#### FORM 41

**(O.55, r.68 (1))**

**Notice of Election to Redeem Life Interest**

**In the High Court of Delta State**

**Probate Registry**

                                                     Suit No {{ suit\_number }}

Whereas {{ day\_of\_contract }} of {{ month\_of\_contract }} {{ year\_of\_contract }} died on the {{ day\_of\_death }}

Day of {{ month\_of\_death }} {{ year\_of\_death }} wholly/partial intestate leaving his/her

Lawful {{ wife\_husband }} and {% if someone\_left == True %} {{ whoelse }} {% endif %} lawful issue of the said {{ person }}

And whereas Probate/letters of administration of the estate of the said

{{ other\_person }} were granted to me, the said {{ third\_person }}

(And to {{ third\_person\_granted }} ) at the Probate

Registry on the {{ probate\_day }} day of {{ probate\_month }} {{ probate\_year }}

And whereas (the said {{ fourth\_person }} has

Ceased to be a personal representative because {{ ceased\_reason }} )

And I am now the sole personal representative;

Now I, the said {{ fifth\_person }} here by give

Notice that I elect to redeem the life interest to which I am entitled in

the estate of the late {{ sixth\_person }} by retaining ~~N~~ {{ retaining\_amount }}

Its capital value, and ~~N~~ {{ cost\_of\_transaction }}, the cost of the transaction.

DATED the {{ day\_of\_transaction }} day of {{ month\_of\_transaction }} {{ year\_of\_transaction }}

..................................... Signed …………………

      To the ProbateRegistrar.

**SECOND SCHEDULE**

**High Court Law (Cap. 65)**

**Sheriffs & Civil Process Law (Cap.151)**

**Fees Payable and Allowances to Witnesses**

**in the High Court of Delta State**

**O. 51, r. 20, 21,**

**O. 56, r, 1)**

**PART I - FEES PAYABLE IN HIGH COURT**

**Item                             Matter                                                                             Fees**

1**.       CLAIMS                                                                                          N:K**

          A.      Fillingof Action                                               200.00

          B.      Forthe recovery of a specified sum:

          (a) Below ~~N~~ 600,000                                      2,000.00

          (b) ~~N~~601, 001- ~~N~~1, 000,000                                     2,500.00

          (c) ~~N~~1,000, 001- ~~N~~5,000,000                                   5,000.00

          (d) Above ~~N~~5,000,000                                    7,000.00

For the recovery of an unspecified sum

          (a) Each declaration                                          200.00

          (b) Each order                                         100.00

          (c) Maximum                                         1,000.00

For an account to be taken and payment of the sum founddue:

          (a) Initial fess                                           200.00

(b) Second fee (payable before setting down

for judgment) per ~~N~~1, 000 or part there

          of found due in excess of ~~N~~ 2, 000                                        100.00

          (c) Maximum total fee                                                          1,000.00

2.

**ACTION FOR POSSESSION**

          For possession of property, as betweenlandlord and tenant

          (a)     Wherethe annual rent or value does not exceed ~~N~~100, 000             500.00

          (b)     Above~~N~~100, 000 and not exceeding          N500,00                         1,000.00

          (C)     Above~~N~~500, 000                                                                             3,000.00

3.       **DECLARATIONOF TITLE**

For declaration of title to land and possession of the landother than as between landlord and tenant

(a)     Where theannual rent does not exceed ~~N~~100, 000                            500.00

(b)     Where noannual rent or value can be specified                   1,000.00

(c) Maximum fee                                                                           3,000.00

For possession of property (other than as between landlordand tenant and other than land): as under item 1 on the sum claimed in lieu ofthe property

5.       **ADMINISTRATIONSUMMONS**

For the administration of the property of a deceased personwhere there is no dispute regarding succession or distribution: where the grossvalue of the property is

(a)     ~~N~~1,000-~~N~~100,000                                                                               500.00

(b)    ~~N~~ 100,001-~~N~~500, 000                                                             1,000.00

(c)      Where thegross value of the property

          is ~~N~~500, 001-~~N~~ 1, 000.000                                                             2,000.00

(d)    Above ~~N~~1,000,000or not specified                                       3,000.00

For the administration of the property of a person ofunsound mind: same as under item 5

For the determination of a question relating to thedistribution of, or the succession to, the property of a deceased person, or toa trust whether the person who created the sum be dead or alive-

 (a) Where the grossvalue of the property of the deceased or of the property

                             under trust does not exceed ~~N~~100,000                                            500.00

          (b) Where it exceeds ~~N~~100, 000                                              1,000.00

          (c)Where no gross value can be specified                                2,000.00

          (d)Maximum fee                                                                      3,000.00

8.       For any otherrelief or assistance not specially

          provided for                                                                            200.00

9.       **MOTION**

          (a)Filing fee                                                                             200.00

          (b) Filing application for amendment                                                200.00

**10.     AFFIDAVIT/AFFIRMATIONS/DECLARATIONS**

          (a) In support of Court Process                                     100.00

          (b) Statutory Declarations                                    200.00

          (c) In cases other than (a) & (b)                                     500.00

**11.     CERTIFICATION/AUTHENTICATIONOF DOCUMENT**

          (a) Certification of document                                         300.00

(b) For endorsing paper annexed to an affidavit ordeclaration        500.00

(c) For sealing any document not in court process                            300.00

(d) For attesting the execution of or signature