



The Plaintiff/Fiduciary represents that he/she is the duly appointed and qualified Fiduciary of the Estate of \_\_\_\_\_ having been appointed as said Fiduciary on \_\_\_\_\_, 20 \_\_\_\_\_, in Case No. \_\_\_\_\_.

The Plaintiff/Fiduciary further represents that said Decedent died seized of ( the entire interest  a fractional interest) in the following real estate located at \_\_\_\_\_, County of \_\_\_\_\_, State of Ohio, PPN: \_\_\_\_\_ and further described as follows (legal description):

Said real estate was included in the Inventory of the Decedent's Estate and appraised with a value of \$ \_\_\_\_\_, which is the value as near as can be ascertained.

The nature of the interest of the Decedent in such real estate is \_\_\_\_\_.

(Please properly identify the Decedent's interest in the real estate. Example: "an undivided fee simple in the entire parcel" or "an undivided one-half interest" or "a life-estate.")

All mortgages and other liens upon and/or adverse interests in such real estate are as follows:

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Defendant (if applicable) \_\_\_\_\_ is the spouse of the Decedent.

Defendant(s) \_\_\_\_\_

are all the persons entitled to share in the estate of the Decedent upon distribution.

Defendant(s) \_\_\_\_\_

are lienholders whose claims affect such real estate or a part thereof.

Defendant(s) \_\_\_\_\_

are all of the other persons holding any right, title or interest in or to said real estate or any part thereof, who are necessary parties to this action.

The Plaintiff/Fiduciary represents that it is necessary to sell said real estate for the following reason(s):

to pay the debts of the estate. (O.R.C. §2127.02)

at the request of, and with the consent of, all persons entitled to share in the estate of the Decedent upon distribution. (O.R.C. §2127.04)

The Plaintiff/Fiduciary prays that all the rights, interests and liens of the Defendant(s) be fully determined, adjusted and protected and that he/she may be authorized and ordered to sell the Decedent's interest in said real estate as directed by the Court.

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**ATTORNEY FOR PLAINTIFF**



**PROBATE COURT OF CUYAHOGA COUNTY, OHIO**

ANTHONY J. RUSSO, Presiding Judge

LAURA J. GALLAGHER, Judge

\_\_\_\_\_  
PLAINTIFF(S)

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

v.

Judge: \_\_\_\_\_

\_\_\_\_\_  
DEFENDANT(S)

**INSTRUCTIONS FOR SERVICE**

**To the Clerk: Please serve summons to the following Parties by the method indicated below:**

Certified Mail Summons (ALL new Civil actions to be served by Court via Certified Mail)

*\*Exceptions: Concealment of Assets and Citation to Produce Will actions require Court-Issued Sheriff Service*

Ordinary Mail Summons

Publication – Affidavit for Unknown Heirs and/or Unknown Addresses ATTACHED

Personal Service of Summons by Sheriff of \_\_\_\_\_ County, Ohio

Personal Service of Summons by Sheriff of \_\_\_\_\_ County, State of \_\_\_\_\_

Process Server ( Personal Service  Residential Service)

Copy of Entry granting Motion to Serve by Process Server ATTACHED, or

Standing Order for Process Server on record with Probate Court

**If this is not the first attempt at service, select a service method above and indicate if this is an alias (second) or pluries (third or additional) summons.**

Alias Summons

Pluries Summons

**Party to Serve:**

**Address:**


**With the following documents (Copies ATTACHED):**

\_\_\_\_\_

\_\_\_\_\_

**Instructions prepared by:**

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Phone: \_\_\_\_\_