

§480. Signature of nonowner

An owner of real estate may convey that real estate, or any interest in it free from any claim to the real estate by his nonowner spouse, by deed, mortgage or any other instrument, without signature of his nonowner spouse, unless: [PL 1983, c. 748, §2 (NEW).]

1. Non-bona fide purchaser. The transfer requires signature pursuant to Title 18-C, section 2-208, subsection 1; or
[PL 2017, c. 402, Pt. C, §89 (AMD); PL 2019, c. 417, Pt. B, §14 (AFF).]

2. Divorce action. The nonowner spouse has filed a claim in the registry of deeds pursuant to Title 19-A, section 953, and either the divorce action is still pending or the nonowner spouse has been granted an interest in the real estate by the court.
[PL 1995, c. 694, Pt. D, §60 (AMD); PL 1995, c. 694, Pt. E, §2 (AFF).]

After that conveyance, any claim of the nonowner spouse under probate, divorce or any other laws, shall be against the proceeds of that conveyance and not against the real estate. Notwithstanding any provision of the Maine Probate Code, a mortgage deed does not need to be signed by a nonowner spouse, provided that the mortgage deed secures actual consideration in money or money's worth given in good faith by the mortgagee to the owner. Notwithstanding any provision of the Maine Probate Code or divorce laws, a correcting deed does not need to be signed by a nonowner spouse. [PL 1983, c. 748, §2 (NEW).]

SECTION HISTORY

PL 1983, c. 748, §2 (NEW). PL 1995, c. 694, §D60 (AMD). PL 1995, c. 694, §E2 (AFF). PL 2017, c. 402, Pt. C, §89 (AMD). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

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