

[_ COURT _]

PARISH OF [COURT PARISH]

STATE OF LOUISIANA

PETITION FOR ADJUDICATION
OF MINOR'S PROPERTY TO PARENT

The petition of [_PARENT_], formerly married to
[_DECEDENT_], now deceased, appearing individually and as
the tutrix of the minor child [_MINOR_], respectfully
represents:

1.

As may be seen by reference to the proceedings in SUCCESSION OF [DECEDENT], sometimes hereafter called "decedent", said proceedings bearing probate docket number [Doc_#] of this honorable court, petitioner was married to decedent, who died on [DOD] survived by [MINOR], a minor child born of the marriage of petitioner and decedent, sometimes hereafter called "the minor".

2.

As may be seen by reference to proceedings filed heretofore in this matter, petitioner has been appointed [tut_trix] of the minor, and [UNDERTUT/TRIX] was appointed [UnderT] of the minor and both have qualified for and are presently serving in these positions.

3.

The minor inherited from [minor_his_her_] [fath_mother_] [dec_his_her_] community one-half interest in the following described immovable property:

[Description]

4.

It is not advantageous for the minor to continue to own an interest in the above described property because [_reasons_], and it would be in the best interest of the minor if the property were adjudicated to [_minor_his_her_] surviving parent, petitioner herein.

5.

Petitioner, in [par_his_her_] capacity as an individual asks that the minor's interest in the property described above be adjudicated to [par_him_her_] and petitioner, as [tut_trix_] of the minor child, recommends that such an adjudication be made, declaring it to be in the best interest of the minor.

6.

[_UNDERTUT/TRIX_] as [_UnderT_] of the minor concurs in petitioner's recommendation, made in [_par_his_her_] capacity as [_tut_trix_], as being in the best interest of the minor, as will be seen by the concurrence annexed hereto.

WHEREFORE PETITIONER PRAYS THAT:

(1) The recommendation made by [_par_him_her_], set out above, be homologated,

(2) The court appoint experts to fix, under oath, the price for the adjudication of the minor's interest in the property described above to petitioner as an individual in accordance with article 4361 of the Louisiana Code of Civil Procedure, and

(3) The minor's interest in said property be adjudicated to petitioner, as an individual, for the price fixed by said experts in accordance with law.

[_Firm_Name_]
Attorneys for
[_PARENT_]
[_tut_trix_] of
[_MINOR_]
[_Firm_St_Add_]
[_Firm_City_St_Zip_]
[_Firm_Tel_No._]

BY:
[_Attorney_]
BAR ROLL NO. [_Bar_No._]

STATE OF LOUISIANA

PARISH OF [_VERIFY_PARISH_]

BEFORE THE UNDERSIGNED AUTHORITY, personally came and appeared:

[_PARENT_], of full age and a resident of [_Par_Parish_] Parish, Louisiana, appearing in both [_par_his_her_] individual capacity and as the [_tut_trix_] of the minor child [_MINOR_],

who, after being duly sworn, did depose and say:

That [_par_he_she_] is the petitioner in the above and foregoing petition, and all the facts, allegations, and stipulations set out therein contained are true and correct.

THUS SIGNED ON [_Verification_Date_], in the City of [_Verify_City_], Parish of [_Verify_Parish_], in the presence of the undersigned Notary Public, qualified in said State and Parish, after due reading of the whole.

[_PARENT_]NOTARY PUBLIC

TUTORSHIP OF [_COURT_]
[_MINOR_] PARISH OF [_COURT_PARISH_]
DOCKET NO. _____ STATE OF LOUISIANA

CONCURRENCE OF [_UNDERT_]

BEFORE ME, the undersigned authority, personally came and appeared [_UNDERTUT/TRIX_], [_UnderT_] of the minor [_MINOR_], who, after being duly sworn, did depose and say that [_und he she_] has examined the original petition filed herein and concurs in the recommendation of [_PARENT_], the petitioner herein, that the court authorize the adjudication of the property of the minor child described in the petition to [_PARENT_] as an individual at a price to be fixed by experts appointed by the court, all as set out above and in accordance with law.

[_UNDERTUT/TRIX_]
[_UnderT_]

SWORN AND SUBSCRIBED BEFORE ME THIS [_CONCUR_DATE_].

NOTARY PUBLIC

TUTORSHIP OF [_COURT_]
[_MINOR_] PARISH OF [_COURT_PARISH_]
DOCKET NO. _____ STATE OF LOUISIANA

ORDER APPOINTING EXPERTS

Considering the petition filed herein by [_PARENT_], in both [_par_his_her_] capacity as [_tut_trix_] of the minor child [_MINOR_] and in [_par_his_her_] individual capacity and the concurrence therewith of the minor's [_UnderT_], [_EXP_1_] and [_EXP_2_] are appointed experts to fix the price, under oath, of the adjudication of the property of the minor, [_MINOR_] described in the petition filed in this matter to [_PARENT_], in [_Par_his_her_] individual capacity.

[_Order_City_], Louisiana, [_order_date_]

DISTRICT JUDGE

TUTORSHIP OF [_COURT_]
[_MINOR_] PARISH OF [_COURT_PARISH_]
DOCKET NO. _____ STATE OF LOUISIANA

REPORT OF EXPERTS
FIXING ADJUDICATION PRICE

BEFORE ME, [_NOTARY_], a notary public in and for the Parish of [_Notary_Parish_], Louisiana, personally came and appeared:

- (1) [_EXP_1_], of full age and a resident of [_Exp_1_Par_], Louisiana, whose address is [_Exp_1_Add_], and
- (2) [_EXP_2_], of full age and a resident of [_Exp_2_Par_], Louisiana, whose address is [_Exp_2_Add_],

who, being sworn, did depose and say that in accordance with the order of the [_Court_] in and for the Parish of [_Parish_] dated [_order_date_], by which they were ordered to fix the price of certain property (more fully described below) owned by [_MINOR_], a minor child, for the purpose of adjudicating the property to [_PARENT_], the minor's [_Surv_Parent_], they have examined and inspected said property and reviewed information relative to its value and that they do now hereby fix the price of the interest in the property of the minor [_MINOR_], for purposes of adjudication as set out above, at \$[_Value_], said property being:

[_Description_]

THUS SWORN, DONE AND SIGNED on [_Report_date_] at [_Report_Cit_Par_], Louisiana.

[_EXP_1_]

[_EXP_2_]

[_NOTARY_]
Notary Public
[_Not_Par_] Parish, Louisiana

TUTORSHIP OF [_COURT_]
[_MINOR_] PARISH OF [_COURT_PARISH_]
DOCKET NO. _____ STATE OF LOUISIANA

JUDGMENT ADJUDICATING PROPERTY OF
[_MINOR_], MINOR
TO [_PARENT_]
THE MINOR'S PARENT

Considering the allegations and prayers of the PETITION FOR ADJUDICATION OF MINOR'S PROPERTY, the CONCURRENCE of the [_UnderT_] of the minor, the REPORT OF EXPERTS FIXING ADJUDICATION PRICE, and finding that the adjudication sought herein is in the best interest of the minor:

IT IS ORDERED, ADJUDICATED AND DECREED THAT:

(1) The recommendation of [_PARENT_], [_tut_trix_] of the minor [_MINOR_] be, and it is hereby homologated,

(2) The interest of the minor [_MINOR_] in the following described property is adjudicated to the minor's parent [_PARENT_], said property being:

[_Description_]

(3) The price of this adjudication is that reported by the experts appointed by the court in this matter, the sum of \$[_Value_].

(4) This judgment shall be recorded in the mortgage records and also the conveyance records of the parish of [_Rec_Parish_], Louisiana.

JUDGMENT READ AND SIGNED in chambers [_Judg_City_], Louisiana, on [_Judg_date_].

DISTRICT JUDGE

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ADJUDICATION OF MINOR'S PROPERTY TO PARENT - F2ADJU: This form assumes one minor and immovable property inherited from the minor's deceased parent located in the same parish as the tutorship proceedings. It also assumes that the parent requesting the adjudication is also the tutor or tutrix and that the minor's deceased parent's succession proceedings are in the same parish as the tutorship. Note the following: (1) the price for the adjudication should represent gross value of the property without reduction for debts or encumbrances or the value of a parental usufruct, see Precastaing v. Globe Indemnity Co., 176 La. 31, 145 So. 259, 1932; (2) the adjudication judgment is not effective until recorded in the mortgage records of the parish in which the property is located (where it operates as a mortgage and vendor's privilege against the property adjudicated), LA C.C.P. 4362; and (3) if the adjudicated property is immovable, the judgment must also be recorded in the conveyance records of the parish in which the property is located.

WORD KEY	EXPLANATION:
[_COURT_]	Court in which proceedings are filed (example 15TH JUDICIAL

[_MINOR_]	DISTRICT COURT).
[_COURT_PARISH_]	Full name of the minor.
[_PARENT_]	Parish in which proceedings are filed.
[_DECEDENT_]	Full name of parent of minor.
[_Doc_#_]	Full name of minor's deceased parent.
[_DOD_]	Docket number of the probate proceedings of minor's deceased parent.
[_tut_trix_]	Date of death of minor's deceased parent.
[_UNDERTUT/TRIX_]	tutor or tutrix, as appropriate.
[_UNDERT_]	Full name of undertutor or undertutrix.
[_UnderT_]	Undertutor or Undertutrix as appropriate.
[_minor_his_her_]	same as [_UNDERT_] but not all caps.
[_fath_mother_]	his or her as appropriate for minor.
[_dec_his_her_]	father or mother as appropriate for minor's deceased parent.
[_Description_]	his or her as appropriate for minor's deceased parent.
[_reasons_]	Legal description of the property to be adjudicated.
[_par_his_her_]	Set out the reasons that justify the adjudication requested.
[_par_him_her_]	his or her as appropriate for parent.
[_Firm Name_]	him or her as appropriate for parent.
[_Firm St Add_]	Name of firm filing pleadings.
[_Firm City St Zip_]	Street address of firm.
[_Firm Tel No._]	City, state and zip of firm address.
[_Attorney_]	Firm telephone number.
[_Bar No._]	Full name of attorney filing pleadings.
[_VERIFY_PARISH_]	Bar number of attorney filing pleadings.
[_Par Parish_]	Parish in which verifying affidavit is signed.
[_par_he_she_]	Parish in which parent resides.
[_Verification Date_]	he or she as appropriate for parent.
[_Verify City_]	Date of signing of verification.
[_Verify Parish_]	City in which verification signed.
[_und_he_she_]	Parish in which verification signed.
[_CONCUR DATE_]	he or she as appropriate for undertutor or undertutrix.
[_EXP_1_]	Date concurrence signed.
[_EXP_2_]	Full name of first expert.
[_Order City_]	Full name of second expert.
[_order_date_]	City in which order naming experts is signed.
[_Exp_1_Par_]	Date on which order naming experts is signed.
[_Exp_1 Add_]	Parish in which first expert resides.
[_Exp_2_Par_]	Address of first expert.
[_Exp_2 Add_]	Parish in which second expert resides.
[_Court_]	Address of second expert.
	Name of court (unlike caption, not all in caps).

[_Parish_]	Parish in which court sits (unlike caption, not all in caps).
[_Surv_Parent_]	Name of surviving parent.
[_Value_]	Price of adjudication in figures.
[_Report_date_]	Date of experts' report.
[_Report_Cit_Par_]	City and parish of experts' report.
[_NOTARY_]	Name of notary on experts' report.
[_Not_Par_]	Parish of notary on experts' report.
[_Rec_Parish_]	Parish in which property being adjudicated is located.
[_Judg_City_]	City in which judgment signed.
[_Judg_date_]	Date on which judgment signed.