**CHAPTER 1**

**CONTRACTS FOR SALE OF REAL ESTATE**

**§1. Termination date**

All contracts entered into for the sale or transfer of real estate and all contracts whereby a person, company or corporation becomes an agent for the sale or transfer of real estate shall become void in one year from the date such contract is entered into unless the time for the termination thereof is definitely stated.

**§2. Specific performance after death of seller**

If a person, who has contracted in writing to convey real estate, dies before making the conveyance, the other party may file a complaint in the Superior Court to enforce specific performance thereof against the personal representative, the successors to the decedent's property which is subject to the contract if no administration has occurred, or to the distributees of that property, if the action is commenced within 3 years from the first appointment of a personal representative or from the time when he is entitled to such conveyance, but not exceeding 4 years after the first appointment of a personal representative, provided written notice of the existence of the contract is given to the personal representative within one year after the first appointment of a personal representative. [PL 1979, c. 540, §39 (AMD).]

SECTION HISTORY

PL 1979, c. 540, §39 (AMD).

**§3. -- decree**

If it appears that the plaintiff is entitled to a conveyance, the court may require the personal representative, successor or distributee to convey the estate as the deceased ought to have done. The conveyance shall pass the estate as fully as if made by the contractor. [PL 1979, c. 540, §40 (AMD).]

SECTION HISTORY

PL 1979, c. 540, §40 (AMD).

**§4. -- enforcement of decree**

If the defendant neglects or refuses to convey according to the decree, the court may render judgment for the plaintiff for possession of the land, to hold according to the terms of the intended conveyance, and may issue a writ of seizin as in a real action, under which the plaintiff, having obtained possession, shall hold the premises as effectually as if conveyed in pursuance of the decree; or the court may enforce its decree by any other process.

**§5. Specific performance after death of purchaser**

If the person entitled to such conveyance dies before bringing his action, or before the conveyance is completed or such seizin and possession are obtained, his personal representative, or the successor to the property if there is no administration may bring and prosecute such action, and shall be entitled to the conveyance or seizin and possession in like manner as the obligee. [PL 1979, c. 540, §41 (AMD).]

SECTION HISTORY

PL 1979, c. 540, §41 (AMD).

**§6. Action by estate representatives**

**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §42 (RP).

**§7. Court authority to convey on death of seller**

**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §42 (RP).

**§8. -- notice and bond**

**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §42 (RP).

**§9. Refusal or incapacity of spouse to release interest; rights of creditors**

**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §42 (RP).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1. 2023
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.