

Form P3 (Rule 25-3 (2))

This is the undefinedth affidavit of Mary Jane Smith in this case and was made on 01/FEB/2024

[Style of Proceeding]

AFFIDAVIT OF APPLICANT FOR GRANT OF PROBATE OR GRANT OF ADMINISTRATION WITH WILL ANNEXED (SHORT FORM)

[Rule 22-3 of the Supreme Court Civil Rules applies to all forms.]

I, Mary Jane Smith, of 567 Broadway, Vancouver, British Columbia, Canada, V5N 1B1,
occupation, SWEAR (OR AFFIRM) THAT:

1 I am the applicant/one of the applicants referred to in the submission for estate grant in relation to the estate of JOHN ROBERT SMITH (the "deceased") and in relation to the document that is identified in section 4 of Part 3 of the submission for estate grant as the will (the "will"), and am applying for:

[Check whichever one of the following 2 boxes is correct.]

- ☒ a grant of probate.
☐ a grant of administration with will annexed.

[Check the box for whichever one of the following section 2's is best and provide any required information. The first four section 2's provide a guided response for the most common situations and the last two section 2's provide a more flexible alternative.]

- ☒ I am named as an executor or alternate executor as Mary Jane Smith in the will and my appointment has not been revoked under section 56 (2) of the Wills, Estates and Succession Act or by a codicil to the will.

[If you checked the immediately preceding boxes, check whichever one of the immediately following 3 boxes is correct and complete any required information.]

- ☒ No other persons are named in the will as executor.
☐ No other persons are named in the will as executor who are not parties to this application.
☐ Other persons are named in the will as executor and, of those, the following person(s) is/are not named as an applicant on the submission for estate grant for the reason shown after that/those person('s/s') name(s):

[Complete the following for each named person.]

3 *[Check whichever one of the immediately following 2 boxes is correct.]*

- ☒ I am not obliged under Rule 25-3 (11) to deliver a filed copy of this submission for estate grant to the Public Guardian and Trustee.
☐ I am obliged under Rule 25-3 (11) to deliver a filed copy of this submission for estate grant to the Public Guardian and Trustee.

4 I am satisfied that a diligent search for a testamentary document of the deceased has been made in each place that could reasonably be considered to be a place where a testamentary document may be found, including, without limitation, in all places, both physical and electronic, where the deceased usually kept important documents and that no testamentary document that is dated later than the date of the will has been found.

5 I believe that the will is the last will of the deceased that deals with property in British Columbia.

6 I believe that the will complies with the requirements of Division 1 of Part 4 of the Wills, Estates and Succession Act and

- (a) I am not aware of there being any issues that would call into question the validity or contents of the will,
- (b) I am not requesting that the will be recognized as a military will executed in accordance with the requirements of section 38 of the Wills, Estates and Succession Act,
- (c) I am not aware of there being any interlineations, erasures or obliterations in, or other alterations to, the will, and
- (d) I am not aware of there being any issues arising from the appearance of the will.

7 An originally signed version of the will is being filed with the submission for estate grant.

8 A certificate from the chief executive officer under the Vital Statistics Act indicating the results of a search for a wills notice filed by or on behalf of the deceased is filed with this application, and the certificate indicates that no testamentary document that is dated later than the date of the will has been found.

9 All documents referred to in the will are attached to the will.

10 I have read the submission for estate grant and the other documents referred to in that document and I believe that the information contained in that submission for estate grant and those documents is correct and complete.

11 I will administer according to law all of the deceased's estate, I will prepare an accounting as to how the estate was administered and I acknowledge that, in doing this, I will be subject to the legal responsibility of a personal representative.

12 I am not aware of there being any application for a grant of probate or administration, or any grant of probate or administration, or equivalent, having been issued, in relation to the deceased, in British Columbia or in any other jurisdiction.

SWORN (OR AFFIRMED) BEFORE

)

ME at _____, British Columbia

)

on 01/FEB/2024 _____.

)

A commissioner for taking
affidavits for British Columbia

[print name or affix stamp of commissioner]