

TITLE 2: NATURAL RESOURCES
DIVISION 4: LAND RESOURCES

§ 4517. Heirs and Devisees take Subject to Mortgage.

Whenever real property which is subject to a mortgage passes by succession or devise, the successor or devisee is not entitled to have the decedent's personal representative satisfy the mortgage out of the decedent's estate unless there is an express provision in the decedent's will that the estate is to satisfy the mortgage. Unless the mortgage is so satisfied out of the decedent's estate, the heir or devisee takes the property subject to the mortgage.

Source: DL 4-143, § 7.