

# Commonwealth of Massachusetts

TO THE HONORABLE THE JUDGE OF THE PROBATE COURT IN AND FOR THE COUNTY OF BARNSTABLE:

RESPECTFULLY represents \_\_\_\_\_

\_\_\_\_\_

of \_\_\_\_\_ in the County of \_\_\_\_\_, that  
he hold as tenant in common \_\_\_\_\_ undivided part or share of the following  
described land situated in \_\_\_\_\_ in said County of Barnstable

which he wish to hold in severalty:

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

The common title to said land is derived under deed of \_\_\_\_\_  
dated \_\_\_\_\_  
recorded with Barnstable County Registry of Deeds, Book \_\_\_\_\_ Page \_\_\_\_\_ - will of  
\_\_\_\_\_ - as heirs at law of \_\_\_\_\_  
\_\_\_\_\_, late of \_\_\_\_\_  
in the County of \_\_\_\_\_, deceased; and your petitioner \_\_\_\_\_ further  
represent \_\_\_\_\_ that the names and residences of all the tenants in common and their respective shares  
and proportions and the nature thereof, are as follows:

NAME

RESIDENCE

SHARE

NATURE

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

That the following named persons have or claim to have incumbrances on said land:

<u>Name</u>	<u>Residence</u>	<u>Incumbrance</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The petitioner \_\_\_\_ desire \_\_\_\_ that all-the following described part-of said land may be ordered to be sold at private sale for not less than \_\_\_\_\_ dollars.

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

Wherefore your petitioner \_\_\_\_ pray \_\_\_\_ that partition be made of all - the above described part - of the land aforesaid according to law, and to that end that a commissioner be appointed to make such partition and be ordered to make sale and conveyance of all, or any portion of, said land which the Court finds cannot be advantageously divided, either at private sale or public auction, and be ordered to distribute and pay over the net proceeds thereof in such manner as to make the partition just and equal, and the petitioner \_\_\_\_ certif \_\_\_\_ under the penalties of perjury that the statements herein contained are true to the best of h \_\_\_\_ knowledge and belief.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

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

The undersigned, being all persons interested, hereby assent to the foregoing petition.

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

Docket No: \_\_\_\_\_

**PARTITION AND SALE OF REAL ESTATE  
PETITION**

For Petitioner: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

For Respondent: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

Filed \_\_\_\_\_ 20 \_\_\_\_\_

Citation Issued \_\_\_\_\_ 20 \_\_\_\_\_

Returnable \_\_\_\_\_ 20 \_\_\_\_\_

Allowed \_\_\_\_\_ 20 \_\_\_\_\_

Warrant Issued \_\_\_\_\_ 20 \_\_\_\_\_

Recorded Vol. \_\_\_\_\_, Page \_\_\_\_\_