

CASE NO. D case number

4. Allowance for Support (R.C. 2106.13)

You may be entitled to an allowance for support. For deaths occurring after March 18, 1999, the amount is \$40,000 of probate assets. If there are one or more minor children of the decedent, not the children of the surviving spouse, this Court will apportion the allowance among those children and the surviving spouse.

5. Right to Remain in the Mansion House (R.C. 2106.15)

You have the right to remain in the mansion house (the residence), if it is a probate asset, for a period of one year from the date of death without the payment of rent to the estate. If the mansion house is sold to pay debts during this period of time, you may be entitled to the fair rental value of the mansion house. This election must be exercised within five months from the initial appointment of the administrator or executor or the right is forfeited.

6. Right to Purchase Property (R.C. 2106.16)

You have the right to purchase assets of the probate estate at the appraised values. The application or petition to purchase the assets must be filed within one month of the approval of the inventory or the right is forfeited.

7. Right to Automobiles (R.C. 2106.18)

You may be entitled to receive up to two automobiles, not specifically bequeathed, that would otherwise be included in the probate estate and do not exceed an aggregate value of \$40,000. This right may affect the amount you may receive under the allowance for support. This right must be exercised within five months from the initial appointment of the administrator or executor or the right is forfeited.

8. Right to Watercraft and Outboard Motor (R.C. 2106.19)

You may be entitled to receive one watercraft and one outboard motor, not specifically bequeathed, that would otherwise be included in the probate estate. This right must be exercised within five months from the initial appointment of the administrator or executor or the right is forfeited.

9. Right to Reimbursement of Funeral Bill (R.C. 2106.20)

You may be entitled to be reimbursed for the payment of the funeral bill.

10. Right to Challenge Antenuptial or Separation Agreement (R.C. 2106.22)

You are entitled to file an action to contest the validity of an antenuptial or separation agreement. This action must be filed within four months after the appointment of the executor or administrator or the right is forfeited.

This is a summary of your general rights. There may be additional rights to which you are entitled.

Ohio Revised Code § 2106.25 states:

Unless otherwise specified by a provision of the Revised Code or this section, a surviving spouse shall exercise all rights under Chapter 2106. of the Revised Code within five months of the initial appointment of an executor or administrator of the estate. It is conclusively presumed that a surviving spouse has waived any right not exercised within that five-month period or within any longer period of time allowed by the court pursuant to this section. Upon the filing of a motion to extend the time for exercising a right under Chapter 2106. of the Revised Code and for good cause shown, the court may allow further time for exercising the right that is the subject of the motion.