

**75-2b-105 Perfection of title of surviving spouse.**

If the title to any property to which this chapter applies was held by the decedent at the time of death, title of the surviving spouse may be perfected by an order of the court or by execution of an instrument by the personal representative or the heirs or devisees of the decedent with the approval of the court. Any action to perfect title shall be brought by the surviving spouse or the surviving spouse's successors in interest within four months after written notification is received from the decedent's personal representative, or the successor trustee of the decedent's revocable trust, informing the surviving spouse of the limitations period. Neither the personal representative nor the court in which the decedent's estate is being administered has a duty to discover or attempt to discover whether property held by the decedent is property to which this chapter applies, unless a written demand is made by the surviving spouse or the spouse's successor in interest.

Enacted by Chapter 132, 2012 General Session