

PROBATE COURT OF CUYAHOGA COUNTY, OHIO

ANTHONY J. RUSSO, Presiding Judge

LAURA J. GALLAGHER, Judge

_____, Trustee
PLAINTIFF(S)

Case No: _____

v.

DEFENDANT(S)

**APPLICATION TO FIX PRICE AND
FOR ORDER OF PRIVATE SALE**
(O.R.C. §2127.32-§2127.33)

Now comes the Plaintiff/Trustee and represents to the Court that the Plaintiff was authorized to sell the real estate described in the Complaint; that the real estate has been appraised with a value of \$_____; that the Plaintiff has made a bona fide attempt to sell the real estate at a sum not less than the appraised value, but has been unable to sell said real estate for a sum not less than the appraised value.

The Plaintiff/Trustee further represents that the following facts substantiate the sale at a lower price:

(Ex: the length of time on the market; the number of showings; whether the condition of the property has deteriorated since the Complaint has been filed, etc.)

The Plaintiff/Trustee further represents that the Plaintiff has received an offer to purchase the real estate for the sum of \$_____; that it is the highest offer that has been received, and that it is in the best interests of the Decedent's estate to sell the real estate at a price less than the appraised value.

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The Plaintiff/Trustee requests that the Court fix the price at \$_____, for which the real estate may be sold and that the realtor commissions be allowed to the broker(s) upon consummation of the sale.

The Plaintiff/Trustee represents that a bond in the amount of \$_____, has been previously given. The Plaintiff/Trustee requests that the Court determine whether said bond is sufficient or insufficient to protect the proceeds of the sale.

Attorney for Plaintiff Signature

Typed or Printed Name

Address

City State Zip

Phone Number (include Area Code)

Email Address

Attorney Registration No. _____

NOTICE

PLEASE BE ADVISED THAT A HEARING WILL BE SCHEDULED ON THE MOTION TO FIX PRICE IF ALL DEFENDANTS DO NOT FILE/SUBMIT WRITTEN CONSENTS TO THE SALE OF THE REAL ESTATE AT THE FIXED PRICE. THE DEFENDANTS MUST BE SENT A COPY OF THE MOTION ALONG WITH THE NOTICE OF THE HEARING DATE.