

TITLE 2: NATURAL RESOURCES
DIVISION 4: LAND RESOURCES

§ 4249. Review of Determination of Ownership.

Any person who has actual or constructive notice of the determination of ownership and who claims an interest in the property which is the subject of the determination of ownership and who disagrees with the determination of ownership may file for a review of the determination of ownership by filing a complaint in the Commonwealth Trial Court within 120 days from the date of the determination. The complaint shall be in the nature of a quiet title suit and shall set forth the description of the property, the determination of ownership, the portion or parts to be reviewed, and the basis of the plaintiff's claim. The complaint shall name as defendants all those persons known to the plaintiff who claim an interest in the land. A determination of ownership shall be upheld if it is supported by substantial evidence found in the record taken as a whole including the record before the Land Commission and such additional evidence as shall be admitted before the Commonwealth Trial Court. The procedures of the Commonwealth Trial Court for processing and disposing of civil litigation shall apply along with rights of appeal from the Commonwealth Trial Court's decision.

Source: PL 3-79, § 18.

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.

Section 4 of PL 6-25, the "Commonwealth Judicial Reorganization Act of 1989," provides that "[w]herever the term 'Commonwealth Trial Court' appears in the Commonwealth Code, it is henceforth to be interpreted and understood to refer to the Commonwealth Superior Court."