

CHAPTER 57-30
ACTION BY COUNTY TO QUIET TITLE

57-30-01. Counties may maintain actions to determine adverse claims.

Any county may maintain and prosecute any action to determine adverse claims and to quiet title to all lands acquired by it through tax deed proceedings, against any person claiming an estate or interest in, or lien or encumbrance upon, any such lands.

57-30-02. Joinder of claims for relief.

In any action brought by any county to determine adverse claims and to quiet title to real estate acquired through tax deed proceedings, the county may unite in the same complaint as many separate claims for relief as the state's attorney determines to be advisable, but each description of real estate and the name of any person claiming an adverse estate or interest therein must be stated separately so that any answering defendant can take issue with the county by challenging the truth of the facts alleged in the particular paragraph applicable to the property of such answering defendant.

57-30-03. Joinder of parties defendant.

In any action brought to determine adverse claims, the county may join as parties defendant as many persons who have estate or interest in, or liens or encumbrances upon any real property appearing of record, as the state's attorney shall deem necessary, regardless of the nonexistence of a common interest in and to all of the real property involved in such action, and all other persons unknown whose estates or interests do not appear of record may be proceeded against and joined as parties defendant by adding to the title the following recital:

All other persons unknown claiming any estate or interest in, or lien or encumbrance upon, the property described in the complaint.

57-30-04. Actions - How tried - Judgments - When taken.

Whenever any defendant answers the complaint in an action to quiet title and the issues have been joined, the claim for relief against the answering defendant may be tried separately to the court and a separate judgment may be entered thereon. Joint judgments by default may be taken, in the manner provided by law, against all defendants who may be in default, notwithstanding the fact that some of the defendants may have answered the complaint and that the issues presented thereby are pending trial.

57-30-05. Procedure applicable.

All provisions of law relating to the service of process in civil actions, and general provisions of the laws of this state relating to the procedure in actions brought to determine adverse claims, insofar as the same are consistent with the provisions of this chapter, apply to and govern the service of process and the procedure in all actions brought pursuant to the provisions of this chapter.