

CHAPTER 811

DECLARATION OF INTEREST IN REAL PROPERTY

811 01 Declaration of interest
811 02 Complaint
811 03 Defendants.

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811.01 Declaration of interest. (1) Any person claiming an interest in real property may maintain an action against any person claiming a conflicting interest, and may demand a declaration of interests.

(2) Subsection (1) does not apply to lessee's interests in leases of one year or less.

History: 1973 c 189.

811.02 Complaint. The complaint shall describe the real property, the interest of the plaintiff, how the plaintiff acquired his interest, the interest of each person claiming an interest known to be adverse to the plaintiff, including unborn and unknown persons, and demand that the interest of the plaintiff be established against adverse claims.

History: 1973 c 189.

811.03 Defendants. Persons claiming interests adverse to the plaintiff which interests the plaintiff wants affected by the judgment shall be named as defendants; other persons with interests in the described property may be named as defendants.

History: 1973 c 189

811.04 Answer. The answer shall indicate the nature and derivation of defendant's interest. If the defendant, by answer, disclaims any interest in the described property or in plaintiff's claimed interest, no further answer is necessary.

History: 1973 c 189.

811.06 Costs. No costs shall be taxed against a defendant who does not contest the claim of the plaintiff; such defendant may recover costs unless the court otherwise orders.

History: 1973 c 189.

811.10 Judgment. (1) The judgment shall declare the interests of the parties. The judgment or a certified copy may be recorded in the office of the register of deeds of each county in which the land lies.

(2) As to parties not contesting, judgment may be rendered on motion based on the verified complaint and proof of service of the summons, and proof of the facts as to interests.

History: 1973 c 189.