

STATE:	LAND TRUST created or recognized by		Legal Relation between Trustee and Beneficiary		Trust could be Destroyed by:	Trustee: Duties expressed in the instrument which are necessary to avoid execution by the statute of uses:	
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Alabama	No				Ala. Code § 35-4-250	Ala. Code § 35-4-251: power and duty to manage the trust property	<i>Morgan County National Bank of Decatur v. Nelson</i> , 244 Ala. 374, 13 So.2d 765 (1943); <i>Nixon v. Nixon</i> , 245 Ala. 43, 15 So.2d 561 (1943)
Alaska	No						
Arizona	No	Quasi Land Trust- subdivision Trust <i>Lane Title and Trust Co. v. Brannon</i> , 103 Ariz. 272, 440 P.2d 105 (1965)	Legal and Equitable Title (owns the real property) <i>Lane Title</i>		<i>Lane Title and Trust Co. v. Brannon</i> , 103 Ariz. 272, 440 P.2d 105 (1965)		<i>Lane Title and Trust Co. v. Brannon</i> , 103 Ariz. 272, 440 P.2d 105 (1965)
Arkansas	No	<i>Randolph v. Read</i> , 129 Ark. 485, 196 S.W. 133 (1917)			<i>Roane v. Rivers</i> , 15 Ark. 328 (1854)		<i>Randolph v. Read</i> , 129 Ark. 485, 196 S.W. 133 (1917)
California	No	<i>In re Tutules Estate</i> , 204 Ca.2d 481, 22 Cal. Rptr. 427 (1962)	Legal and Equitable Title; <i>In re Tutules Estate</i>		Statute of uses is not in effect; <i>In re Tutules Estate</i>		
Colorado	No				<i>O'Reilly v. Ballowill</i> , 133 Colo. 474, 297 P.2d 263 (1956); <i>Ritter v. Empire Savings</i> , 29 Colo. App. 124, 479 P.2d 685 (1970)		
Connecticut	No				Recognizes statute under Common Law; <i>Bryan v. Bradley</i> , 16 Conn. 174		

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Delaware	No				<i>Houston v. Houston</i> , 20 Cal. Ch. 1, 175 A. 51 (1922); 25 Del. Code Ann. Deeds § 101		<i>Doe v. Lank</i> , Del. Super. 4 Houst. 649 (1874) <i>Nickson v. Filtrrol Corp.</i> , 262 A.2d 267 (Del. Ch. 1970) <i>Marvel v. Wilmington Trust Co.</i> , 10 Del. Ch. 163, 87 A. 1014 (1913) Duty to manage property
Florida	Fla. Stat. § 589.071		Legal and Equitable Title, "Full Rights of Ownership" Fla. Stat. § 689.071 (1)		Statutes of uses was adopted, Fla. Stat. § 2.01, and applied to deeds in § 689.09. But see protective provisions of § 689.071(1) and (4)	Power to either: (1) protect, conserve/and to sell, or (2) to lease or to encumber, or otherwise to manage and dispose of the real property	
Georgia	No	<i>Ga. Code Ann. § 53-12-50 and § 53-12-51</i>			Ga. Code Ann. § 53-12-4 and 5	Ga. Code Ann. § 53-12-51 (1) Some active duty to perform in or about the trust property, or (2) the management or control of the same	<i>Odum v. Henry</i> , 254 Ga. 739, 334 S.E.2d 304 (1985), implying active duties
Hawaii	Hawaii Rev. Stat. § 558 "Land Trust Act"		Legal and Equitable Title Hawaii Rev. Stat. § 558-4		No: Rev. Stat. § 558-4	Hawaii Rev. Stat. § 558-4 Trust valid even though duties imposed upon Trustee are not stated	
Idaho	No						
Illinois	Ill. Rev. Stat. Chap. 148 § 71 and Chap. 29 § 8.31		Legal and Equitable Title; Ill. Rev. Stat. Chap. 29, § 8.31	Power to direct, control Trustee on title and operations; Chap. 29 § 8.31	Ill. Rev. Stat. Chap. 30 § 3; As applied to passive trusts		Expressed duty to sell and execute instruments, <i>Crow v. Crow</i> , 348 Ill. 241, 180 N.E. 877 (1932); <i>Chicago Title & Trust Co. v. Mercantile Trust & Savings Bank</i> , 300 Ill. App. 329, 20 N.E.2d 992 (1939)

