

Rule 5.11B Petition to Fix or Waive Additional Security. Personal Representative. Other Fiduciary

1. Form of Petition

In a sale of real estate, whether public or private, by a personal representative, or by other fiduciary, without benefit of an order of court directing or authorizing such sale, where they were required to give bond as such personal representative or other fiduciary, they shall present their petition to the court

before the proceeds of the sale are paid to them by the purchaser. The petitioner shall comply with Bucks County Orphans' Court Rules 5.10A and B, as applicable, and, in addition shall:

- a. attach exhibits required by Bucks County Rule 5.10;
- b. attach a full legal description of the subject real estate, together with a recital of the title thereof sufficient to explain the nature and quantum of all interests therein which will or may be affected by the relief requested;
- c. include a prayer for an order fixing the amount of additional security or for an order excusing them from filing additional security, as the case may be; and
- d. attach an appropriate form of order or decree.

2. Surety on Additional Bond

The surety on any additional bond, except for cause shown, shall be the same as on the original bond. All bonds for additional security shall be filed with the clerk.