

**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 DEMANDS**

1. Fiduciary Name \_\_\_\_\_ Telephone \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Fiduciary Name \_\_\_\_\_ Telephone \_\_\_\_\_  
Mailing Address \_\_\_\_\_

2. Attorney Name \_\_\_\_\_ Telephone \_\_\_\_\_  
Mailing Address \_\_\_\_\_ Bar ID# \_\_\_\_\_

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. (Attach copy of legal description.)

PROPERTY LOCATION	COUNTY	BOOK/PAGE
_____	_____	/
_____	_____	/
_____	_____	/

4. STATEMENT OF DEBTS AND ASSETS

DEBTS

A. Debts/legacies against the estate, per schedule attached      \$ \_\_\_\_\_  
B. Funeral expenses      \$ \_\_\_\_\_  
C. Allowance to widow      \$ \_\_\_\_\_  
D. Estimated expenses of administration      \$ \_\_\_\_\_

<b>TOTAL ESTATE DEBTS</b>	\$ _____
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ASSETS

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

<b>TOTAL ESTATE ASSETS</b>	\$ _____
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<b>TOTAL DEFICIT</b>	\$ _____
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**MOTION AND LICENSE TO SELL REAL ESTATE TO PAY DEMANDS**

5. I, \_\_\_\_\_, \_\_\_\_\_ do solemnly swear 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. So help me God.

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 certify that on this date I provided a copy of this document to the parties who have filed an appearance for this case or who are otherwise interested parties by:  Hand-delivery OR  US Mail OR  Email (E-mail only by prior agreement of the parties based on Circuit Court Administrative Order).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Fiduciary Signature  
(must be signed in the presence of a notarial officer)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Fiduciary Signature  
(must be signed in the presence of a notarial officer)

State of \_\_\_\_\_, County of \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ by \_\_\_\_\_  
Date Fiduciary

My Commission Expires \_\_\_\_\_

Affix Seal, if any \_\_\_\_\_  
Signature of Notarial Officer / Title

**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 fiduciary 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 fiduciary 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.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge