

649.5 Demand for quitclaim — attorney fees.

1. Before bringing suit to quiet a title to real estate, a party may make a written request to the person holding an apparent adverse interest or right in the property asking that such person, and that person's spouse if any, execute, have acknowledged, and deliver a quitclaim deed to the property to such requesting party.

2. The written request described in [subsection 1](#) shall include a draft quitclaim deed to the property, the street address of the property, a brief explanation of how the apparent adverse interest or right arose, if known, and why the party believes the interest or right is not a valid claim against title, a copy of [this section](#), a self-addressed stamped envelope, and fifty dollars to cover the expense of the execution, acknowledgment, and delivery of the deed.

3. If the person holding an apparent adverse interest or right in the property fails to comply within twenty days of receiving the written request, the filing of a disclaimer of interest or right shall not avoid the costs in an action afterwards brought, and the court may assess, in addition to the ordinary costs of court, a reasonable attorney fee for the requesting party's attorney.

[C97, §4226; C24, 27, 31, 35, 39, §12289; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §649.5]

[86 Acts, ch 1237, §37](#); [2017 Acts, ch 147, §1](#)

Section amended