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 | Mortgage  Balance |
|  | (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 | |  |