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Indiana	Ind. Code §§ 30-4-2-13, 30-4-2-14		Legal Title by Implication Ind. Code § 30-4-2-14		Ind. Code § 30-4-2-9	Ind. Code § 30-4-2-13 (1) Trustee may sell the trust property on direction, or (2) Trustee may sell property after period of time specified	
Iowa	No						
Kansas	No				Kan. Stat. Ann. § 58-2413	K.S.A. § 58-2413	
Kentucky	No				<i>Commissioner v. Louisville Public Library</i> , 151 Ky. 420, 152 S.W. 262 (1913); Ky. Rev. Stat. § 381.060(2); <i>Arnold v. Barber</i> , 472 S.W.2d 466 (1971)		<i>Winn v. William</i> , 292 Ky. 44; 165 S.W.2d 961 (Ky. App. 1942) <i>Combs v. Combs</i> , 292 Ky. 445, 166 S.W.2d 969 (Ky. App. 1942)
Louisiana	No						
Maine	No				<i>Hinds v. Hinds</i> , 126 Me. 521, 140 A. 189 (1928); <i>Dixon v. Dixon</i> , 123 Me. 470, 124 A. 198 (1924)		<i>Dixon v. Dixon</i> , 123 Me. 470, 124 A. 198 (1924)
Maryland	No				Md. Code Ann. § 2-116 Applies to both real and personal property	Md. Code Ann. § 2-116	
Massachusetts	No				<i>Rothwell v. Rothwell</i> , 283 Mass. 563, 186 N.E. 662 (1933). Also see M.G.L.A. Ch. 183 § 14		<i>New England Mut. Life Ins. Co. v. Grant</i> , 56 F.Supp. 192 (1944); <i>Rothwell v. Rothwell</i> , 283 Mass. 563, 186 N.E. 662 (1933)

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Michigan	No				Abolition of uses MCLA § 555.1; Recognition of Legal Estates MCLA § 555.2; MCLA § 555.5 which executes passive trusts	MCLA § 555.4 requires some statement of powers	
Minnesota	No		Vested with Legal and Equitable M.S.A. § 501.7	May Enforce Trust M.S.A. § 501.17	Abolition of uses M.S.A. § 501.01 Recognition of Legal Estates M.S.A. § 501.02		
Mississippi	No				<i>Leigh v. Harrison</i> , 11 So. 604 (1892)		<i>Leigh v. Harrison</i> , 11 So. 604 (1892)
Missouri	No				Passive Trust of Real Property executed by St. Uses Mo. Rev. Stat. § 456.020 as to personalty: <i>Farkas v. Calamia</i> , 373 S.W.2d 1 (Mo. 1963) – executed by analogy		
Montana	No with Qualifications	But see Mont. Code Ann. §§ 72-36-206, 101, et seq. "Trusts in Relation to Real Property"	Trustee fully vested Mont. Code Ann. § 72-36-206				
Nebraska	No				<i>Hill v. Hill</i> , 90 Neb. 43, 132 N.W. 738 (1911)		<i>Lancaster County Bank v. Marshal</i> , 264 N.W. 470 (Neb. 1936); <i>Beals v. Coughwell</i> , 299 N.W. 638 (1941); <i>Jones v. Shrigley</i> , 33 N.W. 2d 510; <i>Active v. Passive Wills</i> , 681(2)

