

CHAPTER 15 — S.F.No. 483

An act relating to education; approving a capital loan; directing the commissioner to issue bonds to make the loan to independent school district No. 690, Warroad.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **LOAN TO WARROAD SCHOOL DISTRICT.**

The legislature approves a capital loan in the amount of \$1,295,000 to independent school district No. 690, Warroad. The commissioner of finance shall issue bonds in the amount necessary to make the loan subject to the limits, conditions, and procedures of Minnesota Statutes, section 124.43. The loan is to be used to partially pay for one new junior and senior secondary school.

Approved April 10, 1985

CHAPTER 16 — S.F.No. 198

An act relating to real property; eliminating the necessity of a court order before requiring registered land surveys; authorizing the use of registered land surveys for multilevel tracts; amending the provisions relating to corporate resolutions of dissolution and to instruments executed by owners whose fee title is held in trust; amending the requirements for joint tenancy clearances; amending Minnesota Statutes 1984, sections 508.47, subdivisions 2 and 4; 508.61, subdivision 3; 508.62; 508.71, subdivision 5; 508A.47, subdivisions 2 and 4; 508A.61, subdivision 3; 508A.62; and 508A.71, subdivision 5.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1984, section 508.47, subdivision 2, is amended to read:

Subd. 2. **REGISTERED LAND SURVEY, COURT ORDER.** ~~The district court for any county, registrar of titles may, by general rule or order of the court, require that the owner of a parcel of unplatted registered land, who conveys any part thereof which is not a full government subdivision, or simple fractional or quantity part of a full government subdivision, shall first file with the registrar of titles, when so required by him, a drawing in triplicate of said parcel of unplatted land, showing the tract or tracts being or to be conveyed, which drawing shall be known as a "registered land survey." Such general rule or order shall be made only after hearing, to be held only after a notice of such hearing has been posted in the office of the clerk of district court of the county for which such rule or order is to be made for three weeks prior to the date of such hearing, and in addition thereto only after a notice of such hearing has been~~

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published once a week for three weeks in a legal newspaper of general circulation in said county.

Sec. 2. Minnesota Statutes 1984, section 508.47, subdivision 4, is amended to read:

Subd. 4. **SURVEY; REQUISITES; FILING; COPIES.** The registered land survey shall correctly show the legal description of the parcel of unplatted land represented by said registered land survey and the outside measurements of the parcel of unplatted land and of all tracts delineated therein, the direction of all lines of said tracts to be shown by angles or bearings or other relationship to the outside lines of said registered land survey, and the surveyor shall place stakes monuments in the ground at appropriate corners, and all tracts shall be lettered consecutively beginning with the letter "A". A registered land survey which delineates multilevel tracts shall include a map showing the elevation view of the tracts with their upper and lower boundaries defined by elevations referenced to National Geodetic Vertical Datum, 1929 adjustment. None of said tracts or parts thereof may be dedicated to the public by said registered land survey. Except in counties having microfilming capabilities, a reproduction copy of the registered land survey shall be delivered to the county auditor. The registered land survey shall be on paper, mounted on cloth, shall be a black on white drawing, the scale to be not smaller than one inch equals 200 feet, and shall be certified to be a correct representation of said parcel of unplatted land by a registered surveyor. The mounted drawing shall be exactly 17 inches by 14 inches and not less than 2 1/2 inches of the 14 inches shall be blank for binding purposes, and such survey shall be filed in triplicate with the registrar of titles upon the payment of a fee of \$15. Before filing, however, any such survey shall be approved in the manner required for the approval of subdivision plats, which approval shall be endorsed thereon or attached thereto.

In counties having microfilming capabilities, the survey may be prepared on sheets of suitable mylar or on linen tracing cloth by photographic process or on material of equal quality. Notwithstanding any provisions of subdivision 5 to the contrary, no other copies of the survey need be filed.

The registrar shall furnish to any person a copy of said registered land survey, duly certified by him, for a fee of \$7.50, which shall be admissible in evidence.

Sec. 3. Minnesota Statutes 1984, section 508.61, subdivision 3, is amended to read:

Subd. 3. ~~When~~ Where a corporate owner ~~adopts~~ did adopt a resolution for voluntary dissolution pursuant to chapter 301, the registrar of titles shall enter a new certificate of title in the name of the trustee in dissolution upon the surrender of the owner's duplicate certificate and the presentation of a certified copy of the certificate setting forth the adoption of the resolution together with

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the certificate of the secretary of state that said certificate of dissolution has been filed for record in his office.

Sec. 4. Minnesota Statutes 1984, section 508.62, is amended to read:

508.62 TRUSTEE'S CONVEYANCE.

No instrument executed by an owner whose fee title to registered land is held in trust which transfers, mortgages, leases, or in any manner affects plats the land, shall be registered except upon the written certification of the examiner of titles that the instrument is executed in accordance with a power conferred in the instrument of trust or is authorized by law, or upon the order of the district court directing its registration. The examiner shall not certify any such instrument unless the trust is administered by the court or unless the document creating the trust, or a certified copy of it, is registered as a memorial upon the certificate of title. The certified copy of the certificate setting forth the adoption of the resolution for voluntary dissolution of a corporate registered owner together with the certificate of the secretary of state that said certificate of dissolution has been filed for record in his office shall be deemed the document creating the trust.

