519A.04 PERFECTION OF TITLE OF SURVIVING SPOUSE.

If the title to any property to which this chapter applies was held by the decedent at the time of death or by a trustee of an inter vivos trust created by the decedent or the decedent and the decedent's spouse, title of the surviving spouse may be perfected by an order of the court or by execution of an instrument, with the approval of the court by the personal representative, the trustee, the heirs or devisees of the decedent, or the testamentary beneficiaries. Neither the personal representative, nor the trustee of any trust described in this section, nor the court having jurisdiction over the decedent's estate or trust has a duty to discover or attempt to discover whether property held by the decedent is property to which this chapter applies, unless a written demand is made by the surviving spouse or the spouse's successor in interest as follows:

(1) within four months after the date of the first publication of notice to creditors, if the property was held by the decedent's estate at the time of death;

(2) within 60 days after the decedent's date of death, if the property was held by a trustee of an inter vivos trust at the time of death and no written notice is provided to the surviving spouse or the spouse's successor in interest by the trustee; or

(3) within 20 days after written notice is given by certified or registered mail or personally delivered to the surviving spouse or the spouse's successor in interest, if the property was held by a trustee of an inter vivos trust at the time of death and written notice is provided to the surviving spouse by the trustee.

History: *2013 c 24 s 4*