

**PROBATE COURT OF GEAUGA COUNTY, OHIO
JUDGE TIMOTHY J. GREDELL**

Case No. _____

COMPLAINT FOR LAND SALE

vs. _____ Plaintiff

[R.C. 2127.04]

Defendants, et. al. [See attached Exhibit A for Defendants' List]

1. The Plaintiff is the Executor Administrator of the Estate of _____, Decedent, pending in this Court under Case No. _____ and files this Complaint as such.

2. The statutory basis for this complaint is R.C. 2127.04. The statement of facts supporting the reason for selling the Real Property is as follows:

3. The Complaint is based upon the following:
 - [] R.C. 2127.04(A) – Consent of all Persons, a copy of which are attached
 - [] R.C. 2127.04(B) Categories as indicated below:
 - [] R.C. 2127.04(B)(1)(a)
 - [] R.C. 2127.04(B)(1)(b)
 - [] R.C. 2127.04(B)(1)(c)
 - [] R.C. 2127.04(B)(2)(a)
 - [] R.C. 2127.04(B)(2)(b)
 - [] R.C. 2127.04(B)(2)(c)
 - [] R.C. 2127.04(B)(3)

4. The Decedent died owning a _____ interest in the certain real property (the "Real Property"), commonly known as _____ the legal description being described below. The Real Property was included in the inventory of this probate estate, which was filed and approved, and has an appraised value of \$_____.

Legal Description

5. [Select as applicable]

The mortgagor, other lienholders, or others having an adverse interest regarding the Real Property are described below

Name	Describe lien (or adverse interest)	Debt/Claim
_____	_____	_____
_____	_____	_____
_____	_____	_____

To the best of Plaintiff's knowledge, there are no mortgagors, other lienholders, or others having an adverse interest regarding the Real Property.

6. The Decedent died leaving [Select as applicable]

_____, as surviving spouse

the following named Defendants, who are either an heir, devisee, legatee, or a person otherwise entitled inherit or otherwise receive the Real Property:

Name	Relationship	Age
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Additionally, such Defendants include the Decedent's (i) unknown heirs and devisees, (ii) unknown heirs and devisees of those unknown heirs and devisees, and (iii) the guardians of those unknown heirs and devisees.

7. Other than as described above, there are no persons or entities, who have an interest in the Real Property.
8. The sale of the Real Property is in the best interest of the Estate.

Plaintiff requests that the Court:

- determine that all necessary parties are properly before the court and that the demands for relief be granted;
- authorize Plaintiff to sell the Real Property by private sale and authorize Plaintiff to retain a real estate broker and to incur and pay any reasonable expenses resulting from the sale, including brokerage fees, escrow fees, or title insurance costs;
- authorize Plaintiff to sell the Real Property by public sale, determine the time and place of the public sale and authorized Plaintiff to hire an auctioneer and pay all reasonable costs related to the public sale;
- authorize Plaintiff to expend not more than \$ _____ to make repairs or improvements to the Real Property in order to facilitate a sale at a reasonable and fair price;
- determine the equities among the parties and the priorities of lien of the several lien holders on the Real Property, and order a distribution of the money arising from the sale in accordance with its determination, and order contributions among all parties in interest;
- order a new appraisal;
- waive additional bond;
- Other:

Signature _____
Print Name _____
Street Address _____
City, State, Zip _____
Tel. No. _____
Atty Reg. No. _____