

## CHAPTER 519

## MARRIED PERSONS; RIGHTS, PRIVILEGES

519.06 Contracts between husband and wife.  
 519.07 Barring interest of spouse; rights reciprocal.

519.11 Antenuptial and postnuptial contracts.

**519.06 CONTRACTS BETWEEN HUSBAND AND WIFE.**

No contract between husband and wife relative to the real estate of either, or any interest therein, shall be valid, except as provided in section 500.19, subdivisions 4 and 5; but, in relation to all other subjects, either may contract with the other. A husband or wife may appoint the other as an attorney-in-fact with respect to all property of the principal, or any interest in the property, whether real, personal, or mixed. Use of a power of attorney is subject to section 518.58, subdivision 1a. In all cases where the rights of creditors or purchasers in good faith come in question, each spouse shall be held to have notice of the contracts and debts of the other as fully as if a party thereto.

**History:** 1995 c 130 s 6

**NOTE:** The amendments to this section by Laws 1995, chapter 130, section 6, are effective January 1, 1996. See Laws 1995, chapter 130, section 22.

**519.07 BARRING INTEREST OF SPOUSE; RIGHTS RECIPROCAL.**

A person who has an interest in real estate may bring an action in any county in which all or a part of the real estate is located, seeking a decree that will bar any inchoate interest of the person's spouse in the real estate. The court may grant such a petition if the court finds by clear and convincing evidence that the person's spouse is an incapacitated person as defined in section 525.54, that the person has been deserted by the spouse for a period of at least one year, or that other similar circumstances warrant. The decree may grant the person full control of all the person's real estate located in Minnesota, with power to sell, convey, mortgage, lease, or transfer title to it, subject to any limitations the court considers proper in the circumstances. The decree may not be granted or must be vacated if the petitioner caused or contributed to the incapacity or disappearance of the petitioner's spouse. A certified copy of such decree may be recorded in the office of the county recorder or filed in the office of registrar of titles in any county wherever such real estate, or any part thereof, may be situated.

**History:** 1995 c 130 s 7

**NOTE:** The amendments to this section by Laws 1995, chapter 130, section 7, are effective January 1, 1996. See Laws 1995, chapter 130, section 22.

**519.11 ANTENUPTIAL AND POSTNUPTIAL CONTRACTS.**

*[For text of subds 1 and 1a, see M.S.1994]*

**Subd. 2. Writing; execution.** Antenuptial or postnuptial contracts or settlements shall be in writing, executed in the presence of two witnesses and acknowledged by the parties, executing the same before any officer or person authorized to administer an oath under the laws of this state. An antenuptial contract must be entered into and executed prior to the day of solemnization of marriage. A power of attorney may not be used to accomplish the purposes of this section.

*[For text of subds 2a to 7, see M.S.1994]*

**History:** 1995 c 130 s 8

**NOTE:** The amendment to subdivision 2 by Laws 1995, chapter 130, section 8, is effective January 1, 1996. See Laws 1995, chapter 130, section 22.