V I R G I N I A

IN THE CIRCUIT COURT OF

, Guardian for \*

\*

\*

Incompetent Plaintiff \*

\*

v. \* Chancery No.

\*

Incompetent, et al \*

\*

Defendants \*

***DECREE***

This cause came on this day to be heard upon the plaintiff's Bill of Complaint; upon service of process on the defendant, , in person; upon acknowledgement of service of process by the adult defendants, and , and their answers to the Bill of Complaint; upon the answer of , duly appointed Guardian Ad Litem for , incompe­tent defendant, in proper person; and upon acknowledgment of service of process by the defendants and and their answers to the Bill of Complaint.

Upon consideration of all of which and it appearing to the Court that this is a proceeding for the sale of land of a person under disability, pursuant to the provisions of 8.01-67, et seq. of the Code of Virginia; that is a resident of County, Virginia, is years of age, and is a person under a disability being physically and mentally incapable of taking care of his person and estate; that on or about , 20\_\_ was appointed Guardian for the said , and is a proper and authorized person to institute this proceeding; that the said served as Guardian from that date to the present time; that the said has in hand at the present time cash assets of approximately $ and valued at approximately $ , which constitute the entire personal estate of ; that, in addition, is entitled to monthly income totaling $ from Social Security; that is the sole owner of certain real estate, with improvements thereon, located at , Virginia, as is described in the Petition; that there are no known liens, deeds of trust, judgments or delinquent taxes against the said real estate; that said real estate is valued at approximately $ ; that the sale of the real estate of is both necessary and proper for the continued care, maintenance and support of the said ; that defendants and have agreed to purchase the real estate of for the sum of $ , in accor­dance with the terms and provisions of a sales contract dated , which offer of purchase is a fair and reasonable offer for said real estate and is in the best interest of , incompetent, and should be accepted and approved by the Court; that all persons who are the heirs of are party defendants to this proceeding and are properly before the Court; and that this Court has jurisdiction of the subject matter of this suit and all persons who have an interest therein; it is, therefore

ADJUDGED, ORDERED and DECREED as follows:

1. The offer of and is hereby accepted, approved, ratified and confirmed, and that the afore­said real estate belonging to be sold in accordance with the terms and provisions of the real estate contract dated , 20\_\_ , a copy of which is attached to the Petition filed herein, for the care, maintenance and support of .

2. is hereby appointed Special Commissioner for the purpose of selling the said real estate provided; how­ever, that said Special Commissioner shall first execute and acknowledge bond in the sum and penalty of $ , with corpo­rate surety approved by the Clerk of this Court for the faithful performance of his duties as Special Commissioner.

3. Upon receipt of the balance of the purchase price the Special Commissioner shall convey forthwith the property by good and sufficient deed with Special Warranty of Title to said and .

4. Purchasers' settlement attorney shall pay over to the Special Commissioner all proceeds of sale due , after having first deducted therefrom the following reasonable costs:

a) percent ( %) real estate commission fee to ($ );

b) percent ( %) loan origination fee on $ ($ );

c) grantor's tax ($ );

d) termite inspection report fee ($ plus $ for termite treatment); and

e) any other reasonable costs associated with the sale of this property and properly charged to , as may be approved by the Special Commissioner.

5. The Special Commissioner shall hold all net proceeds from said sale in escrow until such time as he has filed a full report with this Court setting forth all disbursements to be made from the net proceeds received by him in connection with said sale.

6. Upon approval of the Court of such report, the Special Commissioner shall forthwith distribute the net proceeds in accordance therewith and shall file a final report confirming such disbursements, accompanied by appropriate receipts, vouchers and canceled checks for all receipts and disbursements.

7. This cause is continued.

Entered this \_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge

I ASK FOR THIS:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Guardian for

SEEN AND AGREED:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Guardian Ad Litem for

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Defendant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Defendant