SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF _____

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In the Matter of the Final Account
of _____ and _____
as Co-Guardians of

_____

Index No. _____

PETITION FOR
SETTLEMENT OF
FINAL ACCOUNT

----------X

The Petition of _____ and _____ states:

1. We were appointed as the Co-Guardians for _____ pursuant to an Order of the Supreme Court of the Honorable _____ signed on [date], which was later entered; the Commission to Co-Guardians was issued by the Court on [date].

2. We continued to serve performing our duties as Co-Guardians. _____ died on [date].

3. Attached is the Final Account of all the proceedings of the Co-Guardians.

4. _____ has been appointed as the Representative of the Estate of _____, deceased in the State of _____.

5. We are requesting that the Final Account of the Co-Guardians be Judicially Settled and Approved by the Court, and that our commissions due pursuant to statute be approved by the Court for payment; neither of us has received any compensation at all for our services rendered. We are requesting that our outstanding disbursements be approved for payment so that we may be reimbursed for disbursements incurred.

6. _____ is also making application that he be awarded fees for legal services rendered for _____. This is detailed in the attached Affidavit of Legal Services submitted to the Court with the Order to Show Cause and Petition herein.

7. Petitioners request that the attached Order to Show Cause be signed, permitting service of the Order to Show Cause, Petition and Final Account and all other papers on all necessary and interested parties by Certified Mail, Return Receipt Requested.

8. No prior application for the same or similar relief herein has been made.

WHEREFORE, it is respectfully requested that

1. The Final Account of the Co-Guardians be approved and judicially settled by the Court;

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2. That the commissions due pursuant to statute be awarded to each of the Co-Guardians as indicated in Schedules F and G;

3. That the outstanding expenses due to _____ and _____ be approved for payment along with any additional expenses incurred;

4. That the Court set and approve reasonable legal fees for the legal services rendered by _____;

5. That the Court determine the rights and interest, if any, of _____ as relating to the joint stock and joint dividends;

6. That the Court determine any jointly held stock (at the time of _____'s death) in the names of _____ and _____, revert to _____ by operation of law;

7. That the Court approve and authorize the Co-Guardians to hold sufficient funds on hand to pay the accountant to file the final tax return of _____ and to pay any tax liability on the final tax return;

8. That the Court determine the rights and interests of any of the interested parties herein;

9. That the Court authorize transmittal of the funds and assets on hand (after payment of all approved payments) to _____, the legal representative of the Estate of _____, deceased, appointed by the Surrogate's Court;

10. That the Court discharge _____ and _____ as Co-Guardians and the surety, _____, from any and all further liability and accountability for all matters contained within the Final Account of the Co-Guardians;

11. That the Bond be cancelled;

12. That together with such other and further relief as may be deemed just.

Dated: _____, New York
_____, _____

_____
[Co-Guardian]

Dated: _____, New York
_____, _____

_____
[Co-Guardian]

Sample

STATE OF NEW YORK)
) SS:
COUNTY OF _____)

_____, being duly sworn, deposes and states that he/she is one of the Petitioners in the above proceeding, that he/she has read the foregoing petition and knows the contents thereof; that the same is true to the knowledge of the deponent except as to those matters stated to be on information and belief; and that as to those matters he/she believes it to be true.

Sworn to before me this
___ day of _____, _____

_____
[Co-Guardian]

_____
Notary Public

STATE OF NEW YORK)
) SS:
COUNTY OF _____)

_____, being duly sworn, deposes and states that he/she is one of the Petitioners in the above proceeding, that he/she has read the foregoing petition and knows the contents thereof; that the same is true to the knowledge of the deponent except as to those matters stated to be on information and belief; and that as to those matters he/she believes it to be true.

Sworn to before me this
___ day of _____, _____

_____
[Co-Guardian]

_____
Notary Public

Sample

Sample