

MISC. DOCKET NO. _____

In Re: A Purported Conveyance
of Title to or an Interest In

§

IN THE DISTRICT COURT

§

_____ JUDICIAL DISTRICT

§

_____ COUNTY, TEXAS

(Property: Address or Legal Description)

**Petition for Judicial Review of Document or Instrument Purporting to
Convey Title to or an Interest in Real Property**

Now Comes _____ and files this
petition requesting a judicial determination of the status of a document or instrument purporting
to convey title to or an interest in real property filed in the office of the County Clerk of
_____ County, Texas, and in support of the petition would show the court
as follows:

I.

_____, petitioner herein, is the purported
person who holds title to the real property or the interest in the real property described in the
attached document or instrument.

II.

On the ___ day of _____, _____, in the exercise of the county clerk's
official duties as County Clerk of _____ County, Texas, the county clerk
recorded the document or instrument attached to this petition and containing ___ pages. The
attached document or instrument purports to have conveyed title to or an interest in the real
property to (name of purported grantee).

III.

Petitioner alleges that the attached document or instrument is fraudulent, as described by
Section [51.901\(c\)\(4\)](#), Government Code, and that the document or instrument should therefore
not be considered to convey title to or an interest in the real property described in the document
or instrument.

IV.

Petitioner attests that the assertions herein are true and correct.

V.

Petitioner does not request the court to make a finding as to any underlying claim of the parties involved and acknowledges that this petition does not seek to invalidate a legitimate conveyance. Petitioner further acknowledges that petitioner may be subject to sanctions, as provided by Chapter 10, Civil Practice and Remedies Code, if this petition is determined to be frivolous.

PRAYER

Petitioner requests the court to review the attached document or instrument, the attached documentary evidence, and any relevant public records and enter an order determining whether the document or instrument should be considered to convey title to or an interest in the real property described in the document or instrument, together with such other orders as the court deems appropriate.

Respectfully submitted,

(Signature and typed name and address)

AFFIDAVIT

THE STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned authority, personally appeared _____,
who, being by me duly sworn, deposed as follows:

"My name is _____. I am over 21 years of age, of sound mind, with personal knowledge of the following facts, and fully competent to testify.

I further attest that the assertions contained in the accompanying petition are true and correct."

Further affiant sayeth not.

Signature of Affiant

SUBSCRIBED and SWORN TO before me, this _____
day of _____, _____.

Notary Public, State of Texas

Notary's Printed Name

My commission expires: _____

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(Property: Address or Legal Description)

Judicial Finding of Fact and Conclusion of Law Regarding a Document or Instrument Purporting to Convey Title to or an Interest in Real Property

On the ____ day of _____, _____, in the above entitled and numbered cause, this court reviewed a petition, verified by affidavit, of _____, and the document or instrument attached to the petition, the other documentary evidence attached to the petition, and any relevant public records. No testimony was taken from any party, nor was there any notice of the court's review, the court having made the determination that a decision could be made solely on review of the document or instrument, the other documentary evidence, and public records under the authority vested in the court under Subchapter J, Chapter 51, Government Code.

The court finds as follows (only an item checked and initialed is a valid court ruling):

_____ The document or instrument attached to the petition herein DOES convey title to or an interest in real property and:

(1) IS NOT the subject of a criminal conviction for an offense under Title 7 or Title 8, Penal Code, for conduct with respect to the document or instrument; and

(2) IS NOT the subject of an uncontroverted owner's affidavit under Section [5.0206](#), Property Code.

_____ The document or instrument attached to the petition herein DOES NOT convey title to or an interest in real property and:

(1) IS the subject of a criminal conviction for an offense under Title 7 or Title 8, Penal Code, with respect to the document or instrument; or

(2) IS the subject of an uncontroverted owner's affidavit under Section [5.0206](#), Property Code.

This court makes no finding as to any underlying claims of the parties involved, and expressly limits its finding of fact and conclusion of law to the review of a ministerial act. The county clerk shall record this finding of fact and conclusion of law in the same class of records as the subject document or instrument was originally filed, and the court directs the county clerk to index it using the same names that were used in indexing the subject document or instrument.

Signed on this the _____ day of _____.

District Judge