Sec. 5. Minnesota Statutes 1984, section 508.71, subdivision 5, is amended to read:

Subd. 5. **SURVIVORSHIP.** In case of a certificate of title outstanding to two or more owners as joint tenants, upon the filing for registration of a certificate of death of one of the joint tenants and an affidavit of survivorship, ~~and, for deaths occurring prior to January 1, 1980, an affidavit of survivorship duly certified by the commissioner of revenue, or an affidavit of survivorship for exempt homestead property in compliance with the provisions of section 291.14, subdivision 2, clause (4),~~ and upon the surrender of the owner's duplicate certificate of title, the registrar without the order or directive shall issue a new certificate of title for the premises to the survivor in severalty or to the survivors in joint tenancy as the case may be.

Sec. 6. Minnesota Statutes 1984, section 508A.47, subdivision 2, is amended to read:

Subd. 2. **REGISTERED LAND SURVEY, COURT ORDER.** The district court for any county, registrar of titles may, by general rule or order of the court, require that the owner of a parcel of unplatted registered land, who conveys any part of it which is not a full government subdivision, or simple fractional or quantity part of a full government subdivision, shall first file with the registrar of titles, ~~when so required by him,~~ a drawing in triplicate of said parcel of unplatted land, showing the tract or tracts being or to be conveyed. The drawing shall be known as a "registered land survey." ~~The general rule or order shall be made only after hearing, to be held only after a notice of the hearing has been posted in the office of the clerk of district court of the county for which the rule or order is to be made for three weeks prior to the date of the~~

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hearing, and only after a notice of the hearing has been published once a week for three weeks in a legal newspaper of general circulation in the county.

Sec. 7. Minnesota Statutes 1984, section 508A.47, subdivision 4, is amended to read:

Subd. 4. **SURVEY; REQUISITES; FILING; COPIES.** The registered land survey shall correctly show the legal description of the parcel of unplatted land represented by the registered land survey and the outside measurements of the parcel of unplatted land and of all tracts delineated therein, the direction of all lines of the tracts to be shown by angles or bearings or other relationship to the outside lines of the registered land survey, and the surveyor shall place stakes monuments in the ground at appropriate corners, and all tracts shall be lettered consecutively beginning with the letter "A." A registered land survey which delineates multilevel tracts shall include a map showing the elevation view of the tracts with their upper and lower boundaries defined by elevations referenced to National Geodetic Vertical Datum, 1929 adjustment. None of the tracts or parts of them may be dedicated to the public by the registered land survey. Except in counties having microfilming capabilities, a reproduction copy of the registered land survey shall be delivered to the county auditor. The registered land survey shall be on paper, mounted on cloth, shall be a black on white drawing, the scale to be not smaller than one inch equals 200 feet, and shall be certified to be a correct representation of the parcel of unplatted land by a registered surveyor. The mounted drawing shall be exactly 17 inches by 14 inches and not less than 2-1/2 inches of the 14 inches shall be blank for binding purposes. The survey shall be filed in triplicate with the registrar of titles upon the payment of a fee of \$15. Before filing, however, any survey shall be approved in the manner required for the approval of subdivision plats, which approval shall be endorsed on it or attached to it.

In counties having microfilming capabilities, the survey may be prepared on sheets of suitable mylar or on linen tracing cloth by photographic process or on material of equal quality. Notwithstanding any provisions of subdivision 5 to the contrary, no other copies of the survey need be filed.

The registrar shall furnish to any person a copy of the registered land survey, duly certified by him, for a fee of \$7.50. The copy shall be admissible in evidence.

Sec. 8. Minnesota Statutes 1984, section 508A.61, subdivision 3, is amended to read:

Subd. 3. **VOLUNTARY DISSOLUTION.** ~~When~~ Where a corporate owner ~~adopts~~ did adopt a resolution for voluntary dissolution pursuant to chapter 301, the registrar of titles shall enter a new CPT in the name of the trustee in dissolution upon the surrender of the owner's duplicate CPT and the presentation of a certified copy of the certificate setting forth the adoption of the resolution

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together with the certificate of the secretary of state that the certificate of dissolution has been filed for record in his office.

Sec. 9. Minnesota Statutes 1984, section 508A.62, is amended to read:

508A.62 TRUSTEE'S CONVEYANCE.

No instrument executed by an owner, whose fee title to land is registered under sections 508A.01 to 508A.85 and is held in trust, which transfers, ~~mortgages, leases, or in any manner affects~~ plats the land, shall be registered except upon the written certification of the examiner of titles that the instrument is executed in accordance with a power conferred in the instrument of trust or is authorized by law, or upon the order of the district court directing the registration of it. The examiner shall not certify any instrument unless the trust is administered by the court or unless the document creating the trust, or a certified copy thereof, is registered as a memorial upon the CPT. The certified copy of the certificate setting forth the adoption of the resolution for voluntary dissolution of a corporate registered owner together with the certificate of the secretary of state that the certificate of dissolution has been filed for record in his office shall be deemed the document creating the trust.

Sec. 10. Minnesota Statutes 1984, section 508A.71, subdivision 5, is amended to read:

Subd. 5. **JOINT TENANTS; SURVIVAL.** In case of a CPT outstanding to two or more owners as joint tenants, upon the filing for registration of a certificate of death of one of the joint tenants and an affidavit of survivorship, ~~and for deaths occurring prior to January 1, 1980, an affidavit of survivorship duly certified by the commissioner of revenue, or an affidavit of survivorship for exempt homestead property in compliance with the provisions of Minnesota Statutes 1978, Section 291.14, Subdivision 2, Clause (4),~~ and upon the surrender of the owner's duplicate CPT, the registrar without an order or directive shall issue a new CPT for the premises to the survivor in severalty or to the survivors in joint tenancy as the case may be.

Approved April 10, 1985

CHAPTER 17 — S.F.No. 247

An act relating to veterans; establishing a memorial to veterans of certain wars in the Court of Honor on the Capitol grounds.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. COURT OF HONOR MEMORIAL.

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