

IN THE PROBATE COURT OF MOBILE COUNTY, ALABAMA

IN THE MATTER OF

*

THE ESTATE OF

*

CASE NO. _____

_____,

*

a protected person.

*

**REPORT OF RESTORATION OF CAPACITY
AND PETITION FOR FINAL SETTLEMENT OF CONSERVATORSHIP**

COMES NOW Petitioner, _____,

("Petitioner"), as Conservator of the Estate of _____,

a protected person ("Ward"), and says as follows:

1. Petitioner is the duly appointed and acting conservator of the estate of the Ward.
2. Petitioner does now report that the Ward has been determined by two physicians to have capacity at this time. Copies of the letter reports of said physicians are attached hereto as Exhibit "A".
3. Petitioner says that it is appropriate to make a final settlement and conclusion of the conservatorship due to restoration of capacity, and Petitioner does now make this his/her petition for final settlement for the period of his/her service, namely, _____, through _____, Petitioner attaches hereto as Exhibit "B" his accounting, showing all receipts and disbursements made by him/her as conservator and said disbursements are supported by vouchers, and Petitioner's accounting is verified by his/her affidavit. Petitioner has used no part of the Ward's estate for his/her own personal use and benefit.

4. In recapitulation, Petitioner has received funds totaling \$_____
and has made disbursements totaling \$_____, leaving a balance on hand of
\$_____ as of _____, _____, represented by checking account
balance of \$_____ and certificates of deposit totaling \$_____.
A bank certificate is attached hereto as Exhibit "C" showing the bank balance as of the date
indicated, which may differ from Petitioner's reported balance because of interest earned or checks
issued by Petitioner but not yet cleared at the bank. Funds received and funds disbursed after the
date of this petition will be reported and accounted for by amendment at or prior to the date of
court hearing. There are no non-cash assets owned by the Ward, to the best of Petitioner's
knowledge, information and belief, except as may be identified on the recapitulation page attached
hereto as Exhibit "D".

5. Petitioner asks this Court to fix, ratify and award him/her, subject to availability
of funds, commissions and compensation to which he/she is entitled by law, together with
reimbursement of expenses, and including fees to which he/she is entitled for having provided
legal services to this estate during the period of service. An invoice itemizing the total amounts
requested as compensation is attached hereto as Exhibit "E." Petitioner asks the Court to award
him/her a judgment for any unpaid balance still owing to him after payment of court costs and
application of any balance on deposit in the conservatorship account such that said judgment will
constitute a priority lien upon any real estate and other assets of the Ward and a liquidated claim
against the estate of said Ward.

WHEREFORE, Petitioner prays that upon the filing of this petition, the Court will appoint
a day for the hearing hereof, will direct that notice be given as provided by law; that upon the
hearing hereof, that the Court will audit and state the account of Petitioner as conservator, will

approve the same as stated and enter a decree forever discharging Petitioner and his/her surety from further liability; that the Court will fix and allow to Petitioner compensation to which he/she is by law entitled as conservator, including commissions, fees and reimbursement of expenses; will fix and declare any unpaid part of same to be a liquidated claim and judgment against Ward's estate constituting a priority lien upon other assets; and will grant such other relief as shall be appropriate.

DATED: _____, _____.

Conservator of the Estate of _____
_____, an incapacitated person

OF COUNSEL:

STATE OF ALABAMA:

COUNTY OF MOBILE:

Before me, the undersigned authority in and for said state and county, personally appeared _____, who, known to me to be the Conservator of the Estate of _____, an incapacitated person, and having been first duly sworn, did depose and say that he/she signed the foregoing instrument and that he/she is informed and believes, and upon such information and belief avers, that the matters and facts contained therein are true and correct; further, that he/she is familiar with the statement of accounting attached hereto and that the matters and facts contained in said accounting are true and correct.

Sworn to and subscribed before me on this _____ day of _____, _____.

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NOTARY PUBLIC

My Commission Expires:_____

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(AFFIX NOTARIAL SEAL)

RECAPITULATION

1. Real Property

- A. Property having a street address of _____
_____.
- B. Property located in Township _____, Range _____, more particularly described as follows:

2. Personal Property - Cash

- A. _____ Bank Checking Account
Account No. _____ \$ _____
- B. _____ Bank Savings Account
Account No. _____ \$ _____
- C. _____ Bank Certificate of Deposit
CD No. _____ \$ _____
- D. _____ Bank Certificate of Deposit
CD No. _____ \$ _____