

## PARTITION

### Footnotes

For Iowa court rules concerning partition of real and personal property, see R.C.P. 1.12011.1228

#### **651.1 Share of absent owner.**

The ascertained share of any absent owner shall be retained, or the proceeds invested for the owner's benefit, under like order.

[C51, § 2070; R60, § 3648; C73, § 3280; C97, § 4243; C24, 27, 31, 35, 39, § **12317**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 651.1]

#### **651.2 Answer.**

The answers of the defendants must state, among other things, the amount and nature of their respective interests. They may deny the interest of any of the plaintiffs, and by supplemental pleading, if necessary, may deny the interest of any of the other defendants.

[C51, § 2032; R60, § 3610; C73, § 3282; C97, § 4245; C24, 27, 31, 35, 39, § **12318**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 651.2]

#### **651.3 Partition of part.**

When partition can be conveniently made of part of the premises but not of all, one portion may be partitioned and the other sold, as provided in this chapter.

[C51, § 2062; R60, § 3640; C73, § 3294; C97, § 4257; C24, 27, 31, 35, 39, § **12332**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 651.3]

#### **651.4 Costs attending transcript.**

The costs of making and recording such transcript shall be assessed as part of the costs in the case.

[S13, § 4259; C24, 27, 31, 35, 39, § **12338**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 651.4]

86 Acts, ch 1237, § 39

#### **651.5 Sales disapproved.**

If the sales are disapproved, the money paid and the securities given must be returned to the persons respectively entitled thereto.

[C51, § 2058; R60, § 3636; C73, § 3304; C97, § 4269; C24, 27, 31, 35, 39, § **12348**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 651.5]

#### **651.6 Security to refund money.**

The court in its discretion may require all or any of the parties, before they receive the moneys arising from any sale authorized in this chapter, to give satisfactory security to refund the same, with interest, in case it

afterward appears that such parties were not entitled thereto.

[C51, § 2054; R60, § 3632; C73, § 3305; C97, § 4270; C24, 27, 31, 35, 39, § **12349**; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, § 651.6]