

Instructions for completing
**Motion and License to Sell Real Estate or
Personal Property in Guardianship or Conservatorship**
(RSA 463 or 464-A)
(NHJB-2164-P)

Form use. This form is used to ask the court for permission to sell real estate or personal property of a ward in either adult or minor guardianships.

Top part of form

- COURT NAME:** Enter the name of the county probate court where the document will be filed. (example: Belknap County Probate Court; Rockingham County Probate Court).
- CASE NAME:** Enter the name of the ward (example: Guardianship of John Adams; Guardianship of Susan Jones).
- CASE NUMBER:** Leave blank if not yet assigned by court OR fill in case number if it is known.

Numbered part of form

1. **Petitioner Name** is the name of the person filing the petition. Enter that person's name, telephone number and complete mailing address with zip code.
2. Enter the following information for each piece of real estate or personal property owned or in which the ward has an interest. Attach a copy of the legal description of any real estate.
 - **PROPERTY LOCATION/DESCRIPTION** are details about the property such as size, acres, address, etc. Enter this information for each property.
 - **COUNTY** is the county in which the property is located and where the deed is filed. Enter the name of the county on the line(s) provided.
 - **BOOK/PAGE** is the book and page numbers of the property listed on the deed. Enter the book and page numbers for each property.
3. **This real estate or personal property is currently valued at**, is today's value of the real estate or personal property.
4. **The inventory value of this property is** the value of this property reported on the inventory form for the estate.
5. **The guardian/conservator is currently bonded at**, is the amount of the bond that insures the guardian/conservator.
6. **It is necessary to raise the sum of**, is the place to enter the amount of money needed to be raised and to check off the appropriate boxes to indicate the purpose for these funds. If **'Other'** is selected, describe the purpose in specific detail.
7. **This item is in regard to the consents of interested parties:** Check off either 'yes' or 'no' to indicate that all persons interested in this guardianship estate have consented to this request. If yes is checked off, attach consents from all interested parties.

Within the paragraph following item # 7, enter the **minimum amount** for which the real estate or personal property may be sold by the guardian or conservator.

Signature Section

The sentence prior to the signature section indicates that the person filing this document has provided copies to all attorneys, parties and persons beneficially interested in the case.

This form must be signed in the presence of a Notary Public or Justice of the Peace. They will complete the section immediately following your signature. You will sign the form on the **Petitioner Signature** line, and date it in the appropriate space to the left.

Paragraph following Signature Section

The guardian/conservator of the estate completes the following paragraph. This paragraph requests the guardian/conservator to swear to act in the best interest of the ward by selling the property to the best advantage of the ward, without self-interest. Enter the name of the guardian/conservator on the first blank line. On the second blank line, enter the name of the estate.

This form must be signed in the presence of a Notary Public or Justice of the Peace. They will complete the section immediately following the guardian/conservator signature. The guardian/conservator will sign the form on the **Guardian/Conservator Signature** line, and date it in the appropriate space to the left.

Order and License

This section will be completed by the judge once the document is filed with the court and reviewed in detail by the judge.

Review the completed form for accuracy prior to filing it with the court. If completing this form on-line, some fields may be filled in automatically based on entries in other fields. If more space is needed for any question, please attach additional sheets of paper.