The Family Court of the State of Delaware

In and For [ ]  New Castle County [ ]  Kent County [ ]  Sussex County

**PETITION FOR PARTITION OF REAL PROPERTY**

## Petitioner v. Respondent

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name |  | Name |  | File Number |
|       |  |       |  |  |
| Street Address |  | Street Address |  |       |
|       |  |       |  |  |
| P.O. Box Number |  | P.O. Box Number |  | Petition Number |
|       |  |       |  |  |
| City/State/Zip Code |  | City/State/Zip Code |  |       |
|       |  |        |  |  |
| Attorney Name  |  | Attorney Name  |  |
|       |  |        |  |
|  Interpreter needed? [ ]  Yes [ ]  No |  |  Interpreter needed? [ ]  Yes [ ]  No |  |
|  Language       |  |  Language       |  |

|  |  |  |
| --- | --- | --- |
| 1. | Petitioner and Respondent were married/entered into a civil union on  |       |
| 2. | Petitioner and Respondent were divorced on |       |
| 3. | The Petitioner and Respondent own the following jointly titled real property: |

|  |  |  |
| --- | --- | --- |
| Address | Market Value | MortgageBalance |
|       | (P) $      | $      |
|       | (R) $      |
|       | (P) $      | $      |
|       | (R) $      |
|       | (P) $      | $      |
|       | (R) $      |

|  |  |
| --- | --- |
| 4. | The above real property was not disposed of by agreement of the parties or by virtue of ancillary  |
|  | proceedings pursuant to 13 *Del. C.* § 1513 |
| 5. | There [ ]  is [ ]  is not a written agreement signed by both parties regarding the disposition of the  |
|  | above real property. |
|  |  *\* If written agreement exists, please attach a copy to petition.* |
| 6. | I understand that unless there is a written agreement signed by both parties, the Family Court will not  |
|  | consider the factors enumerated in 13 *Del. C.* § 1513 and will divide the real property applying  |
|  | equitable principles. 10 *Del. C.* § 921 |

|  |  |
| --- | --- |
|  |       |
|  | Petitioner’s Signature |
| Sworn to subscribed before me this |       | day of  |       | ,  |       |  |
|  |
|  | Clerk of Court/ Notary Public |  | Date |  |