

59-2309. Report and confirmation. (a) The personal representative shall make a verified report of such representative's proceedings to the court, with the certificate of appraisement in case appraisement is required, and with proof of publication in case sale is made at public auction. The report shall state that the personal representative did not directly or indirectly acquire any beneficial interest in the real estate, or the lease or mortgage thereof, as the case may be, and that the personal representative is not interested in the property sold, leased or mortgaged, except as stated in such representative's report. The report also shall contain a full disclosure of any financial or blood relationship between the personal representative and the proposed purchaser, lessee or mortgagee. If no such relationship exists, the report shall so state.

(b) The court, after having duly examined the report and being satisfied that the sale, lease or mortgage has been in all respects made in conformity to law and ought to be confirmed, shall confirm it and order the personal representative to make a deed, lease or mortgage to the person entitled thereto. The instrument shall refer to the order for sale, lease or mortgage by its date, and the court by which it was made, and shall transfer to the grantee, lessee or mortgagee all the right, title and interest of the decedent or conservatee in the estate granted by the instrument, discharged from liability assumed for the decedent's or conservatee's debts, except encumbrances assumed.

History: L. 1939, ch. 180, § 264; L. 1965, ch. 346, § 38; L. 1975, ch. 299, § 27; L. 1985, ch. 191, § 51; July 1.