

FORM 74D

REQUEST FOR ADMINISTRATION WITH WILL ANNEXED

THE QUEEN'S BENCH

_____ Centre

IN THE ESTATE OF _____, deceased.

I (We) _____ of the _____, in the Province of Manitoba, (occupation)(s) hereby request that administration with the will annexed of the property of the deceased be granted to me (us), (or as the case may be) based on the following information:

1. THAT _____, late of the _____ of _____, in Manitoba, died on the _____ day of _____, _____, having duly made (his/her) last will on the _____ day of _____, _____, which is identified by (my/our) signature(s).

2. THAT at the time of (his/her) death, the deceased [choose all statements below that apply]

had never married

was married to: _____ (name) _____

was divorced from: _____ (name) _____

was predeceased by (his/her) spouse: _____ (name) _____.

(Note: complete paragraph 3 only if the deceased died on or after June 30, 2004.)

3. THAT at the time of (his/her) death, the deceased [read the explanatory notes following paragraph 3, then choose all statements below that apply]

had never cohabited with a common-law partner

was cohabiting with (his/her) common-law partner: _____ (name) _____

was separated from (his/her) common-law partner, _____ (name) _____, but their relationship had not been terminated

had a common-law relationship with _____ (name) _____ that had been terminated

was predeceased by (his/her) common-law partner: _____ (name) _____.

If, at the time of (his/her) death, the deceased had one or more common-law partners, specify the date(s) when (the/each) relationship began and, if applicable, the date(s) when the partners separated or the common-law relationship terminated.

If, at the time of (his/her) death, the deceased had a spouse in addition to one or more common-law partners, also specify the date of the marriage, and, if applicable, the date when the spouses separated.

NOTE: For the purposes of this Form,

"common-law partner" of a deceased person means

(a) a person who, with the deceased, registered a common-law relationship under section 13.1 of *The Vital Statistics Act*, or

(b) a person who, not being married to the deceased, cohabited with him or her in a conjugal relationship

(i) for a period of at least three years, or

(ii) for a period of at least one year and they are together the parents of a child.

"termination of a common-law relationship" means

(a) where the common-law relationship was registered with Vital Statistics (under section 13.1 of *The Vital Statistics Act*), the dissolution of the relationship has been registered with Vital Statistics; or

(b) where the common-law relationship was not registered with Vital Statistics, the parties to the common-law relationship have lived separate and apart for a period of at least three years.

4. THAT no executor is named in that will (or codicil).

or

THAT _____, the executor named in that will, has by deed duly renounced all right and title to the probate and execution of that will (and codicil).

5. THAT the deceased was of the full age of 18 years at the time of the execution of the will, and did not marry since then.

6. THAT the deceased died possessed of or entitled to immovable property worth \$_____, and moveable property worth \$_____, true particulars of which are set out in the attached inventory

7. THAT particulars of those having equal or prior superior right to grant of administration of the estate are as follows:

Name	Address	Kinship	Age
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8. THAT I (we) _____ am (are each) of the full age of 18 years and _____ habitual residence(s) and occupation(s) are above correctly stated, and _____ claim to be entitled to administration of the estate as _____.

(date)

(signature)