

59-2304. Notice and hearing. Notice of the hearing, unless waived, shall briefly state the nature of the application made by the petition and shall be given in such manner as the court may direct. At the hearing and upon proof of the petition, the court shall have full power to order the sale, lease, or mortgage of all the real estate described in the petition, or to order the sale, lease, or mortgage of one or more tracts thereof, if such order shall be within the terms of the application made by the petition. The district court, with the consent of the mortgagee, may order the sale of real estate subject to the mortgage, but such consent shall release the estate of the decedent or conservatee, should a deficit later appear. If the petition and notice have included the details of a proposed transaction, the court may confirm the proposed sale, lease or mortgage, provided that the requirements of K.S.A. 59-1703 and 59-2307, have been met.

History: L. 1939, ch. 180, § 259; L. 1965, ch. 346, § 37; L. 1975, ch. 299, § 24; L. 1976, ch. 245, § 7; L. 1976, ch. 242, § 49; Jan. 10, 1977.