

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 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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

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

1 exempt from the operation of the order of sale in the same
2 manner as personal property specially bequeathed.

3 Sec. 2. Sec. 61-14-6, ACLA 1949 is amended to read as follows:

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