

IN THE CIRCUIT COURT FOR
MIAMI-DADE COUNTY, FLORIDA

PROBATE DIVISION

CASE NO:

19-5608 CP01

IN RE: ESTATE OF

Marthamice Joseph
Deceased.

PETITION TO DETERMINE HOMESTEAD STATUS
OF REAL PROPERTY

(intestate, heirs, no spouse or minor child – exempt from claims)

Petitioner, Macellon Joseph, as petitioner of the above estate as defined in Florida Statutes 198.01 and 731.201 of the above estate, alleges:

1. The decedent, Marthamice Joseph, died intestate on Feb 12 2017, domiciled in Miami-Dade County, Florida, and was survived by:

a. Heirs who are neither a spouse nor a minor child of the decedent.

2. At the time of decedent's death, the decedent owned 100% interest and resided on the following described contiguous parcel of real property (the "Property"):

275 NW 157 ST Miami Fla 33169
Biscayne Gardens B PB 40-49
LOT 471

Lot size 131860 X 30 S
or 18409 38 97 10 981

COC 233 80-4040 OS 2005 1

3. The name of the decedent's surviving descendants having an interest in the decedent's estate, if any, and their respective relationships to decedent and dates of birth of descendants are:

NAME & ADDRESS

RELATIONSHIP

DOB

Macellon Joseph Husband

450 NE 59 ST

Miami Fla 33137

4. The Property constituted the homestead of the decedent within the meaning of Section 4 of Article X of the Constitution of the State of Florida and petitioner believes that upon decedent's death, title to the Property descended to and the constitutional exemption from claims of decedent's creditors inured 100% each to the decedent's lineal heirs, . . .

Macellon Joseph

5. The only persons, other than petitioner, having an interest in this proceeding, including unpaid creditors, and their respective addresses are: NONE.

Petitioner requests that an order be entered determining that the Property constituted the exempt homestead of the decedent, title to which upon decedent's death, descended and the constitutional exemption from claims inured as set forth in paragraph 4; directing the petitioner to surrender possession of the Property; and directing that the petitioner shall have no further responsibility with respect to the Property.

Under penalties of perjury, I declare that I have read the foregoing, and the facts alleged are true, to the best of my knowledge and belief.

Signed on

Dec. 20, 2019

petitioner