

**2810.9940 FORMAT FOR REGISTRATION OF SUBDIVIDED LANDS BY NOTIFICATION.**

File No. \_\_\_\_\_  
 Date Approved \_\_\_\_\_  
 Date Denied \_\_\_\_\_  
 Examiner \_\_\_\_\_  
 Commissioner \_\_\_\_\_

**REGISTRATION OF SUBDIVIDED LANDS BY NOTIFICATION**

Minnesota Statutes, section 83.23

This form is to be prepared and filed pursuant to Minnesota Statutes, section 83.23 and mailed to:

State of Minnesota

Department of Commerce

Registration and Licensing Division

5th Floor, Metro Square Building

Saint Paul, Minnesota 55101

1. State the name of the subdivision.
2. State the name and address of the subdivider.
3. State the form, date of organization, and jurisdiction of the organization filing this registration.
4. State the name and address of each of the organization's offices in this state.
5. State the names and addresses of each of the organization's agents in this state.
6. If the subdivision consists of land, attach a general description of the subdivided lands which shall include, but not be limited to, the following:
  - a. The exact location of the property identifying the closest community and the distance thereto;
  - b. A topographical description;

c. The purpose for which sales are being made (i.e., residential, commercial, industrial, recreational, or investment);

d. The total number of lots, parcels, units, or interests to be offered in this offering;

e. Whether or not other units in this development have been sold during the past 12 months, and if so how many and where located.

7. If the subdivision is composed of units other than land, attach a general description of the units to be sold which shall include, but not be limited to, the following:

a. Exact location of the units identifying the closest community and distance thereto;

b. The purpose for which sales are being made (i.e., residential, commercial, industrial, recreational, or investment);

c. The total number of lots, parcels, units, or interests to be offered in this offering;

d. Identify exactly what is being offered;

e. Whether or not any other units in this development have been sold during the past 12 months and if so, how many and where located.

8. State the condition of title to the land to be subdivided, including, but not limited to, a statement reflecting all encumbrances, deed restrictions, and covenants applicable to the title and state the condition of the title as recorded as of a date 30 days prior to the filing of this application. **THE STATEMENTS REQUIRED BY THIS PARAGRAPH MUST BE AUTHORED BY AN ATTORNEY WHO IS LICENSED TO PRACTICE IN THE STATE IN WHICH THE LAND TO BE SUBDIVIDED IS LOCATED OR BY A TITLE INSURANCE COMPANY ACCEPTABLE TO THE COMMISSIONER.**

9. Attach copies of instruments which will be delivered to a purchaser to evidence the purchaser's interest in subdivided lands and of the contracts or other agreements which the purchaser will be required to agree to or sign, together with the range of selling prices, rates or rentals at which it is proposed to dispose of the lots, units, parcels, or interests in the subdivisions and the list of mandatory fees the purchaser may be required to pay for membership in groups, including but not limited to, home owners' associations, country clubs, golf courses, and other community organizations.

10. A statement showing compliance with zoning and other governmental laws, ordinances, and regulations affecting the use of the subdivided lands and adjacent properties.

11. A statement asserting that the subdivision is in compliance with federal, state, and local environmental quality standards, if the subdivision is not in compliance, a listing of the steps to be taken, if any, to insure compliance.

12. State what permits are required to be obtained from federal, state, and local agencies having jurisdiction over the development or subdivision of the land to be subdivided. Indicate which permits have been obtained, which have been applied for and state whether any permit has been refused, including a statement of the reasons for the refusal and the effect such refusal will have on subsequent development of the subdivision.

13. The statement of existing provisions of access to the subdivision, the availability of sewage disposal facilities and other public utilities included but not limited to, water, electricity, gas, and telephone facilities in the subdivision, proximity in miles of the subdivision to nearby municipalities, availability and scope of community fire and police protection, the location of primary and secondary schools; a statement of the improvements to be installed, including off-site and on-site community and recreational facilities, by whom they are to be installed, maintained, and paid and an estimated schedule for completion.

14. Attach copies of all advertising to be used in the promotional planning for disposition.

15. A statement as to whether or not the lots have been permanently "staked", monuments erected, or other commonly approved methods of survey physically designating the individual units and, if not, what steps are to be taken to complete same.

16. Attach an irrevocable appointment of the commissioner to receive service of any lawful process, any civil proceeding arising under this act against the subdivider, or a personal representative, in accordance with part 2810.9920.

THE SUBDIVIDER CONSENTS TO PERMIT INSPECTION OF THE LOTS, PARCELS, UNITS OR INTERESTS TO BE OFFERED AND FURTHER TO PERMIT INSPECTION OF ITS BOOKS, RECORDS, ACCOUNTS, AND FILES BY THE COMMISSIONER OF COMMERCE OR A DESIGNEE OF THE COMMISSIONER WITH REFERENCE TO THE SALE OF THE SUBDIVIDED LANDS DESCRIBED HEREIN, AND AGREES TO PROVIDE THE COMMISSIONER WITH SUCH ADDITIONAL INFORMATION WITH RESPECT TO THE SALE OF THESE SUBDIVIDED LANDS AS THE COMMISSIONER MAY REQUIRE.

The undersigned certifies that ..he has read the contents of the above form and the exhibits appended hereto and certifies that ..he has personal knowledge of the contents hereof and knows the responses set forth are true and accurate.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

SUBDIVIDER

BY ITS \_\_\_\_\_

Subscribed and sworn to before me this day  
of \_\_\_\_\_  
\_\_\_\_\_

A \$100 fee must be filed with this application. Make check payable to the commissioner of management and budget.

**Statutory Authority:** *MS s 83.38*

**History:** *9 SR 1575; 10 SR 276; 17 SR 1279; L 2003 c 112 art 2 s 50; L 2009 c 101 art 2 s 109*

**Published Electronically:** *August 7, 2009*