

STATE OF NORTH CAROLINA

File No.

_____ County

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

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 open court when the judgment is rendered, or notice may be given in writing to 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) *Neither the Clerk nor any real estate broker who represented a party in the real estate transaction that gave rise to this dispute can give you legal advice about your case or assist you. If you have any 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") who is a licensed real estate broker.
3. A dispute has arisen between Petitioner and Respondent with respect to the return or forfeiture of the Earnest Money, as a result of which the Escrow Agent has 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. Respondent.
 2. the costs of this action be taxed to: Petitioner. Respondent.

Date	Name Of Clerk (Type Or Print)	Signature	<input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court
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