PROBATE COURT OF CUYAHOGA COUNTY, OHIO
ANTHONY J. RUSSO, Presiding Judge
LAURA J. GALLAGHER, Judge

_____, Trustee Case No: _____
PLAINTIFF(S)

v.

_____,
DEFENDANT(S)

JUDGMENT ENTRY FIXING PRICE AND FOR ORDER OF PRIVATE SALE

This matter is before the Court on the **Application to Fix Price and for Order of Private Sale** filed by the Plaintiff; the Report of the Appraiser, if applicable; any Answers(s) filed by the Defendant(s), and the evidence.

The Court finds that all interested Defendants have been duly served with notice of the proceedings, or have waived notice of hearing and have consented to the granting of the Application.

(Check which is applicable)

☐ The Court finds that the real property 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.

OR

☐ The Court finds that the real property was previously appraised with a value of $_____, and that further appraisal was dispensed with by prior Court Order.

The Court finds that the Plaintiff/Trustee has made a bona fide effort to sell the real estate at private sale for not less than the appraised value, but that no such sale has been made.

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 less than the appraised value, but that it is in the best interests of the Decedent's estate to have a private sale at the reduced price.

The Court further finds that the offer was obtained through the efforts of a duly licensed real estate broker(s).

The Court further finds that the bond previously given by the Trustee 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 by the Trustee will be separately ordered in the related estate case.**

Therefore, it is **ORDERED** that the Plaintiff/Trustee proceed to sell the real estate at private sale for the fixed price 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/Trustee make due return of the sale without unnecessary delay.

_____ _____

Date Probate Judge Signature