

**PROBATE COURT OF CUYAHOGA COUNTY, OHIO**

ANTHONY J. RUSSO, Presiding Judge

LAURA J. GALLAGHER, Judge

\_\_\_\_\_, Guardian Case No: \_\_\_\_\_

**PLAINTIFF**

v.

\_\_\_\_\_, Ward, et. al.

**DEFENDANT(S)**

**APPLICATION FOR ORDER OF  
PRIVATE SALE**

(O.R.C. §2127.32-§2127.33)

Now comes the Plaintiff/Guardian and represents to the Court that the Defendants have been duly served with notice of the proceedings, or have waived notice and consent to the sale of the real estate as described in the Complaint.

The Plaintiff/Guardian further represents that the real property was appraised with a value of \$ \_\_\_\_\_, by the appraiser appointed in these proceedings and requests that the Court approve and confirm the appraisal report.

The Plaintiff/Guardian further represents that an offer to purchase the real estate has been obtained; that \_\_\_\_\_, a willing purchaser, has offered to pay the sum of \$ \_\_\_\_\_; that the offer is not less than the appraised value, and that it is in the best interests of the guardianship estate to authorize this private sale.

The Plaintiff/Guardian further represents that the offer was obtained through the efforts of \_\_\_\_\_ (a) duly licensed real estate broker(s) seeking to be paid a commission upon consummation of a sale.

The Plaintiff/Guardian further represents that the bond previously given in the amount of \$ \_\_\_\_\_ is  sufficient  insufficient to protect the proceeds of the sale and that  no additional bond  additional bond is necessary to be given.

Wherefore, the Plaintiff/Guardian requests that the Court authorize the private sale of the real estate at a price of \$ \_\_\_\_\_, a sum not less than the appraised value, and the payment of a customary real estate commission upon consummation of the private sale.

The Plaintiff/Guardian further requests that the Court determine the adequacy of his/her bond.

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**ATTORNEY FOR PLAINTIFF**

**PROBATE COURT OF CUYAHOGA COUNTY, OHIO**

ANTHONY J. RUSSO, Presiding Judge

LAURA J. GALLAGHER, Judge

\_\_\_\_\_, Guardian

Case No: \_\_\_\_\_

**PLAINTIFF**

v.

\_\_\_\_\_, Ward, et. al,

**DEFENDANT(S)**

**JUDGMENT ENTRY  
GRANTING PRIVATE SALE**

This matter is before the Court on the **Application for Order of Private Sale** filed by the Plaintiff, the **Report of the Appraiser**, and the evidence.

The Court finds that all interested Defendants have been duly served with notice of the proceedings, or have waived notice and consent to the sale of the real estate as described in the Complaint.

The Court further finds that the real estate was appraised with a value of \$ \_\_\_\_\_ by the appraiser appointed in these proceedings and, it appearing upon examination that the report is in all respects regular and proper, it is ordered approved and confirmed.

The Court further finds that the allegations in the Application are true; that the offer of \$ \_\_\_\_\_ is the highest and best offer that has been obtained by a willing purchaser; that the offer is not less than the appraised value; that the offer was obtained through the efforts of \_\_\_\_\_ (a) duly licensed real estate broker(s), and that it is in the best interests of the guardianship estate to have a private sale.

The Court further finds that the bond previously given by the Guardian in the amount of \$ \_\_\_\_\_ is  sufficient  insufficient to protect the proceeds of the sale, and that  no additional bond  additional bond is necessary to be given. Any additional bond necessary to be given will be separately ordered in the related guardianship case.

Therefore, it is **ORDERED** that the Plaintiff proceed to sell the real estate at private sale for \$\_\_\_\_\_, being not less than the appraised value of \$\_\_\_\_\_.

It is further **ORDERED** that a real estate commission not exceeding a total of \_\_\_\_\_% or \$\_\_\_\_\_ be allowed to the real estate broker(s) upon a sale being consummated through their efforts, and that the Plaintiff/Guardian make due return of the sale without unnecessary delay.

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**PROBATE JUDGE**