

§ 41-92. Acquisition of title by one cotenant.

(a) If a cotenant acquires title to the property upon a sale of the property to pay the debt for which (i) that cotenant is partially liable or (ii) all of the cotenants are liable, the title inures to the benefit of all of the cotenants.

(b) If a third party, acting in collusion with or as agent of one of the cotenants, acquires title to property upon a sale of the property to pay the debt for which all of the cotenants are liable and subsequently conveys the title to that cotenant, the title inures to the benefit of all of the cotenants.

(c) If a third party, without collusion, acquires title to the property upon a sale of the property to pay a debt for which all of the cotenants are liable and subsequently conveys that title to one of the cotenants, that cotenant takes title to the property in that cotenant's own right, valid as against the other cotenants.

(d) A cotenant who receives an interest in the property because of the death of an ancestor holding an interest in the property may acquire the ancestor's interest in the property upon a sale to pay the debt of the deceased ancestor secured by the ancestor's interest in the property.

(e) A cotenant may acquire title to another cotenant's interest in the property upon a sale of the other cotenant's interest in the property to pay the debt of the other cotenant. (2024-47, s. 1.)