

TITLE 2: NATURAL RESOURCES
DIVISION 4: LAND RESOURCES

§ 4552. Discharge of Real Estate Mortgage Not Renewed or Extended or Recorded.

Every mortgage which has not been renewed or extended of record within 15 years after its due date, or when no due date is shown in the mortgage then within 20 years after the recording of the mortgage, shall be discharged of record by order of a judge of the Commonwealth Trial Court upon application of any interested person and with notice to the proper interested parties. Such application and order shall be filed in the office of the clerk of courts. The fee for the application and order shall be the same as that charged for filing a civil action.

Source: DL 4-143, § 31.

Commission Comment: 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.”