

1 IN THE HOUSE

BY MESSRS. FISHER AND KALAMARIDES

2 HOUSE BILL NO. 379

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to sale of real property
7 for purposes of distribution; and amending
8 sections 61-14-5 and 61-14-6, ACLA 1949."

9 Section 1. Sec. 61-14-5, ACLA 1949, is amended to read as
10 follows:

11 Sec. 61-14-5. SALE OF REAL PROPERTY: REALTY SPECIALLY
12 DEVISED, When the proceeds of the sale of personal property
13 have been exhausted, and the charges, expenses, and claims
14 specified in section 61-14-2 have not all been satisfied, the
15 executor or administrator shall sell the real property of the
16 estate, or so much thereof as may be necessary for that pur-
17 pose. When it appears to the satisfaction of the court that
18 it would be for the best interest of the heirs, devisees or
19 legatees that all or a part of the real property of the estate
20 be sold for the purpose of distribution, the executor or
21 administrator shall sell the real property of the estate or
22 so much thereof as may be appropriate for that purpose. The
23 court may order that the real property or any part thereof be
24 sold for the above purposes without reference to whether or
25 not the personal property has been sold if it appears to the
26 satisfaction of the court that it is for the best interest of
27 the estate or of the heirs, devisees or legatees thereof. I
28 any of such real property has been specially devised, it is
29 exempt from the operation of the order of sale in the same

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

manner as personal property specially bequeathed.
Sec. 2. Sec. 61-14-6, ACLA 1949 is amended to read as follows
Sec. 61-14-6. PETITION. The petition for the sale of
real property shall state the amount of sales of personal
property, the charges, expenses and claims still unsatisfied,
so far as the same can be ascertained, a description of the
real property of the estate, the condition and probable value
of the different portions or lots thereof, the amount and
nature of any liens there are, the names, ages, and residence
of the devisees, if any, and of the heirs of the deceased, so
far as known, and if it is desired to sell the real property
or any part thereof for the purpose of distribution or with-
out reference to whether or not the personal property has
been sold, the petition shall set out the reasons therefor.