

## Law Library Resource Center

# INSTRUCTIONS: HOW TO FILL OUT THE “APPLICATION FOR RELEASE OF EXCESS PROCEEDS OF SALE”

TO COMPLETE THIS FORM YOU WILL NEED THE CASE NUMBER AND OTHER INFORMATION FROM THE “COMPLAINT” FILED BY THE TRUSTEE AGAINST THE TREASURER THAT RESULTED IN THE EXCESS PROCEEDS BEING DEPOSITED WITH THE TREASURER’S OFFICE AFTER THE SALE OF YOUR PROPERTY. This information may be obtained by reviewing the case file at the Court’s Customer Service Center at 601 West Jackson Street, Phoenix, Arizona 85003 OR via the Clerk of the Court’s website under “Court Case Information”. You may also search for information such as case number and amount of excess proceeds on deposit at the Treasurer’s website.

**Match the numbered instruction below to the number on the form. Type or Print Neatly. Use black ink.**

1. **Fill in the information** requested at top left about you, the person filing the Application.
2. **Case Caption:** List the same plaintiff (the trustee) and case number (beginning “CV”) as is listed on the original complaint (court case) filed to require the Treasurer to accept the deposit of excess proceeds that resulted from the trustee’s sale of your property.
3. **The Maricopa County Treasurer** is the Defendant. This has already been filled in for you.
4. **For “Applicants”**, list your name and the name of your spouse or co-owner.
5. **For “property identified as”**, list one or more of the following:
  - STREET ADDRESS;
  - LEGAL DESCRIPTION of the property *as written on the DEED and attach copy of the deed.*

Copies of deeds may be obtained from the Recorder’s Office at 111 S. 3<sup>rd</sup> Avenue, Phoenix, Arizona 85003 or from the Recorder’s web site.

6. **Verify** whether there are any liens or claims superior to yours listed in the Trustee’s Sale Guarantee attached to the Complaint and check the appropriate box.
7. **Enter the specific dollar amount** you are requesting to be released to you, not to exceed the amount on deposit with the Treasurer. The exact amount can be obtained online or by calling the Maricopa County Treasurer’s Office at 602-506-7881.
8. **SIGN AND DATE** the “APPLICATION”. Signing this document is a statement to the Court that the information you have provided is true and correct to the best of your belief and knowledge, under penalty of law.

**MAKE COPIES** of the Application for all “interested parties”. The list of interested parties is the mailing list attached to or made part of the Complaint that resulted in the deposit of the excess proceeds with the Treasurer.

Make one copy for each of those parties **PLUS:**

- One (1) copy for the Treasurer,
- One (1) copy for the Judge,
- One (1) copy to be stamped by the Clerk of Court for you to keep for your records.

REFER TO THE “PROCEDURES” PAGE IN THIS PACKET FOR INSTRUCTIONS ON HOW TO FILE THIS DOCUMENT AND OTHER REQUIRED PAPERS AND HOW TO COMPLETE THE PROCESS.