558A.10 DUTY AND POWERS OF REFEREE; REPORT; EXPENSES.

When a partition is ordered, the referee or referees shall sell the property by any means to assure the highest and best price, under the most favorable terms. If the court orders partition in kind, the referee or referees shall divide the property, and allot the several portions thereof to the respective parties, quantity and quality relatively considered, according to their respective rights, designating the several portions by proper landmarks, and may employ a surveyor, with necessary assistants, to aid them therein. The referee may also engage appraisers, real estate brokers or agents, legal counsel, cleaning services, contractors, and other professionals that in the referee's opinion are reasonably necessary to assist in the partition in kind. The referee or referees shall make a report of the proceedings, specifying the manner of executing the documents for conveyance, and describing the property and in the case of a partition in kind the share allotted to each party, with a particular description thereof. The expenses and fees of the referee or referees, including those of a surveyor and other professionals engaged by the referee, shall be paid by the parties in proportion to the parties' interests, unless directed otherwise by the court.

History: *2025 c 2 art 2 s 10*