

Instructions for Motion to Vacate Sheriff's Sale:

This form may be used by someone who purchased property at a Sheriff's Sale and wants to vacate the sale. Please note, the Court will not consider motions or requests by someone who is not a party to the case; you may need to intervene in the case before the Court considers your motions or requests.

1. Fill in the blanks at the top of the Motion with information from the case in which you were the purchaser. This information may be found by searching with the case number or the property address on the Court's docket located at <http://cpdocket.cp.cuyahogacounty.us>.
2. Fill in your name wherever "Name of Purchaser" appears.
3. Fill in the date of the Sheriff's Sale at which you entered the winning bid for the property.
4. Provide your specific reasons for asking that Sheriff's Sale at which you entered the winning bid should be vacated.
5. Sign the Motion and include your contact information.
6. Complete and sign a Certificate of Service for the Motion. See the form titled "Certificate of Service" for more information. The addresses of the parties and/or their attorneys may be found by searching with the case number on the Court's docket located at <http://cpdocket.cp.cuyahogacounty.us>. Attach the completed Certificate of Service to your Motion.
7. Mail a copy of your Motion to the parties listed in the Certificate of Service.
8. File your Motion with the Cuyahoga County Clerk of Court.
9. **If you fail to do any of the above, your Motion will likely be denied.**
10. The other parties in the case have ten days to respond to your Motion. Do not expect a ruling until after these ten days have passed. You may check the Court's docket located at <http://cpdocket.cp.cuyahogacounty.us> for a ruling on your Motion.

**COURT OF COMMON PLEAS
GENERAL DIVISION
CUYAHOGA COUNTY, OHIO**

Plaintiff

vs.

Defendant

CASE NO. _____

JUDGE _____

**MOTION TO VACATE
SHERIFF'S SALE**

Now comes the Sheriff's Sale purchaser _____ and moves this Court to
[Name of Purchaser]
vacate the Sheriff's Sale held on _____. The Sheriff's Sale should be
[Date of Sheriff's Sale]
vacated because [state specific reasons for seeking a vacating of the Sheriff's Sale] _____

I acknowledge that the remedy being requested in this motion is extraordinary and may not be granted in all cases. I further acknowledge that the deposit I made on the date of the Sheriff's Sale may not be refunded to me/us in some circumstances.

Respectfully submitted,

[Signature of Sheriff's Sale purchaser]

[Printed name of Sheriff's Sale purchaser]

[Address, phone number and email address
of Sheriff's Sale purchaser]

Certificate of Service

A copy of the foregoing Motion to Vacate Sale has been sent by regular U.S. Mail to the following parties or their counsel of record:

[Please list all parties in the case or their attorneys and their addresses]

[Signature of Sheriff's Sale purchaser]

[Printed name of Sheriff's Sale purchaser]

[Date]