

SELL REAL PROPERTY

GUARDIANSHIP OF \_\_\_\_\_  
CASE NO: \_\_\_\_\_  
DATE: \_\_\_\_\_

**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; FPR 5.630 petition for approval of acts

\_\_\_ Petition verified by guardian [5.610(e), 5.630(a)]

\_\_\_ States whether the ward has been adjudicated incapacitated to act with 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 for sale: \_\_\_\_\_  
[744.447(1), 5.630(a)(1)]

\_\_\_ Legal description of the property [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 & interested parties requesting notice of proceedings [744.447(2), 5.630(b)]. NEXT OF KIN:

Name	Relationship	Name	Relationship

\_\_\_ Appraisal; Value \$ \_\_\_\_\_

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

\_\_\_ Order describes property and specifies the price and terms of sale. If sale is public, order shall state that the sale shall be made to highest bidder and that court reserves right to reject all bids. [744.451(1)(a)&(b), 5.630(c)(2)]

\_\_\_ Order addresses protection of the sale proceeds, i.e., attorney's trust account until further order

COMMENTS: \_\_\_\_\_

**RECOMMENDATION:** \_\_\_\_\_