

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
http://www.courts.state.nh.us

Court Name:
Case Name: Estate of
Case Number: (if known)

MOTION AND LICENSE TO SELL REAL ESTATE TO PAY DEBTS AND LEGACIES OF THE ESTATE

1. Executor/Admin name: Telephone:
Mailing address: Street City State Zip code
Executor/Admin name: Telephone:
Mailing address: Street City State Zip code

2. Attorney name: Telephone:
Firm name: Bar ID #:
Mailing address: Street City State Zip code

3. The personal estate of the deceased is not sufficient to pay the debts and legacies of the estate. The deceased at the time of death owned certain real estate identified below.
PROPERTY LOCATION COUNTY BOOK/PAGE

4. STATEMENT OF DEBTS AND ASSETS
DEBTS
A. Debts/legacies of the estate. (Attach list detailing these) \$
B. Funeral expenses \$
C. Allowance to widow \$
D. Estimated expenses of administration \$

TOTAL ESTATE DEBTS \$

ASSETS
A. Personal property per inventory \$
B. Income earned from all sources \$
C. Personal property not appraised \$

TOTAL ESTATE ASSETS \$

TOTAL DEFICIT \$

- There is a surviving spouse who assents (see attached)
There is no surviving spouse but there is/are minor child(ren) of the deceased

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MOTION AND LICENSE TO SELL REAL ESTATE TO PAY DEBTS

5. I/we, _____, certify that in disposing of the estate of the deceased as I may be licensed to sell, I will use my best judgment if the property is sold at public auction in fixing and advertising the time and place of sale, and will exert my utmost endeavor that the same shall be sold in such manner as will be of the greatest advantage to the persons interested in the estate, without any sinister or selfish view or motive whatever.

I request that I be licensed to sell at public auction, or private sale, the whole of the real estate in accordance with New Hampshire law.

I state that on this date I am sending a copy of this document as required by the rules of the Circuit Court. I am electronically sending this document through the court's electronic filing system to all attorneys and to all other parties who have entered electronic service contacts (email addresses) in this case. I am mailing or hand-delivering copies to all other interested parties.

Verification: I verify the truth and accuracy of all facts alleged within this document to the best of my belief and further verify that all facts contained in this document are alleged in good faith. By affixing my electronic signature to this document I acknowledge my understanding that any false statements made in this document are punishable as perjury which may include a fine or imprisonment or both.

_____ Name of Filer		/s/ _____ Signature of Filer	_____ Date
_____ Law Firm, if applicable	_____ Bar ID # of attorney	_____ Telephone	
_____ Address		_____ E-mail	
_____ City	_____ State	_____ Zip code	

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ASSENTS

I, _____, the surviving spouse of the deceased, hereby assent to the sale of the whole of the real estate herein described, including the homestead right, and any other interest therein, and the reversion(s) thereof.

Date

Surviving Spouse Signature

IF THERE IS NO SURVIVING SPOUSE OF THE DECEASED BUT THERE ARE MINOR CHILDREN.

I, _____, guardian of the minor child(ren) of the deceased, hereby consent to the sale of the whole of the real estate herein described.

Date

Guardian of Minor Signature

ORDER AND LICENSE

- The motion is granted and the Executor/Administrator is licensed upon the terms and conditions specified above. This license is only valid for two years from the date of this order. A return of sale must be returned to the court within one year of the sale. The Executor/Administrator shall notify the court of the net proceeds of the sale within thirty (30) days following receipt of such proceeds.
- Motion is denied and no license is issued.

Recommended:

Ordered by the Court: