Petitioner believes the Property (was) (was not) validly devised because:

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5. The Property constituted the homestead of the decedent within the meaning of Section 4 of Article X of the Constitution of the State of Florida, and the petitioner believes that upon decedent's death, title to the Property descended to and the constitutional exemption from claims of the decedent's creditors inured to:

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6. The name of the decedent's surviving spouse, if any, and the names and years of birth of the heirs of the decedent's minor children, if any, and the names of other children having an interest in the decedent's estate, if any, and their respective relationships to the decedent are:

NAME	RELATIONSHIP	DATE OF BIRTH (if minor)

7. The only persons, other than petitioner, having an interest in this proceeding, including unpaid creditors, and their respective addresses and possible interests are:

NAME AND ADDRESS	ASSET, SHARE, or AMOUNT (IF KNOWN)

8. All interested persons have either joined in this petition, consented to the relief requested, been served proper notice of this proceeding, or waived notice.

WHEREFORE, Petitioner requests that an Order be entered determining that the Property constituted the exempt homestead of the decedent, title to which, upon decedent's death, descended and the constitutional exemption from claims inured as set forth in paragraph 5; directing the personal representative to surrender possession of the Property; and directing that the personal representative shall have no further responsibility with respect to the Property.

Under penalties of perjury, I declare that I have read the foregoing, and the facts alleged are true, to the best of my knowledge and belief.

Signed on \_\_\_\_\_, \_\_\_\_\_.

Respectfully Submitted,

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Print Name

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY, FLORIDA, PROBATE DIVISION

IN RE: ESTATE OF:

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

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

**ORDER DETERMINING**  
**HOMESTEAD STATUS OF REAL PROPERTY**  
**(Testate)**

On the Petition of \_\_\_\_\_ for an Order Determining Homestead Status of Real Property (the "Property"), all interested persons having been served proper notice of the Petition and hearing, or having waived notice thereof, the Court finds that:

1. The Decedent died testate and was domiciled in Seminole County, Florida:

[Check the following sentences that are applicable.]

a. The Decedent was not survived by a spouse or minor child;

b. Decedent's homestead was devised to one or more heirs of the Decedent;

c. Property meets the size and contiguous requirements of the Florida Constitution

No  Yes, inside municipality less than 1/2 Acre

No  Yes, outside municipality less than 160 contiguous acres

2. At the time of death, the Decedent owned and resided on the Property described in the Petition; it is

**ADJUDGED** that the following described Property:

Street address: \_\_\_\_\_

Parcel ID No. \_\_\_\_\_

Legally described as: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

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constituted the homestead of the Decedent within the meaning of section 4 of Article X of the Constitution of the State of Florida. It is

**ADJUDGED FURTHER** that, as of the Decedent's date of death, the Property was validly devised to and the constitutional exemption from the claims of Decedent's creditors inured to the following persons:

NAME	ADDRESS	RELATIONSHIP	SHARE

**It is ADJUDGED FURTHER** that the Petitioner is authorized and directed to surrender all of the Property which may be in the possession or control of the Petitioner to the person named above, and the Petitioner shall have no further responsibility with respect to it. Further, the personal representative is not entitled to possession of the property.

**DONE and ORDERED** on \_\_\_\_\_, \_\_\_\_\_, 20\_\_ in Seminole County, Florida.

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Circuit Judge

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL  
CIRCUIT IN AND FOR SEMINOLE COUNTY, FLORIDA.

IN RE: ESTATE OF \_\_\_\_\_

CASE NO: \_\_\_\_\_

**NOTICE OF CONFIDENTIAL INFORMATION WITHIN COURT FILING**

Pursuant to Florida Rule of Judicial Administration 2.420(d)(2), the filer of a court record at the time of filing shall indicate whether any confidential information is included within the document being filed; identify the confidentiality provision that applies to the identified information; and identify the precise location of the confidential information within the document being filed.

Title/Type of Document(s): \_\_\_\_\_

**Indicate the applicable confidentiality provision(s) below from Rule 2.420(1)(B), by specifying the location within the document on the space provided:**

- \_\_\_\_\_ Chapter 39 records relating to dependency matter, termination of parental rights, guardians as litem, child abuse, neglect and abandonment. §39.0132(3), Fla. Stat. (If the document is filed within a Chapter 39 case, this form is not required.)
- \_\_\_\_\_ Adoption records. §63.162, Fla. Stat. (If the document is filed within a Chapter 63 adoption case, this form is not required.)
- \_\_\_\_\_ Social Security, bank account, charge, debit, and credit card numbers in court records. §119.0714(1)(i)-(j), (2)(a)-(e), Fla. Stat. (Unless redaction is requested pursuant to §119.0714(2), Fla. Stat. this information is exempt only as of January 1, 2012).
- \_\_\_\_\_ HIV test result and patient identity within the HIV results. §381.004(2)(e), Fla. Stat.
- \_\_\_\_\_ Sexually Transmitted diseases— test results and identity within the test results when provided by the Department of Health or the department’s authorized representative. §384.29, Fla. Stat.
- \_\_\_\_\_ Birth and death certificates, including court-issued delayed birth certificates and fetal death certificates. §382.008(6) and §382.025(1)(a), Fla. Stat.
- \_\_\_\_\_ Identifying information in petition by minor for waiver of parental notice when seeking to terminate pregnancy. §390.01116, Fla. Stat. (If the document is filed within a Ch. 390 waiver of parental notice case, this form is not required.)
- \_\_\_\_\_ Identifying information in clinical mental health records under the Baker Act. §394.4615(7), Fla. Stat.
- \_\_\_\_\_ Records of substance abuse service providers which pertain to the identity, diagnosis, and prognosis of and service provision to individuals who have received services from substance abuse service providers. §397.501(7), Fla. Stat.

