

PETITION TO REFINANCE MORTGAGE

GUARDIANSHIP OF _____
CASE NO: _____
DATE: _____
ATTY: _____

LEGAL STANDARD:

§744.441(12), FS, sale of property requires court approval
§744.447, FS, petition for authorization to act
§744.451, FS, - order requirements for sale or mortgage of property
FlaProbR 5.630 petition for approval of acts

LEGAL REQUIREMENTS:

___ Petition verified by guardian [5.610(e), 5.630(a)] - my copy is unsigned

___ States whether the ward has been adjudicated incapacitated to act
wit respect to the rights to be exercised [744.447(1), 5.630(a)(4)]

___ States whether the action requested conforms to the guardianship
plan [744.447(1), 5.630(a)(5)]

___ Facts showing necessity: _____

_____ [744.447(1), 5.630(a)(1)]

___ a copy of the instrument is attached [744.447(1), 5.630(a)(2)]

___ Price and terms of sale [744.447(1), 5.630(a)(3)]
___ Copy of proposed contract

___ Notice to Ward unless ward is under 14 or totally incap. [744.447(2),
5.630(b)]

___ Next of Kin and other interested parties that have requested that
they get notice of proceedings [744.447(2), 5.630(b)]

NEXT OF KIN:

___ Appraisal; Value \$ _____

___ Order describes the permitted act and authorizes the guardian to
perform the act [744.451(2), 5.630(c)(1)]

COMMENTS: _____

RECOMMENDATION: