

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
Superior Court Division
Before The Clerk

_____ County

IN THE MATTER OF

Name Of Petitioner(s)

Name Of Respondent(s)

**ORDER DETERMINING ENTITLEMENT
TO DISPUTED MONIES**

G.S. 93A-12

NOTES: (1) The Petitioner or the Respondent may appeal the Clerk's decision in this case. To appeal, notice must be given in writing and filed with the Clerk of Court within ten (10) days after the judgment is rendered. If notice is given in writing, the appealing party must also serve written notice of appeal on all other parties.

(2) The Clerk cannot give you legal advice about your case or assist you. If you have questions about your case you should contact an attorney.

FINDINGS OF FACT

A hearing on the Petition To Recover Disputed Monies was held before me on this day. Present at the hearing were the Petitioner(s) _____

the Respondent(s) _____.

Also present at the hearing were _____.

1. Petitioner(s) and Respondent(s) entered into a contract on or about (date) _____ for the purchase and sale of real property located in _____ County at (insert Property address): _____.

2. Pursuant to the Contract, the sum of \$ _____ was deposited as earnest money ("Earnest Money") with _____ ("Escrow Agent"), a
 North Carolina licensed real estate broker. North Carolina licensed attorney.
 North Carolina licensed title insurance company. North Carolina licensed title insurance agent.

3. A dispute arose between Petitioner and Respondent with respect to the return or forfeiture of the Earnest Money, as a result of which the Escrow Agent deposited the Earnest Money with the Court.

4. (Set forth facts which support determination as to which party is the rightful owner of the disputed monies.)

CONCLUSIONS OF LAW

Based on the forgoing Findings Of Fact, the Court concludes by the greater weight of the evidence that:

Petitioner(s) Respondent(s) is the rightful owner of the monies.

ORDER

It is ordered that:

1. the disputed monies be distributed to Petitioner(s). Respondent(s).

2. the costs of this action be taxed to: Petitioner(s). Respondent(s).

Date

Name Of Clerk (type or print)

Signature

Assistant CSC

Clerk Of Superior Court