

633.305 Notice if no administration.

On admission of a will to probate without administration of the estate, the proponent shall cause to be published, in the manner prescribed in the preceding section, a notice of the admission of the will to probate. As soon as practicable following the admission of the will to probate, the proponent shall give notice of the admission of the will to probate by ordinary mail addressed to the surviving spouse, each heir of the decedent, and each devisee under the will admitted to probate whose identities are reasonably ascertainable, at such persons' last known addresses. The notice of the admission of the will to probate shall include a notice that any action to set aside the will must be brought within the later to occur of four months from the date of the second publication of the notice or one month from the date of mailing of this notice, or thereafter be barred.

As used in this section, "*heir*" means only such person as would, in an intestate estate, be entitled to a share under section 633.219.

The notice shall be substantially in the following form: Notice of Proof of Will Without Administration In the District Court of Iowa in and for County. Probate No. In the Estate of Deceased To All Persons Interested in the Estate of Deceased, who died on or about (date):

You are hereby notified that on the day of (month), (year), the last will and testament of deceased, bearing date of the day of (month), (year), was admitted to probate in the above named court and there will be no present administration of the estate. Any action to set aside the will must be brought in the district court of the county within the later to occur of four months from the date of the second publication of this notice or one month from the date of mailing of this notice to all heirs of the decedent and devisees under the will whose identities are reasonably ascertainable, or thereafter be forever barred.

Dated this day of (month), (year) Proponent Attorney for estate Address Date of second publication day of (month), (year) (Date to be inserted by publisher)

[C66, 71, 73, 75, 77, 79, 81, § 633.305]

84 Acts, ch 1080, § 7; 89 Acts, ch 35, §4; 93 Acts, ch 111, §4; 2000 Acts, ch 1058, §68; 2000 Acts, ch 1150, §5; 2002 Acts, ch 1119, §100; 2006 Acts, ch 1129, §11