

**TITLE 2: NATURAL RESOURCES**  
**DIVISION 4: LAND RESOURCES**

**§ 4524. Service of Notice; Designated Personal Representative.**

(a) All notices required by this chapter must be in writing and, notwithstanding any other provision of this section, are sufficient if received by the mortgagor. The mortgagor shall designate in the mortgage instrument, the name and post office address of a personal representative for the service of notice in the event the mortgagor cannot, after diligent search, be found within the Commonwealth.

(b) The name and address of the designated personal representative may be changed from time to time upon request of the mortgagor, by an amendment to the mortgage.

(c) A United States Postal Service registry return receipt showing that the envelope containing the notice has been received by the mortgagor, or the mortgagor's designated personal representative shall be prima facie evidence that proper notice has been given. A return by a police officer or any other person authorized by the court to serve notice, stating by affidavit that notice has been delivered personally to the mortgagor, or, if he cannot be located within the Commonwealth, to his or her designated personal representative, shall be prima facie evidence that proper notice has been delivered.

(d) When service cannot be made in accordance with the provisions of subsection (c) of this section, the notice shall be filed with the clerk of court who shall cause the notice to be:

(1) Announced on radio within the Commonwealth at least once per week for four weeks;

(2) Published once a week in a newspaper of general circulation within the Commonwealth for at least four consecutive weeks; and

(3) Posted in a prominent public place on the island upon which the land is located for 30 consecutive days;

which shall be prima facie evidence that proper notice has been given. The clerk of court may collect a reasonable charge for the cost of publication. Service shall be considered effective 30 days after the first publication, broadcast, or posting, whichever is last in time.

(e) If there is more than one mortgagor, proper notice served upon any one shall constitute service upon all of said mortgagors.

**Source:** DL 4-143, § 13.