519A.05 PERFECTION OF TITLE OF PERSONAL REPRESENTATIVE, TRUSTEE, HEIR OR DEVISEE, OR TESTAMENTARY BENEFICIARY.

If the title to any property to which this chapter applies is held by the surviving spouse at the time of the decedent's death or by a trustee of an inter vivos trust created by the decedent or the decedent and the decedent's spouse, the personal representative, the trustee, an heir or devisee of the decedent, or a testamentary beneficiary may institute an action to perfect title to the property. Neither the personal representative nor the trustee of a trust described in this section has a fiduciary duty to discover or attempt to discover whether any property held by the surviving spouse or by a trustee of any trust described in this section is property to which this chapter applies, unless a written demand is made by an heir, devisee, testamentary beneficiary, or creditor of the decedent as follows:

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

(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.

History: *2013 c 24 s 5*