

633.305 Notice if no administration.

1. On admission of a will to probate without administration of the estate, the proponent shall cause to be published, in the manner prescribed in section 633.304, 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.

2. 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.

3. 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; 2008 Acts, ch 1032, §85
Referred to in §590.1, 633.230