

PROBATE COURT OF CLERMONT COUNTY, OHIO

Case No. _____

GUARDIAN'S COMPLAINT TO SELL REAL ESTATE

Rev. Code, Secs. 2127.05 to 2127.16

Guardian(s) of _____

Address

Plaintiff

VS.

_____, Ward

Defendant

Address

1. The plaintiff(s) represents that (he) (she) is the duly appointed, qualified Guardian (s) of the (Person and Estate) (Estate) of _____, having been duly appointed as such by _____ on _____, 20_____, In Case Number _____.

2. The plaintiff (s) further represents that said Ward is seized _____
_____ interest in the following real estate proposed to be sold, situated in the _____
_____ of _____ County of _____,
State of Ohio, and described as follows:

3. The value of said real estate as near as can be ascertained is _____ Dollars.

4. The nature of the interest of the Ward in such real estate is _____

5. All mortgages and other liens upon and adverse interests in such real estate are as follows: _____

6. The defendant _____ is the _____ of the Ward, and is the owner in fee simple of the other undivided one half interest in the above real estate (or is the owner of a dower interest in the above real estate).

Wife or Husband

7. The defendants _____

are all the persons entitled to the next estate of inheritance from the Ward, in such real estate.

8. The defendants _____ are lienholders whose claims affect such real estate or a part thereof.

9. The defendants _____ 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.

10. The sale of the real estate is necessary for the education, support, or the payment of the just debts of the ward or for the discharge of liens on the real estate of the ward, the real estate is suffering unavoidable waste, or a better investment of its value can be made or it appears that the sale of the real estate will be in the best interest of the ward pursuant to Ohio R.C. 2127.05.

11. The plaintiff desires to sell the entire interest of all Defendants in said real estate, pursuant to the statutory authority granted under Ohio R.C. 2127.08.

WHEREFORE, Plaintiff prays the Court for authorization to sell the entire interest in the said real estate free of the claims, interest, liens, and rights of expectancy or dower therein of all persons to this action, that (he) (she) be authorized to employ a real estate broker to assist in such sale and to pay such broker the real estate commission customary in the vicinity of said real estate, and for such other and further relief which the Court deems proper.

Attorney for Plaintiff
Typed or Printed Name

Address

Telephone Number _____

WAIVER OF SERVICE BY GUARDIAN

Now comes _____, Guardian of the person and estate of _____, one of the defendants herein, and waives service of summons pursuant to Civil Rule 4 (D) and 4.2 (3) and requests that a Guardian Ad Litem be appointed to protect the interest of _____ in these proceedings.

Guardian