

Missouri Practice Series TM
Current through the 2010 Update
Statutory Forms
James D. Burlison[a0]
Chapter
12. Taxation Proceedings

VAMS § 140.330 Form 1. Petition to quiet title to land conveyed by county collector

[Caption]

COMES NOW Plaintiff and, for [his/her] cause of action against Defendant, states and alleges as follows:

[Jurisdictional Allegations]

1. On *[Date]*, Plaintiff *[Name]*, purchased *[Describe land with particularity]* from the county collector of *[County]* County, Missouri, for the sum of *[\$Amount]*, the land being sold for the nonpayment of taxes.
2. On that date Plaintiff received a deed covering the land from the collector.
3. Defendant, *[Name]*, claims some interest in and to the real estate, the nature of which claims is unknown to the Plaintiff and cannot be described herein except to state that [his/her] claims are adverse and prejudicial to Plaintiff.

[Add or substitute specific allegations as to the Defendant's claims where necessary or desirable.]

WHEREFORE, Plaintiff *[Name]*, prays for judgment quieting title in the subject real estate in Plaintiff as fee simple owner and forever barring Defendant, *[Name]*, or for anyone on [his/her] behalf, from any right, title or interest in the subject real estate, and for Plaintiff's costs herein.

[Signed] _____
[Typed Name][Bar Number]
[Firm Name]
[Address and telephone]
Attorney for Plaintiff

Notes

AUTHOR'S COMMENT

The Plaintiff is the purchaser of the land. Those persons listed as Defendants should include all who have, or claim to have, or appear of record in the county where the land is located to have, any interest in, or lien upon, the land in question.

For plaintiff to prevail in quiet title action, defendant must have at least some interest in the property. Quiet title statute allows broad joinder of defendants. [Bellistri v. Ocwen Loan Servicing, LLC, 284 S.W.3d 619 \(Mo. Ct. App. E.D. 2009\)](#), reh'g and/or transfer denied, (Apr. 6, 2009) and transfer denied, (June 30, 2009).

West's Key Number Digest

West's Key Number Digest, [Taxation](#) ↪809(2)

Legal Encyclopedias

[C.J.S., Taxation § 990](#)

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12. Taxation Proceedings**VAMS § 140.330 Form 2. Judgment or decree for plaintiff on petition to quiet title to land conveyed by county collector***[Caption]*

Now on *[Date]*, come the parties and upon this matter coming on for trial, and being taken up and heard and submitted to the court upon the pleadings and evidence, the court being fully advised in the premises, finds the issues for Plaintiff *[Name]*, and finds, adjudges, and decrees that Plaintiff is vested with fee simple title to the subject real estate, and the court further finds, adjudges, and decrees that Defendant, *[Name]*, has no right, title or interest in the subject real estate, or any lien thereon.

Dated: _____

[Signed] _____
Judge**Notes****West's Key Number Digest**West's Key Number Digest, [Taxation](#) 🔑816**Legal Encyclopedias**[C.J.S., Taxation § 996](#)[\[FN a0\]](#) Member, Missouri Bar.

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