

IN THE PROBATE COURT OF MOBILE COUNTY

IN THE MATTER OF

*

THE ESTATE OF

*

CASE NO. _____

_____,
an incapacitated person.

*

TO THE HONORABLE DON DAVIS, JUDGE OF SAID COURT:

PETITION TO SELL REAL PROPERTY

COMES NOW, _____, ("Petitioner"), as
Conservator of the Estate of _____, an
incapacitated person, and represents the following:

1. Petitioner was appointed Conservator of the Estate of the Ward.
2. The Ward presently resides at _____.
3. The Ward owns real property located in Mobile County, Alabama, the legal description of same being attached hereto as Exhibit "A". A copy of the tax assessment for said parcel is attached hereto as Exhibit "B", showing the Mobile County, Alabama Revenue Commissioner's fair market value estimate of \$_____.

4. Petitioner has received an offer in writing to purchase said property at private sale by _____ for the sum of \$_____.

_____. A copy of said offer is attached hereto as Exhibit "C". Petitioner believes this offer to be reasonable and fair.
5. That a sale of said property is not needed in order to convert the Ward's assets to cash for the purpose of paying living expenses; however, the Ward has no use for the real property OR *is needed in order to convert the Ward's assets to cash for the purpose of paying living expenses.*

After deduction of the reasonable expenses of sale, fees and commissions due the Petitioner and the officers of this Court, it is the belief of said Petitioner that it is in the best interest of the Ward to sell said real property at the private sale herein described.

WHEREFORE, the premises considered, Petitioner prays that the Court set this petition for hearing or take such other appropriate steps as will enable it to issue its order authorizing sale of the real estate to the said purchaser for the offered sum, with authorization to Petitioner to pay from the proceeds of sale the reasonable expenses of sale and closing, fees and commissions due to Petitioner and to the officers of this Court. Petitioner prays for such other, further and different relief to which he might be entitled.

DATED: _____, _____.

_____,
Conservator for the Estate of _____
_____, an incapacitated person

OF COUNSEL:

STATE OF ALABAMA

COUNTY OF MOBILE

Before me, the undersigned authority in and for said state and county, personally appeared _____, who, known to me to be the Conservator of the Estate of _____, an incapacitated person, and having first been duly sworn, did depose and say that he signed the foregoing instrument and that he is informed and believes, and upon such information and belief avers, that the matters and facts contained therein are true and correct.

Sworn and subscribed before me on this _____ day of _____, _____.

NOTARY PUBLIC

My commission expires: _____

(SEAL)

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EXHIBIT "A"

Lot _____, _____ Subdivision, Map Book _____ Page
_____ Section _____, Township _____, Range