

Refunding Bond and Release Instructions to Executor/Administrator

In order to assist you in filling out the attached Refunding Bond and Release, we have compiled the following tips on how to “fill in the blanks”.

- 1) Enter Name of Decedent on space provided above “deceased”.
- 2) Enter Attorney information. If none, then Executor/Administrator’s information.
- 3) The **Obligor** is the **Beneficiary**/Legatee/Recipient.
- 4) The Beneficiary’s current address to be after “residing at”.
- 5) **Executor/Administrator** name is the **Obligee**.
- 6) “In the sum of” means the amount/value of bequest/inheritance.
- 7) Date of execution of Refunding Bond and Release.
- 8) “The Condition of the above.....” If there was a WILL, brief description of bequest/inheritance under Article #?? of the will **OR**, if ADMINISTRATION, percentage of estate as per NJ Interstate Inheritance Laws.

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- 9) **Obligor** (Beneficiary/Legatee/Recipient) must sign before a WITNESS & a NOTARY.
- 10) Return to Middlesex County Surrogate Court with a check for **\$10.00 per release**. If you require “Filed” stamped copies, send one original for our files & one copy to be returned to you. Be sure to include your return address with a stamped self-addressed envelope.

**MIDDLESEX COUNTY SURROGATE’S COURT
P.O. BOX 790
NEW BRUNSWICK, NJ 08903**

REFUNDING BOND AND RELEASE

Middlesex County Surrogate Court

IN THE MATTER OF THE ESTATE OF

_____ deceased.

Attorney(s):

Address:

Telephone #:

Fax #:

KNOW ALL PERSONS BY THESE PRESENTS, that I

residing at

_____ herein designated as the Obligor (Beneficiary/Legatee),

am hereby held and firmly bound unto

_____ herein designated as the Obligee (Executor/Administrator),

in the sum of

lawful money of the United States of America, to be paid to the Obligee or Obligee's certain Attorney, 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 sealed with my seal and dated this _____ day of _____, 20_____.

The Condition of the above Obligation is such, that whereas the Obligor (Beneficiary/Legatee) has received from the Obligee (Executor/Administrator):

And in Consideration Therefore, the Obligor has remised, released and forever discharged and by these presents does remise, release and forever discharge the Obligee from all claims and demands whatsoever, in law or in equity, on account of or in respect to the estate of the said decedent and of the Obligor's interest therein.

Now Therefore, if the Obligor be a devisee, then and in that case if any part or the whole of such devise shall at any time hereafter be needed to discharge any debt or debts, devise or devises, which the said executor or administrator may not have other assets to pay, The Obligor will return said devise such or part thereof as may be necessary for the payment of the said debts or for the payment of a proportional part of the said devises; or

If the Obligor be a distributee, then and in that case if any debt or debts, truly owing by the Estate, 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, the Obligor's ratable part of such debt or debts, out of the part allotted to the Obligor.

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

The words "debt and debts" wherever used within shall be deemed to include all taxes imposed upon or chargeable to the estate or owed by the descendant, including but not limited to Federal New Jersey or other State or Sovereignty transfer inheritance, estate, death, transfer and income taxes, together with interest, penalties, costs, expenses and counsel fees, if any.

**Signed, Sealed and Delivered
in the presence of:**

Witness

Obligor (Beneficiary/Legatee)

State of New Jersey, County of _____ } ss.

I Certify that on _____, 20____, _____,

personally came before me and stated and verified to my satisfaction that he/she was the maker of the attached instrument and executed this instrument as his or her own act.

(SEAL)

Notary Public
My Commission Expires: