

JURISDICTIONAL ALLEGATIONS FOR PARTITION OR QUIET TITLE

Sample Only
Use At Your Own Risk



INSTRUCTIONS: These sample allegations are designed to identify the parties and establish the Plaintiff(s)' right to file an action in a particular court and may not be appropriate for your particular case. They are usually inserted into a complaint immediately below the heading and are incorporated by reference in all subsequent causes of action.

COMMON ALLEGATIONS

<>. [If real property is involved] The Real Property which is the subject of this action is commonly known as _____ [Street], _____ [City], California _____ [Zip] more particularly described as follows:

[LEGAL DESCRIPTION]

The Assessor's Parcel Number is _____ [APN #].

The said property is hereinafter referred to as the "Real Property".

<>. Plaintiff, _____ [Plaintiff's name]. (hereinafter "_____"), is, and at all times herein mentioned, was a resident of the City of _____, County of _____, State of California.

<>. Defendant, _____ [Lien holder] (hereinafter "_____") is the beneficial owner of a \$_____ face value promissory note secured by a deed of trust dated _____ and originally recorded in the Office of the County Recorder of _____ County on _____ [Date] as instrument number _____.

<>. Plaintiff is informed and believes that Defendant, _____ [Name] (hereinafter "_____") is, and at the times mentioned in this Complaint, was a resident of the City of _____, County of _____, State of California.

[Repeat for each Defendant]

<>. [For Partition and Quiet Title Actions] Plaintiff does not know the identities of *All Persons Unknown, Claiming Any Legal or Equitable Right, Title, Estate, Lien, or Interest in the Property Described in the Complaint Adverse to Plaintiffs Title, or Otherwise Clouding Plaintiffs Title To The Property Described In The Complaint Named*

as Does 1 through 50, inclusive. The identifying information will be added to this Complaint when known.

<>. Plaintiff is informed and believes and thereon alleges that each of the Defendants named herein as DOES 1 through 50, inclusive is intentionally or negligently responsible, or is otherwise legally responsible, in some manner, either vicariously or by virtue of his, her, or its own conduct, negligence or failure to act, or for the conduct, negligence or failure to act on the part of his, her, or its agents, servants or employees, for the acts and occurrences herein referred to, and has proximately caused injury and damages thereby to Plaintiff as result of their conduct hereinafter described.

<>. Plaintiff is informed and believes and thereon alleges that at all times herein mentioned, the Defendants and the Defendants DOES 1-50, and each of them, were the agents or employees of each other, and were at all times acting within the purpose, scope and course of said agency, and employment, and with full knowledge and consent of each other.

<>. [Allege here all factual allegations common to all of your causes of action so that you don't have to repeat them for each cause. When you are finished drafting your jurisdictional allegations, you will be ready to insert your causes of action into the Complaint.]

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