

MAINE JUDICIAL BRANCH

Plaintiff
V.

Defendant

DISTRICT COURT
Location (Town): _____
Docket No.: _____

REAL ESTATE ORDER
19-A M.R.S. § 953(7)

The real estate described in a deed located at (street address, if any) _____
in the town/municipality of (if any) _____ and recorded in the _____
County Registry of Deeds at Book _____, Page _____ is disposed of as follows:

Exclusive Possession and Sale of Real Estate. Except as otherwise specifically provided:

A. The parties shall from now on hold the real estate as tenants in common and neither party shall further encumber that party's respective interest in the real estate without the express written consent of the other party. Consent may be withheld by either party for any reason or for no reason.

B. Until the real estate is sold plaintiff defendant shall have the right to exclusive possession of the real estate and shall be solely responsible for payment of the following items relating to the real estate:
 monthly installment payments for the mortgage(s) real estate taxes insurance
 utility charges other: _____

C. The real estate shall be sold when the following occurs:

D. When the real estate is sold, as provided in subparagraph (C) above, it shall be listed for sale with a licensed real estate broker, as follows:
 at the following price: \$ _____
 at a price agreed upon by the parties. If the parties are unable to agree, the listing price shall be the fair market value of the real estate as then determined by a licensed real estate professional (e.g., appraiser or licensed real estate broker) selected by the parties. If the parties are unable to agree upon a licensed real estate professional, then each shall select and pay for a licensed real estate professional. Those licensed real estate professionals shall then select a third licensed real estate professional and the fair market value shall be determined by their majority opinion. The parties shall equally share the fees and costs of the third licensed real estate professional. The real estate shall be sold for the amount of the highest bona fide (genuine or sincere) offer, which equals or exceeds _____ % of the fair market value.

E. The gross real estate sale proceeds shall be applied in the following order of priority, if applicable:
1. To the outstanding balance(s) of the mortgage(s).
2. To the outstanding real estate taxes, adjusted to the date of closing.
3. To Real Estate Commission(s) and customary closing costs.
4. Other: _____
5. The remaining sale proceeds shall be divided, as follows: _____% to the plaintiff and _____% to the defendant.

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Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.

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Real Estate Awarded to Party.

A. The real estate is awarded to plaintiff defendant.

1. Plaintiff Defendant shall be solely responsible for payment of any and all existing or future debts, encumbrances, costs, or expenses relating to the real estate. The responsible party shall indemnify and hold the other party harmless from any existing or future debts, encumbrances, costs, or expenses related to the real estate.

2. Other:

Recording the Abstract of Divorce Decree. The plaintiff defendant shall be responsible for recording the Abstract of Divorce Decree with the appropriate Registry of Deeds and for paying the recording fee. To request an abstract from the court, file FM-243, *Request for Abstract of Divorce Decree*.

Other:

Date (mm/dd/yyyy): _____



Magistrate Judge, Maine District Court

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