

SAME MANNER AS PROVIDED BY LAW FOR CIVIL ACTIONS OF PARTITION.

(E) SALE OF PROPERTY.

THE COURT MAY DIRECT THE PERSONAL REPRESENTATIVE TO SELL PROPERTY WHICH CANNOT BE PARTITIONED WITHOUT PREJUDICE TO THE OWNERS AND CANNOT CONVENIENTLY BE ALLOTTED TO ONE PARTY.

REVISOR'S NOTE: This section presently appears as Art. 93, §9-107. It is divided into two subsections for organizational purposes. The only other changes are in language and style.

9-108. WHERE LEGATEE NOT FOUND, OR RESIDES OUTSIDE UNITED STATES.

(A) PAYMENT OF DISTRIBUTIVE SHARE OR LEGACY TO COUNTY BOARD OF EDUCATION.

WHENEVER IT APPEARS TO THE SATISFACTION OF THE COURT THAT

(1) A PERSONAL REPRESENTATIVE HAS BEEN UNABLE TO CONTACT AN HEIR OR LEGATEE BECAUSE OF HIS LACK OF KNOWLEDGE OF THE LOCATION OF THE HEIR OR LEGATEE AND THE COURT IS SATISFIED THAT REASONABLE EFFORTS HAVE BEEN MADE TO LOCATE HIM; OR

(2) AN HEIR OR LEGATEE IS A NONRESIDENT OF THE UNITED STATES AND WOULD NOT HAVE THE BENEFIT OF USE OR CONTROL AT ITS FULL VALUE OF MONEY OR OTHER PROPERTY COMPRISING HIS DISTRIBUTIVE SHARE OR LEGACY; OR

(3) OTHER SPECIAL CIRCUMSTANCES MAKE IT APPEAR DESIRABLE THAT PAYMENT OR DELIVERY SHOULD BE WITHHELD BECAUSE OF NATIONAL OR INTERNATIONAL ACTION AFFECTING SUCH MONEY, PROPERTY, VALUE, OR THE FULL USE AND ENJOYMENT OF IT;

THE PERSONAL REPRESENTATIVE SHALL PAY OVER OR TRANSFER THE MONEY OR PROPERTY OR ITS PROCEEDS, AS DIRECTED BY ORDER OF COURT, TO THE BOARD OF EDUCATION IN THE COUNTY WHERE THE LETTERS WERE GRANTED, AND IT SHALL BE APPLIED FOR THE USE OF THE PUBLIC SCHOOLS IN [[THE]] SUCH COUNTY.

(B) REFUND.

IF, AFTER PAYMENT HAS BEEN MADE TO THE BOARD OF EDUCATION, A CLAIM FOR REFUND IS FILED BY THE HEIR OR LEGATEE, OR BY THE PERSONAL REPRESENTATIVE OF THE HEIR OR LEGATEE, THE CLAIMANT IS ENTITLED TO A REFUND, WITHOUT