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Nevada	No						
New Hampshire	No				Part of Common Law: <i>Rollins v. Riley</i> , 44 N.H. 9 (1862)		
New Jersey	No				<i>Skovberg v. Smith</i> , 3 N.J. Super. 424, 72 A.2d 911 (1950); <i>Speth v. Speth</i> , 8 N.J. Super. 587, 74 A.2d 344 (1950) N.J. Stat. Ann. § 46: 3-9		<i>Speth v. Speth</i> , R.E. Management, Sales Distribution of proceeds
New Mexico	No						
New York	No				N.Y. EPTL § 7-1.2		Possible Suggestion From: <i>Cutler v. Winberry</i> , 160 N.Y.S. 712 (1916) Duty to collect rents and profits of the real estate
North Carolina	No				N.C. Gen. Stat. § 41-7 <i>Wachovia Bank and Trust Co. v. Taylor</i> , 255 N.C. 122, 120 S.E.2d 588 (1961)		<i>Fisher v. Fisher</i> , 218 N.C. 42, 9 S.E.2d 493 (1940); <i>Security Nat'l Bank v. Starnberger</i> , 207 N.C. 811, 178 S.E. 595 (1935)
North Dakota	N.D. Cent. Code § 59-03-02		Legal and Equitable Title § 59-03-14	Only a Right to Enforce § 59-03-14	§ 59-03-04, but see § 59-03-02	Power to dispose or manage: § 59-03-06	
Ohio	No				<i>Ternansky v. Rabatin</i> , 141 N.E.2d 189 (Ohio App. 1957) Determining Trust as Active		<i>Knecht v. George</i> , 69 N.E.2d 228 (Ohio App. 1943)
Oklahoma	No				Okla. Stat. Ann. Tit. 60 §§ 132, 175.4		
Oregon	No						

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Pennsylvania	No				<i>Eaves v. Snyder</i> , 84 A.2d 195 (Pa. 1951) <i>In Re Decker's Est.</i> , 46 A.2d 218 (Pa. 1946) (Ruling on Dry Trust)		Must have more than Duty to Convey to Benes on Demand; <i>Sheridan v. Coughlin</i> , 352 Pa. 226, 42 A.2d 618 (Pa. 1945); <i>In Re Sheasley's Trust</i> , 77 A.2d 448 (Pa. 1951)
Rhode Island	No				<i>Matteson v. Brown</i> , 33 R.I. 339, 80 A.133 (1911) <i>Koehne v. Beattie</i> , 36 R.I. 316, 90 A.211 (1914)		
South Carolina	No				S.C. Code Ann. § 62-7-107; Under former S.C. Code Ann. § 21-27-70		
South Dakota	No	S.D. Codified Laws Annotated § 43-10-14. See generally § 43-10 Real Property Trusts			S.D. Codified Laws Ann. § 43-10-16	S.D. Codified Laws Ann. §§ 43-10-7 through 11	
Tennessee	No				<i>Linder v. Officer</i> , 175 Tenn. 402, 135 S.W.2d 445 (1940)		<i>Linder v. Officer</i> , 175 Tenn. 402, 135 S.W.2d 445 (1940).
Texas	No				Tax. Prop. Code Ann. § 112.032		
Utah	No				<i>Schenck v. Wicks</i> , 23 Utah 576, 65 P.732 (1901) Recognizes statute		
Vermont	No				No; State never adopted statute of uses; <i>Blair v. Blair</i> , 111 Vt. 53; 10 A.2d 188 (1940)		

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Virginia	Va. Code § 55-17.1 <i>Burns v. Equitable Associates</i> , 220 Va. 1020, 265 S.E.2d 737 (1980)				§ 55-17.1	No duties need be specified: § 55-17.1	
Washington	No				<i>Welch v. Northern Bank & Trust</i> , 170 P. 1029 (Wash. 1918)		<i>Welch v. Northern Bank & Trust</i> , 170 P. 1029 (Wash. 1918)
West Virginia	No				W. Va. § 36-1-17		Active vs. Passive Determination: <i>Rogerson v. Wheeling Dollar Savings & Tr. Co.</i> , 222 S.E.2d 816 (W. Va. App. 1976)
Wisconsin	No				Wis. Stat. Ann. § 701.03	Wis. Stat. Ann. § 701.03	<i>Kinzer v. Bidwell</i> , 55 Wis. 2d 749, 201 N.W.2d 9 (1972)
Wyoming	No						