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| **STATE OF SOUTH CAROLINA** | **)** | **IN THE PROBATE COURT** |
|  | **)** |  |
| **COUNTY OF CHARLESTON** | **)** | **CASE NO. 2018–ES-10-0000** |
|  | **)** |  |
| **IN RE: ESTATE OF**  | **)** |  |
| **\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **)****)** |  |
| **\_\_\_\_\_\_\_\_\_\_\_\_\_\_, as Personal**  | **)** |  |
| **Representative,**  | **)** |  |
|  | **)** |  |
| **Petitioner,** | **)** |  |
|  | **)** | **ORDER FOR SALE** |
| **v.** | **)** | **OF REAL PROPERTY** |
|  | **)** |  |
| **\_\_\_\_\_\_\_\_\_\_\_\_\_\_,** | **)****)** |  |
| **Respondent.** | **)** |  |
|  | **)** |  |

**THIS MATTER** comes before the Court upon a Petition for Sale of Real Estate filed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_, 2018 by \_\_\_\_\_\_\_\_\_\_\_\_\_, Personal Representative for the Estate of \_\_\_\_\_\_\_\_\_\_\_\_\_\_. The Petitioner seeks permission to sell the real property owned by \_\_\_\_\_\_\_\_\_\_\_\_\_\_ located at \_\_\_\_\_\_\_\_\_\_\_\_\_\_, Charleston, South Carolina, and is described as follows:

**<Full Property description>**

**TMS #: 000-00-00-000**

 Based upon the Petition for Sale of Real Estate and the consents of the parties, the Court makes the following findings of fact and conclusions of law:

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. The Decedent died testate on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_, 2017 a resident of \_\_\_\_\_\_\_\_ County;
2. Pursuant to S.C. Code Ann. § 62-1-301, the Charleston County Probate Court has subject matter jurisdiction over this matter;
3. Pursuant to S.C. Code Ann. § 62-1-303 and § 62-3-201 (a)(2), venue for this proceeding is proper in Charleston County;
4. That, at the time of his death, Decedent possessed an interest in the subject Property at \_\_\_\_\_\_\_\_\_\_\_\_\_\_, Charleston, South Carolina 00000, and is identified by Charleston County TMS Number 000-00-00-000.
5. That a Summons and Petition for the Sale of Real Estate was filed with this Court on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_, 2018;
6. That a *Lis Pendens* was properly filed with the Circuit Court for the Ninth Judicial Circuit on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_, 2018, and filed with the Charleston County Probate Court on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_, 2018;
7. That \_\_\_\_\_\_\_\_\_\_\_\_\_\_ filed a Waiver and Consent to Sale of Real Property on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_, 2018;
8. That \_\_\_\_\_\_\_\_\_\_\_\_\_\_, individually and as Personal Representative, filed a Waiver and Consent to Sale of Real Property on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_, 2018;
9. That Petitioner filed a Comparative Market Analysis of the Property, prepared by licensed real estate agent, \_\_\_\_\_\_\_\_\_\_\_\_\_\_, in which \_\_\_\_\_\_\_\_\_\_\_\_\_\_ states the value of the subject Property is $ \_\_\_\_\_\_\_\_\_\_\_;
10. That there is a pending contract for the sale of the Property at \_\_\_\_\_\_\_\_\_\_\_\_\_\_, Charleston, South Carolina, with an offer of $\_\_\_\_\_\_\_\_\_\_;
11. That all interested parties have consented to the sale of the Property; and
12. That it is in the best interest of the Estate and all parties that the Property be sold.

Based upon the foregoing, it is now, hereby:

**ORDERED, ADJUDGED, AND DECREED** that \_\_\_\_\_\_\_\_\_\_\_\_\_\_, as Personal Representative of the Estate of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, shall be authorized to sell the property for $\_\_\_\_\_\_\_\_ or a price not less than ten (10) percent of that figure without further order of this Court; it is further

**ORDERED, ADJUDGED AND DECREED** that the Personal Representative of the Estate of \_\_\_\_\_\_\_\_\_\_\_\_\_\_ is hereby authorized and empowered to sign or execute any and all documents which may be necessary to carry out the terms of any Contract of Sale of the subject real estate; it is further

**ORDERED, ADJUDGED AND DECREED** that Petitioner shall keep the net proceeds of the sale in an Estate checking account, with the exception of the payment of all allowed debts and Estate expenses, until the period for filing of creditors’ claims expires. Thereafter, the proceeds shall be disbursed in accordance with the South Carolina Probate Code; it is further

**ORDERED, ADJUDGED AND DECREED** that the Buyer, as named in the contract, shall have sole possession of the Property at the time of closing; it is further;

**ORDERED, ADJUDGED, AND DECREED** that this Order shall be subject to such further Orders of this Court as may become necessary.

**AND IT IS SO ORDERED!**

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Judge of Probate**

**Charleston County**

**This \_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_, 2018.**

**Charleston, South Carolina**