

TITLE 2: NATURAL RESOURCES
DIVISION 4: LAND RESOURCES

§ 4343. Duties of Land Commission.

(a) Upon receipt of a title transfer application, the Land Commission shall determine that:

- (1) The property in question is marital homestead property;
- (2) The applicant is the surviving spouse of the grantee spouse; and
- (3) The property has not been conveyed to a third person.

(b) The Land Commission shall then issue a new certificate of title naming the surviving spouse as the owner of the property if a certificate of title was previously issued naming the grantee spouse as the owner, and, if no certificate of title had been so issued, then the Land Commission shall issue an amended deed of conveyance naming the surviving spouse as the grantee. In each case, the surviving spouse shall be deemed to possess all right, title, and interest in the property which had previously been possessed by the grantee spouse and surviving spouse, or either of them.

Source: PL 3-74, § 4.

Commission Comment: With respect to the reference to the “Land Commission,” see Executive Order 94-3 (effective August 23, 1994), reorganizing the executive branch, changing agency names and official titles, and effecting other changes, set forth in the Commission comment to 1 CMC § 2001; see also the comment to 2 CMC § 4212.