

PC-4.2

Petition for the Sale - Mortgage of Real Estate

formerly SW-59

R.I.G.L. 33-19-1

R.I.G.L. 33-19-3



This action must be advertised.



Form PC-9.2, Attorney of Record, should be completed and filed with the estate records.



Helpful Hint: Refer to Appendix III for Sample Decree.

This form authorizes an Executor, Administrator Guardian or Conservator to sell, for cash or on credit, or to mortgage the real estate of a deceased or ward.

The Attorney files the Petition indicating:

- Description of the particular estate to be mortgaged or sold. **(Including address, assessors plat and lot.)**
- The amount of money necessary to be raised.
- The purpose for which the money is required.
- The Inventory. **(The inventory must be filed before the sale can be granted.)**

The Petition to sell is a means to clear title and to effect settlement of the estate.

The Probate Clerk:

- Advertises the Petition.
- Enters a Decree for sale of real estate to be valid for one year.

or

- Enters a Decree for the mortgage of real estate to be valid for 6 months.



STATE OF RHODE ISLAND
County of _____

Estate of _____

PROBATE COURT OF THE

No. _____
Date _____

PETITION FOR THE SALE - MORTGAGE OF REAL ESTATE

The undersigned requests the authority to: (Check one) SELL MORTGAGE
the interest of the: (Check one) deceased ward
in the real estate hereinafter described to raise the sum of \$ _____
for the purpose of (Check one) sale mortgage

Reason for Sale or Mortgage

said interest comprising the (Check one) whole an undivided _____
subject to _____
e.g., statutory life interest if spouse, encumbrances, etc.

Signature of Fiduciary

Title of Fiduciary

Assessors Plat and Lot Number

No. Street ZIP

City State

Attach legal description of real estate to be sold/mortgaged.

DECREE

Petition granted.

Date Probate Judge