

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 42.
REAL PROPERTY.

CHAPTER 3.
CONVEYABLE ESTATES AND METHODS OF
CONVEYANCE.

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DISTRICT OF COLUMBIA OFFICIAL CODE
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CHAPTER 3. CONVEYABLE ESTATES AND METHODS OF CONVEYANCE.

§ 42-301. PRESENT OR FUTURE AND VESTED OR CONTINGENT INTERESTS CONVEYED BY DEED OR WILL.

Any interest in or claim to real estate whether entitling to present or future possession and enjoyment, and whether vested or contingent, may be disposed of by deed or will, and any estate which would be good as an executory devise may be created by deed.

(Mar. 3, 1901, 31 Stat. 1269, ch. 854, § 512; June 30, 1902, 32 Stat. 532, ch. 1329.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-301.

1973 Ed., § 45-101.

Miscellaneous Notes

Severance of joint tenancies: This section and § 42-305 do not supersede the common law rule authorizing the unilateral severance of joint tenancies. Estate of Gullede, App. D.C., 673 A.2d 1278 (1996).

§ 42-302. PERPETUITIES--CHARITABLE USES EXCEPTED.[REPEALED]

(Mar. 3, 1901, 31 Stat. 1351, ch. 854, § 1023; Apr. 27, 2001, D.C. Law 13- 292, § 403, 48 DCR 2087.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-302.

1973 Ed., § 45-102.

§ 42-303. PERPETUITIES--CHATELS REAL.[REPEALED]

(Mar. 3, 1901, 31 Stat. 1351, ch. 854, § 1024; Apr. 27, 2001, D.C. Law 13- 292, § 403, 48 DCR 2087.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-303.

1973 Ed., § 45-103.

§ 42-304. PERPETUITIES--EFFECT UPON ESTATES CREATED BY DEED OR WILL.[REPEALED]

(Mar. 3, 1901, 31 Stat. 1351, ch. 854, § 1025; Apr. 27, 2001, D.C. Law 13- 292, § 403, 48 DCR 2087.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-304.

1973 Ed., § 45-104.

§ 42-305. TITLE CONVEYABLE BY ANYONE CLAIMING SUCH.

Any person claiming title to land may convey his interest in the same, notwithstanding there may be an adverse possession thereof.

(Mar. 3, 1901, 31 Stat. 1269, ch. 854, § 513.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-305.

1973 Ed., § 45-105.

Miscellaneous Notes

Severance of joint tenancies: This section and § 42-301 do not supersede the common law rule authorizing the unilateral severance of joint tenancies. Estate of Gullede, App. D.C., 673 A.2d 1278 (1996).

§ 42-306. DEED OR WILL NECESSARY FOR MORE THAN ONE-YEAR TERM OR FOR LIMITATION UPON SUCH.

(a) For the purposes of this section, "commercial lease" means a lease for nonresidential real property.

(b) Except as provided in subsection (c) of this section, no estate of inheritance, or for life, or for a longer term than 1 year, in any real property, corporeal or incorporeal, in the District of Columbia, or any declaration or limitation of uses in the same, for any of the estates mentioned, shall be created or take effect, except by deed signed and sealed by the grantor, lessor, or declarant, in person or by power of attorney or by will.

(c) Commercial leases for a longer term than 1 year in any real property in the District of Columbia may be signed on behalf of the owner of real property by an authorized agent.

(Mar. 3, 1901, 31 Stat. 1267, ch. 854, § 492; June 30, 1902, 32 Stat. 531, ch. 1329; June 11, 1992, D.C. Law 9-116, § 2, 39 DCR 3186; Apr. 27, 1994, D.C. Law 10-110, § 2(a), 41 DCR 1023.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-306.

1973 Ed., § 45-106.

Legislative History of Laws

Law 9-116, the "Real Property Lease Authorization Amendment Act of 1992," was introduced in Council and assigned Bill No. 9-129, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on March 3, 1992, and April 7, 1992, respectively. Signed by the Mayor on April 24, 1992, it was assigned Act No. 9-190 and transmitted to both Houses of Congress for its review. D.C. Law 9-116 became effective on June 11, 1992.

Law 10-110, the "Property Conveyancing Revision Act of 1994," was introduced in Council and assigned Bill No. 10-88, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on January 4, 1994, and February 1, 1994, respectively. Signed by the Mayor on February 18, 1994, it was assigned Act No. 10-198 and transmitted to both Houses of Congress for its review. D.C. Law 10-110 became effective on April 27, 1994.

§ 42-307. PERPETUITIES; PENSIONS AND EMPLOYEE TRUSTS EXCEPTED.[REPEALED]

(Aug. 25, 1959, 73 Stat. 428, Pub. L. 86-201, § 1; Apr. 27, 2001, D.C. Law 13-292, § 403, 48 DCR 2087.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 45-307.

1973 Ed., § 45-107.