

## Notes on Quiet Title Action

The person filing the case is the Plaintiff, the Defendants are the person who is listed on the title and the person who you bought the car from  
You will need to include the Vehicle Identification Number in the blank below and other places on the form.

You will take these papers (Petition, Notice of Suit, Affidavit of Publication and Return of publication) to the Clerk of the District Court in the County Courthouse.

Court filing costs will be approximately \$190.

You need to prepare a Summons for the seller that you do have an address on: The summons form is attached. Send it by certified mail, return receipt requested. Tape the return receipt on a piece of paper, write on the case number and file it with the Court Clerk, when you go back for the final hearing.

You will need to notify anyone you don't have an address on by publication, using the affidavit and notice of suit included.

Publication costs will depend on what the local legal publication paper charges. Check with the Clerk for who does the legal publications in your county. You will need to make your own arrangements to be billed by the newspaper publisher or pay in advance. This is not the regular publisher.

You will need to put a date in the document titled Notice of suit before you file it. Count forward from the date the notice will be first published (learn that from the newspaper publisher) at least 41 days. That allows for three publications, one week apart, plus 20 days to file an answer.

You can set a date to finalize your case at least 41 days after you file it. You will need to see if an answer has been filed to the suit. You will do this with the Clerk of the District Court.

Take three copies and the original of the final order with you to Court. The Judge will sign only the original. The copies will be file stamped by the Clerk (but if you take them with you, you don't have to pay them for copies.). You will need **one certified copy** that you will send to the Department of Motor Vehicles to get the new title issued. There will be a form with Motor Vehicles that you can call them about, or find online.

IN THE DISTRICT COURT,  
\_\_\_\_\_ COUNTY, KANSAS  
CIVIL DEPARTMENT

Your Name )  
 )  
 **Plaintiff** )  
 and ) Case No.  
 Person you bought it from, Person )  
 Named on title and Unnamed )  
 Owner of (kind of car)Automobile, )  
 VID: )  
 **Defendants** )  
 \_\_\_\_\_ )

Pursuant to Chapter 60 of  
Kansas Statutes Annotated

PETITION

COMES NOW the Plaintiff, , and for his claim against Defendant, Unknown Owner of  
Car with VIN: \_\_\_\_\_, herein states:

1. Plaintiff, \_\_\_\_\_, is a resident of County, Kansas, residing at
2. Defendants are \_\_\_\_\_, residing at \_\_\_\_\_ and  
\_\_\_\_\_ residing at.
3. Plaintiff purchased a \_\_\_\_\_ from Defendant.  
Defendant tendered the title of vehicle to the plaintiff. The vehicle identification number  
listed on the title is \_\_\_\_\_.
4. I am unable to locate the owner of record, as listed on the title to this automobile.

THEREFORE, plaintiff requests judgment as follows:

1. That the Defendant and all persons claiming under Defendant be required to  
set forth that nature of their claims to the personal property described in paragraph three  
herein.
2. For a decree of this Court determining all adverse claims of Defendant and all  
persons claiming under Defendant.

3. For the decree to declare and adjudge that Plaintiff owns absolutely and is entitled to the quiet and peaceful possession of the property as against the Defendant and all persons claiming under Defendant.

4. That Defendant and all persons claiming under Defendant have no estate, right, title, lien, or interest in or to the property or any part thereof and that title to the property be quieted in Plaintiff against all claims of Defendant and all persons claiming under Defendant.

5. For the decree to permanently enjoin Defendant and all persons claiming under Defendant from asserting any estate, right, title, lien, or interest in or to the property or any part thereof adverse to plaintiff.

6. For the costs of this action.

7. For other and further relief as the Court deems just and proper.

Submitted by

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Plaintiff

IN THE DISTRICT COURT  
\_\_\_\_\_ COUNTY, KANSAS

Your Name	)	
	)	
<b>Plaintiff</b>	)	
and	)	Case No.
Person you bought it from, Person	)	
Named on title and Unnamed	)	
Owner of (kind of car) Automobile,	)	
VID:	)	
<b>Defendants</b>	)	
_____	)	

Pursuant to Chapter 60 of  
Kansas Statutes Annotated

**NOTICE OF SUIT**

TO: the above name Respondent

You have been sued in the above-mentioned Court by the above named Plaintiff and unless you answer this Petition filed or before the \_\_\_\_\_ day of \_\_\_\_\_, 2008, judgment will be rendered against you.

Attest: (SEAL)  
CLERK OF THE DISTRICT COURT

\_\_\_\_\_  
Petitioner



SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Notary Public

My Appointment Expires:

\_\_\_\_\_



IN THE DISTRICT COURT,  
\_\_\_\_\_ COUNTY, KANSAS  
CIVIL DEPARTMENT

Your Name	)	
	)	
<b>Plaintiff</b>	)	
and	)	Case No.
Person you bought it from, Person	)	
Named on title and Unnamed	)	
Owner of (kind of car) Automobile,	)	
VID:	)	
<b>Defendants</b>	)	
_____	)	

Pursuant to Chapter 60 of  
Kansas Statutes Annotated

FINAL ORDER

NOW on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ comes the Plaintiff for trial on this matter.

Whereupon the Court finds, as follows:

1. Plaintiff, {Your name} \_\_\_\_\_, is a resident of County, Kansas, residing at \_\_\_\_\_

2. Defendants are \_\_\_\_\_, residing at \_\_\_\_\_ and \_\_\_\_\_ residing at \_\_\_\_\_.

3. Plaintiff purchased a \_\_\_\_\_ from Defendant. Defendant tendered the title of vehicle to the plaintiff. The vehicle identification number listed on the title is \_\_\_\_\_.

4. The Plaintiff was unable to locate the owner of this vehicle, as listed on the title and provided notice by publication to that owner and any unnamed owner, as required by law.

IT IS THEREFORE ADJUGED, DECREED AND ORDERED THAT:

all adverse claims of Defendant and all persons claiming under Defendant as to this automobile are not valid; the Plaintiff owns absolutely and is entitled to the quiet and peaceful possession of the \_\_\_\_\_ (automobile type and VIN) as against the



Defendant and all persons claiming under Defendant: that Defendants and all persons claiming under Defendants have no estate, right, title, lien, or interest in or to the property or any part thereof and that title to the property be quieted in Plaintiff against all claims of Defendant and all persons claiming under Defendant; and that Defendant and all persons claiming under Defendant are permanently enjoin from asserting any estate, right, title, lien, or interest in or to the property or any part thereof adverse to plaintiff.

IT IS SO ORDERED.

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JUDGE

Prepared by:

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Plaintiff