

<b>PETITION TO TERMINATE A TRUST</b> <b>G.L. c. 203E, §§ 411, 412, 414</b>	Docket No. _____	<b>Commonwealth of Massachusetts</b> <b>The Trial Court</b> <b>Probate and Family Court</b>
case name	Division _____	

**The Petitioner(s) (hereafter "Petitioner") makes the following statements:**

1. Petitioner is:

Name: \_\_\_\_\_  
First Name
M.I
Last Name

\_\_\_\_\_ (Address) \_\_\_\_\_ (Apt, Unit, No. etc.) \_\_\_\_\_ (City/Town) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip)

Primary Phone #: \_\_\_\_\_

Interest of the Petitioner in the matter (e.g. Trustee, Beneficiary, Settlor): \_\_\_\_\_

2. Identify the Trust and Settlor (e.g. ABC Trust, Trust under written instrument by Jane Smith, under the will of Jane Smith dated 1/1/12, etc.):

\_\_\_\_\_

Date of Trust: \_\_\_\_\_ (date) Dates of Amendments, if any: \_\_\_\_\_

**A copy of the trust and any amendments are attached or are on file with the Court.**

Venue for this proceeding is proper in this court because:

\_\_\_\_\_

3. Current Trustee(s) is/are  the Petitioner **AND/OR**  as follows:

Name: \_\_\_\_\_  
First Name
M.I
Last Name

\_\_\_\_\_ (Address) \_\_\_\_\_ (Apt, Unit, No. etc.) \_\_\_\_\_ (City/Town) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip)

Primary Phone #: \_\_\_\_\_

4. Persons interested in this trust and their representatives (Guardian, Conservator, etc.) are as follows:

Name	Address	Interest	Indicate if this person is:
			<input type="checkbox"/> Minor <input type="checkbox"/> Incompetent
			<input type="checkbox"/> Minor <input type="checkbox"/> Incompetent
			<input type="checkbox"/> Minor <input type="checkbox"/> Incompetent

5.  The Petitioner requests termination of the non-charitable irrevocable trust (G.L. c. 203E, § 411).
- The Settlor and all Beneficiaries consent to the proposed termination.
  - All Beneficiaries of the trust consent to the proposed termination. Continuance of the trust is not necessary to achieve material purpose of the trust.
  - All Beneficiaries of the trust do **NOT** consent to the proposed termination. The interests of any Beneficiary who does not consent will be adequately protected. Continuance of the trust is not necessary to achieve and not inconsistent with material purpose of the trust.
6.  The Petitioner requests termination of the  charitable  non-charitable trust because circumstances not anticipated by the Settlor and termination will further the purposes of the trust for the following reasons (G.L. c. 203E, § 412):
7.  The Petitioner requests termination of the  charitable  non-charitable uneconomic trust. The value of the trust property is insufficient to justify the cost of administration for the following reasons (G.L. c. 203E, § 414):
8. The Petitioner further states:

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**The Petitioner requests the Court terminate the trust.**

**The Petitioner also requests:**

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## **SIGNED UNDER THE PENALTIES OF PERJURY**

I certify under the penalties of perjury that the foregoing statements are true to the best of my knowledge and belief.

Date: \_\_\_\_\_ Signature of Petitioner \_\_\_\_\_

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Information on Attorney for Petitioner, if any

Signature of Attorney

\_\_\_\_\_  
(Print name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Apt, Unit, No. etc.)

\_\_\_\_\_  
(City/Town)

\_\_\_\_\_  
(State)

\_\_\_\_\_  
(Zip)

Primary Phone #: \_\_\_\_\_

B.B.O. # \_\_\_\_\_

Email: \_\_\_\_\_