- \_\_\_\_\_ Identifying information in clinical records of detained criminal defendants found incompetent to proceed or acquitted by reason of insanity. §916.107(8), Fla. Stat.
- \_\_\_\_\_ Estate inventories and accountings. §733.604(1), Fla. Stat.
- \_\_\_\_\_ Victim’s address in domestic violence action on petitioner’s request. §741.30(3)(b), Fla. Stat.
- \_\_\_\_\_ Information identifying victims of sexual offenses, including child sexual abuse. §119.071(2)(h) and §119.0714(1)(h), Fla. Stat.
- \_\_\_\_\_ Gestational surrogacy records. §742.16(9), Fla. Stat.
- \_\_\_\_\_ Guardianship reports and orders appointing court monitors in guardianship cases. §744.1076 and §744.3701, Fla. Stat.
- \_\_\_\_\_ Grand jury records. Ch 905, Fla. Stat. (If the document is filed in a Ch. 905 grand jury proceeding this form is not required.)
- \_\_\_\_\_ Information acquired by courts and law enforcement regarding family services for children. §984.06(3)-(4), Fla. Stat. (If the document is filed in a Ch. 984 family services for children case, this form is not required.)
- \_\_\_\_\_ Juvenile delinquency records. §985.04(1) and §985.045(2), Fla. Stat. (If the document is filed in a Ch. 985 juvenile delinquency case, this form is not required.)
- \_\_\_\_\_ Information disclosing the identity of persons subject to tuberculosis proceedings and records of the Department of Health in suspected tuberculosis cases. §392.545 and §392.65, Fla. Stat.
- \_\_\_\_\_ Complete presentence investigation reports. Fla. R. Crim. P. 3.712.
- \_\_\_\_\_ Forensic behavioral health evaluations under Chapter 916. §916.1065, Fla. Stat.
- \_\_\_\_\_ Eligibility screening, substance abuse screening, behavioral health evaluations, and treatment status reports for defendants referred to or considered for referral to a drug court program. §397.334(10)(a), Fla. Stat.

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Printed Name of Petitioner

**Note:** The clerk of court shall review filings identified as containing information to determine whether the information is facially subject to confidentiality under the identified provision. The clerk shall notify the filer in writing within 5 days if the clerk determines that the information is NOT subject to confidentiality, and the records shall not be held as confidential for more than 10 days, unless a motion is filed pursuant to subdivision (d)(3) of Rule 2.420.

IN THE \_\_\_\_\_ COURT OF THE 18TH JUDICIAL  
CIRCUIT IN AND FOR SEMINOLE COUNTY, FLORIDA

\_\_\_\_\_  
Plaintiff/Petitioner

Citation #(s): \_\_\_\_\_

vs.

Case #(s): \_\_\_\_\_

\_\_\_\_\_  
Defendant/Respondent

**DESIGNATION OF E-MAIL ADDRESS FOR A PARTY NOT REPRESENTED BY AN  
ATTORNEY**

**\*\*Not to be used in cases governed by the Florida Family Law Rules of Procedure; in cases governed by the Florida Family Law Rules of Procedure, use Florida Supreme Court Approved Family Law Form 12.915\*\***

Pursuant to Fla. R. Gen. Prac. & Jud. Admin. 2.516(b)(1)(C), I, (name) \_\_\_\_\_, designate the e-mail address(es) below for electronic service of all documents related to this case.

By completing this form, I am authorizing the court, clerk of court, and all parties to send copies of notices, orders, judgments, motions, pleadings, or other written communications to me by e-mail or through the Florida Courts E-filing Portal.

I understand that I must keep the clerk's office and the opposing party or parties notified of my current e-mail address(es) and that all copies of notices, orders, judgments, motions, pleadings, or other written communications in this case will be served at the e-mail address(es) on record at the clerk's office.

(Designated e-mail address) \_\_\_\_\_

(Secondary designated e-mail address(es) (if any)) \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I certify that a copy hereof has been furnished to the Clerk of Court for Seminole County and (insert name(s) and address(es) of parties used for service) \_\_\_\_\_

by  e-mail  delivery  mail on (date) \_\_\_\_\_.

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(printed name)

\_\_\_\_\_  
(e-mail address)

\_\_\_\_\_  
(address)

\_\_\_\_\_  
(phone number)

IN THE CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL CIRCUIT IN AND FOR  
SEMINOLE COUNTY, FLORIDA

PROBATE DIVISION

IN RE: ESTATE OF

\_\_\_\_\_

DECEASED

FILE NO: \_\_\_\_\_

DIVISION: \_\_\_\_\_

CONSENT AND WAIVER OF NOTICE

The undersigned, whose name is \_\_\_\_\_  
and who has an interest in the estate as \_\_\_\_\_  
acknowledges receipt of a copy of this Petition \_\_\_\_\_  
\_\_\_\_\_ heretofore filed in this proceeding, waives hearing and notice of  
hearing thereon, and consents to the entry of an order granting the relief requested in the petition  
without notice of hearing.

Signed on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_

(SIGN NAME)