

## KNOW ALL MEN BY THESE PRESENTS,

That I, *(Heir/Beneficiary to the estate)*

of the Township of *(Township of Heir)*, County of *(County of Heir)* State of *(State of Heir)*  
 hereinafter known as the *Obligor*, am held an firmly bound unto *(administrator/obligee of the estate)*  
 the Administrator for the Estate of *(name of deceased)*

hereinafter known as the *Obligee*, in the sum of \$ *(amount of cash or value of property given to heir)* lawful money of  
 the United States of America, to be paid to the *Obligee* or to *Obligee's Attorney*, *Obligee's* successors in  
 office or assigns; for which payment well and truly to be made I bind myself, my heirs, executors and  
 administrators firmly by these presents.

**THE CONDITION OF THE ABOVE OBLIGATION** is such, that whereas, the *Obligor* has received from  
 the *Obligee (administrator's of the estate)*

**AND IN CONSIDERATION THEREFOR**, the *Obligor* has released and forever discharged, and by these  
 presents, does release and forever discharge the *Obligee* from all claims and demands whatever on account of  
 or in respect to the estate of the said deceased, and of *Obligor's* interest therein;

If the *Obligor* is a legatee and any part or the whole of such legacy shall at any time hereafter appear to be  
 wanting to discharge any debt or debts, legacy or legacies, which the said executor or administrator may not  
 have other assets to pay, the *Obligor* will return said legacy or such part thereof as may be necessary for the  
 payment of the said debts, or for the payment of a proportional part of the said legacies; or

If the *Obligor* is a distributee and any debt or debts, truly owing by the intestate, shall be afterwards sued for  
 and recovered or otherwise duly made to appear, and which there shall be no other assets to pay, *Obligor* shall  
 refund and pay back to the administrator his ratable part of such debt or debts, out of the part and share so  
 allotted to him;

Then the above obligation to be void, or else to be and remain in full force and virtue.

If more than one person executes the within instruments, then words used in the singular shall be considered  
 to include the plural, and wherever herein any particular gender is used it shall be inclusive of the masculine,  
 feminine and neuter gender, where the text so requires.

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

In the Presence of

*(Make sure this is signed by the heir with witness signature in front of a Notary)*

Witness *(Witness to the signature of the Heir)*

Beneficiary's Name *(Heir/Beneficiary to the estate)*

STATE OF NEW JERSEY

*(To be completed by Notary)*

ss:

COUNTY OF \_\_\_\_\_

BE IT REMEMBERED, That on \_\_\_\_\_ before me the \_\_\_\_\_ subscriber a Notary of the State of **NEW JERSEY** personally appeared *(Heir/Beneficiary)* \_\_\_\_\_ who I am satisfied, is the Obligor in the foregoing instrument named, and thereupon acknowledged that he/she signed, sealed and delivered the same as his/her act and deed, for the uses and purposes therein expressed.

\_\_\_\_\_  
Notary Public (seal)

Important:

*After the Release(s) have been completed, signed by the Heir/Beneficiary and witness, and the notary has officiate the documentation, have all the documentation filed by the Surrogate Court and send to your agent to close the bond.*

# Administrator's Duties

***It is strongly recommended that you hire an attorney for advice and assistance in carrying out your duties. This sheet is not a substitute for advice of counsel. The cost of an attorney can be paid out of the estate as an expense. The same is true of accountants for more complicated estates***

**Estate Checking Account:** You must open an estate checking account and deposit all money into the account and pay all estate expenses from this account. To open the account, you must apply to the IRS (form SS-4) for a taxpayer ID number for the estate and present to the bank the ID number and your court documents appointing you as executor or administrator.

**Estate Assets:** Gather and create an inventory of all assets. All estate money and money that comes from selling assets should be deposited into the estate checking account. When you sell assets you must make sure that you get a fair price for it. Otherwise, as the administrator you may be liable.

**Protect Property:** This may include paying mortgage payments, repair bills, utility bills, and insurance premiums. These types of expenses are payable out of the estate.

**Paying Debts (Publish Notice):** The administrator is responsible for making sure that all of the estate's valid debts are paid. The debts are paid for out of the estate assets. You should publish in a local newspaper a *Notice to Creditors*. If you distribute assets before all debts are satisfied, you could be personally liable.

**Federal Taxes:** It is recommended that an accountant be used. The following is required:

1. The deceased's final individual federal income tax return.
2. Federal estate tax return within nine months of death.
3. Estate income tax return for each year the estate remains open

**State Taxes:** It is recommended that an accountant be used. In N.J., depending on the size of the estate and the relationships of the heirs to the deceased; you will have to file:

1. Final state income tax return.
2. State inheritance tax return.
3. State estate tax return.

Failure to file the returns will make you liable for taxes, penalties and interest.

**Bond Costs:** The premiums are reimbursed to you out of the estate. You must continue to pay any renewal premiums until the estate is properly closed out.

**Distributing Assets:** Once you receive the proper notices from the taxing authorities and you have paid the debts, the remaining estate assets are distributed to all rightful heirs. Each heir must sign a Release & Refunding form when they receive their share of the estate.

**Closing Out the Estate:** The administrator must prepare an *Accounting*. This report must show: the value of all assets owned at time of death, income received since the date of death, expenses paid, taxes paid, debts/claims paid (medical bills, funeral bills, deceased's credit card debts, etc.) and the proposed distribution of the assets remaining. The accounting and a *Release and Refunding* form signed by each heir must be filed with the surrogate's court. When the surrogate has approved this, notify your agent so the bond can be cancelled.