

**60-1004. Occupying claimants.** (a) *Right to reimbursement.* Where any person while peacefully occupying realty under color of title in good faith, including mineral leases, has in good faith made improvements thereon or paid obligations in connection therewith, such person shall not be dispossessed by a party, establishing a superior right, claim or title until he or she is fully compensated therefor.

(b) *Procedure.* If in any action the judge concludes that the occupying claimant should be dispossessed, the judge shall before entering final judgment determine the compensation due the occupying claimant under the provisions of section 1 [\*] of this article or if requested by either party he or she shall submit the question to a jury for determination.

**History:** L. 1963, ch. 303, 60-1004; Jan. 1, 1964.

\* "Section 1 of this article," evidently intended as "subsection (a) of this section."