

LOCAL RULE 65.1**LAND SALES**

- (A) Except for summary land sales, a preliminary judicial title or title commitment shall be required with the filing of the Complaint in all actions filed for the sale of real estate by a fiduciary.
- (B) The distribution of sale proceeds must be included with the confirmation order. A proposed entry to confirm the sale and an order of distribution must be submitted with the motion to confirm sale.
- (C) In all land sale actions that have not been concluded within one (1) year from the date of filing, the Plaintiff's counsel shall file a status report.
- (D) The Court shall select and appoint each guardian ad litem. In land sale proceedings, a minimum fee of Ten Dollars (\$10.00) shall be assessed as costs for each guardian ad litem appointed, unless the circumstances warrant the payment of additional fees subject to Court approval. In all other proceedings, the amount of the guardian ad litem fee will be determined upon motion supported by a statement of services. The guardian ad litem's fees may be assessed as costs.

Sup. R. 65 Land Sales - R.C. Chapter 2127.

- (A) In all land sale proceedings, the plaintiff, prior to the issuance of an order finding the sale necessary, shall file with the court evidence of title showing the record condition of the title to the premises described in the complaint and prepared by a title company licensed by the state of Ohio, an attorney's certificate, or other evidence of title satisfactory to the court. Evidence of title shall be to a date subsequent to the date on which the complaint was filed.
- (B) The plaintiff shall give notice of the time and place of sale by regular mail at least three (3) weeks prior to the date of a public sale to all defendants at their last known addresses. Prior to the public sale, the plaintiff shall file a certificate stating that the required notice was given to the defendants and the sale was advertised pursuant to Section 2127.32 of the Revised Code.
- (C) In all private land sale proceedings by civil action, the judgment entry confirming sale, ordering issuance of deed, and ordering distribution shall show the gross amount of the proceeds and include a copy of the proposed closing statement itemizing all of the proposed disbursements.
- (D) The court may appoint a disinterested person, answerable to the court, who shall investigate the circumstances surrounding the proposed transaction, view the property, ascertain whether the proposed sale is justified and report findings in writing. The report shall be a part of the record. The compensation for the person performing these services shall be fixed by the court, according to the circumstances of each case, and shall be taxed as costs.