

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 42.
REAL PROPERTY.

CHAPTER 14.
SALE OF CONTINGENT AND LIMITED INTERESTS.

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INTERESTS.

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CHAPTER 14. SALE OF CONTINGENT AND LIMITED INTERESTS.

§ 42-1401. SALE OF LIFE ESTATE AND CONTINGENT REMAINDER IN ISSUE UPON APPLICATION OF LIFE TENANT.

Where real estate is limited to 1 or more for life, with a contingent limitation over to such issue of 1 or more of the tenants for life as shall be living at the death of their parent or parents, and the deed or will does not prohibit a sale, said court may, on the application of the tenants for life, and if the court shall be of opinion that it is expedient to do so, order a sale of such estate and decree to the purchaser an absolute and complete title in fee simple.

(Mar. 3, 1901, 31 Stat. 1205, ch. 854, § 97.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-1001.

1973 Ed., § 45-1101.

§ 42-1402. APPLICATION FOR SALE BY VERIFIED BILL; CONTENTS; PARTIES.

Any application for such sale shall be by bill, verified by the oath of the party or parties, in which all the facts shall be distinctly set forth upon the existence of which it is claimed that such sale should be decreed, which facts shall be proved by competent testimony. All of the issue embraced in the limitation who are in existence at the time of the application shall be made parties defendant, together with all who would take the estate in case the limitation over should never vest; and minors of the age of 14 years or more shall answer in proper person under oath, as well as by guardian ad litem, and all evidence shall be taken upon notice to the parties and the guardian ad litem.

(Mar. 3, 1901, 31 Stat. 1205, ch. 854, § 98.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-1002.

1973 Ed., § 45-1102.

§ 42-1403. PROCEEDS OF SALE HELD BY COURT AND TREATED AS REAL ESTATE.

The proceeds of sale of said real estate shall be held under the control and subject to the order of the court, and shall be invested under its order and supervision upon real and personal security, and the same shall, to all intents and purposes, be deemed real estate and stand in the place of the real estate from the sale of which they are derived, and as such be subject to the limitations of the deed or will.

(Mar. 3, 1901, 31 Stat. 1205, ch. 854, § 99.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-1003.

1973 Ed., § 45-1103.

**§ 42-1404. SALE OF LIMITED ESTATE AND FUTURE INTEREST
GENERALLY; COURT DECREE; BINDING EFFECT THEREOF.**

Wherever 1 or more persons shall be entitled to an estate for life or years, or a base or qualified fee simple, or any other limited or conditional estate in lands, and any other person or persons shall be entitled to a remainder or remainders, vested or contingent, or an interest by way of executory devise in the same lands, on application of any of the parties in interest the court may, if all the parties in being are made parties to the proceeding, decree a sale or lease of the property, if it shall appear to be to the interest of all concerned, and shall direct the investment of the proceeds so as to inure in like manner as provided by the original grant to the use of the same parties who would be entitled to the land sold or leased; and all such decrees, if all the persons are parties who would be entitled if the contingency had happened at the date of the decree, shall bind all persons, whether in being or not, who claim or may claim any interest in said land under any of the parties to said decree, or under any person from whom any of the parties to such decree claim, or from or under or by the original deed or will by which such particular, limited, or conditional estate, with remainders or executory devises, were created.

(Mar. 3, 1901, 31 Stat. 1205, ch. 854, § 100.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-1004.

1973 Ed., § 45-1104.