

# MINNESOTA STATUTES 1979 SUPPLEMENT

## ESTATES IN REAL PROPERTY 500.19

### 490.12 Half pay.

[For text of subs 1 to 6, see M.S.1978]

Subd. 7. [ Repealed, 1979 c 296 s 7 ]

Subd. 8. [ Repealed, 1979 c 296 s 7 ]

### 490.121 Definitions.

[For text of subd 1, see M.S.1978]

Subd. 2. "Court" means any court of this state established by the Minnesota Constitution and any municipal, county or probate court of record, and shall include the conciliation court of the city of Duluth.

[For text of subs 3 to 21, see M.S.1978]

[ 1979 c 296 s 2 ]

### 490.124 Maturity of benefits; retirement and survivors' annuities.

[For text of subs 1 to 6, see M.S.1978]

Subd. 8. **Exclusive normal retirement benefits.** Any judge who retires after December 31, 1973, shall be entitled to a retirement pension, retirement compensation or other retirement payment under statutes applicable solely to judges pursuant to this section only, except that any such judge in office prior to January 1, 1974, who retires at or after normal retirement age may then elect to receive during his lifetime a normal retirement annuity computed on the basis of retirement compensation provided for such judge under statutes in effect on December 31, 1973, in lieu of the amount of normal retirement annuity otherwise computed under sections 490.121 to 490.132. For purposes of this subdivision, the conciliation court of the city of Duluth shall be deemed to have been a court of record by the statutes in effect on December 31, 1973.

[For text of subs 9 to 12, see M.S.1978]

[ 1979 c 296 s 3 ]

## CHAPTER 500. ESTATES IN REAL PROPERTY

Sec.  
500.19 Division.

### 500.19 Division.

[For text of subd 1, see M.S.1978]

Subd. 2. **Construction of grants and devises.** All grants and devises of lands, made to two or more persons, shall be construed to create estates in common, and not in joint tenancy, unless expressly declared to be in joint tenancy. This subdivision shall not apply to mortgages, nor to devises or grants made in trust, or to executors.

Subd. 3. **Joint tenancy requirements abolished.** The common law requirement for unity of time, title, interest, and possession in the creation of a joint tenancy is abolished.

Subd. 4. **Converting estates.** An owner of an interest in real estate may convey the interest directly to himself and one or more other persons as joint tenants.

Subd. 5. **Severance of estates in joint tenancy.** A severance of a joint tenancy interest in real estate by a joint tenant shall be legally effective only if (1) the instrument

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## 500.19 ESTATES IN REAL PROPERTY

of severance is recorded in the office of the county recorder or the registrar of titles in the county where the real estate is situated; or (2) the instrument of severance is executed by all of the joint tenants; or (3) the severance is ordered by a court of competent jurisdiction; or (4) a severance is effected pursuant to bankruptcy of a joint tenant.

[ 1979 c 123 s 1-4 ]

## CHAPTER 501. USES AND TRUSTS

Sec.  
501.43 Removal of trustee.

### 501.43 Removal of trustee.

Any person interested in an express trust may petition the district or county court wherein a trustee resides or has his place of business for the removal of that trustee for cause at any time. Upon filing of the petition the court shall fix a time and place for hearing. Notice shall be given to the trustee and other interested parties pursuant to the provisions of section 501.35 or as the court shall otherwise order.

Cause for removal exists when removal is in the best interests of the trust estate, when the trustee has violated his trust, has become incapable of discharging the duties of his office, or has mismanaged the trust estate. In determining the best interests of the trust estate, the trustee's compensation and fees, and administrative expenses, shall also be considered.

[ 1979 c 137 s 1 ]

## CHAPTER 507. CONVEYANCING, RECORDING

Sec. 507.02	Conveyances by husband and wife; powers of attorney.	Sec. 507.10	Certified copies of forms to be preserved.
507.09	Forms approved; amendments.	507.13	Standard forms established.
		507.14	Minnesota uniform conveyancing blanks.

### 507.02 Conveyances by husband and wife; powers of attorney.

If the owner is married, no conveyance of the homestead, except a mortgage for purchase money unpaid thereon, a conveyance between spouses pursuant to section 500.19, subdivision 4, or a severance of a joint tenancy pursuant to section 500.19, subdivision 5, shall be valid without the signatures of both husband and wife.

A husband and wife, by their joint deed, may convey the real estate of either. The husband, by his separate deed, may convey any real estate owned by him, except the homestead, subject to the rights of his wife therein; and the wife, by her separate deed, may convey any real estate owned by her, except the homestead, subject to the rights of her husband therein; and either husband or wife may, by separate conveyance, relinquish his or her rights in the real estate so conveyed by the other. Subject to the foregoing provisions, either husband or wife may separately appoint an attorney to sell or convey any real estate owned by such husband or wife, or join in any conveyance made by or for the other. A minor husband or wife has legal capacity to join in a conveyance of real estate owned by his or her spouse, so long as the minor husband or wife is not incapacitated because of some reason other than his or her minor age.

[ 1979 c 123 s 5 ]

### 507.09 Forms approved; amendments.

The several forms of deeds, mortgages, land contracts, assignments, satisfactions, and other conveyancing instruments prepared by the uniform conveyancing blanks commission and filed by the commission with the secretary of state pursuant to Laws 1929, Chapter 135, as amended by Laws 1931, Chapter 34, are approved and recommended for use in the state. Such forms shall be kept on file with and be preserved by the secretary of state as a public record. The commissioner of securities may appoint an advisory committee on uniform conveyancing forms to recommend to the commissioner of securi-