

# MINNESOTA STATUTES 1975 SUPPLEMENT

## LIENS; LABOR, MATERIAL 514.12

instrument, where the execution thereof was otherwise valid, and in which instrument the description of the property conveyed does not correspond with the description set forth in the order of the probate court authorizing and directing the making and execution of such instrument, the same are hereby validated and legalized, and such conveyances are hereby made valid as to the property described in the order of the probate court authorizing and directing the making and execution of such instrument.

[1975 c 347 s 9]

### CHAPTER 508. CONVEYANCING, REGISTRATION

Sec. 508.68	Death of owner; issuance of new certificates.	Sec. 508.69	Jurisdiction of court not impaired.
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#### 508.68 Death of owner; issuance of new certificates.

When the owner of registered land, or of any estate or interest therein, dies, having devised the same by will, the persons entitled thereto may file with the registrar a certified copy of such will, together with a certified copy of the order of the court admitting it to probate, and of the order of distribution, if any, and personal representative's deed or final decree of the court assigning the same, together with the duplicate certificate issued to the testator, and thereupon the registrar shall cancel the duplicate certificate issued to the testator and issue a new duplicate certificate to the persons designated. When the owner of registered land, or of any estate or interest therein, dies, not having devised the same, the persons entitled thereto by law may file with the registrar a certified copy of the order of distribution and personal representative's deed or final decree of the court assigning the same, together with the duplicate certificate issued to the intestate, and thereupon the registrar shall cancel the duplicate certificate issued to the intestate and issue a new duplicate certificate to the persons entitled thereto. If any personal representative with the will annexed is authorized by the terms of any will to grant, bargain, sell, convey, or mortgage registered land, he may do so in the same manner as if the land were registered in his name. Such personal representative shall first file with the registrar a certified copy of such will, together with a certified copy of the order of the court admitting the same to probate, and of the letters.

[1975 c 347 s 10]

#### 508.69 Jurisdiction of court not impaired.

A personal representative may sell, mortgage or lease any real property of the estate as authorized by section 524.3-715. Nothing contained in this chapter shall impair or affect the jurisdiction of the court to license any personal representative, conservator or guardian to sell or mortgage registered land. A purchaser or mortgagee receiving a deed or mortgage executed by a personal representative, conservator or guardian shall be entitled to register his title and to the entry of a new certificate of title or memorial of registration in the same manner as upon any similar voluntary transfer of registered land. No certificate shall be issued pursuant to the provisions of this section or of section 508.68 except upon the written certification of the examiner of titles as to the legal sufficiency of the documents presented for filing for the purpose of issuance of a new certificate or upon the order of the district court directing the issuance thereof.

[1975 c 347 s 11]

### CHAPTER 514. LIENS; LABOR, MATERIAL

Sec. 514.12	Notice of lis pendens.
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#### 514.12 Notice of lis pendens.

[For text of subs 1 and 2, see M.S.1974]

# MINNESOTA STATUTES 1975 SUPPLEMENT

## 514.12 LIENS; LABOR, MATERIAL

**Subd. 3. One-year limitation.** No lien shall be enforced in any case unless the holder thereof shall assert the same, either by complaint or answer, within one year after the date of the last item of his claim as set forth in the recorded lien statement; and, as to a bona fide purchaser, mortgagee, or encumbrancer without notice, the absence from the record of a notice of lis pendens of an action after the expiration of the year in which the lien could be so asserted shall be conclusive evidence that the lien may no longer be enforced and, in the case of registered land, the registrar of titles shall refrain from carrying forward to new certificates of title the memorials of lien statements when no such notice of lis pendens has been registered within the period; nor shall any person be bound by the judgment in such action unless he is made a party thereto within the year.

[1975 c 116 s 1]

## CHAPTER 517. MARRIAGE

Sec.  
517.03 Marriages prohibited.

Sec.  
517.071 No requirement of change of name.  
[New]  
517.08 Application for license.

### 517.03 Marriages prohibited.

No marriage shall be contracted while either of the parties has a husband or wife living; nor within six months after either has been divorced from a former spouse; excepting re-intermarriage between such parties; nor within six months after either was a party to a marriage which has been adjudged a nullity, excepting intermarriage between such parties; nor between parties who are nearer than second cousins, whether of the half or whole blood, computed by the rules of the civil law; nor between persons one of whom is a male person under 18 years of age or one of whom is a female person under the age of 16 years; provided, however, that mentally deficient persons committed to the guardianship of the commissioner of public welfare and mentally deficient persons committed to the conservatorship of the commissioner of public welfare in which the terms of the conservatorship limit the right to marry, may marry on receipt of written consent of the commissioner. The commissioner shall grant such consent unless it appears from his investigation that such marriage is not in the best interest of the ward or conservatee and the public. The clerk of the district court in the county where the application for a license is made by such ward or conservatee shall not issue the license unless and until he has received a signed copy of the consent of the commissioner of public welfare.

[1975 c 208 s 34]

### 517.071 No requirement of change of name.

If in completing the report of marriage the woman fails to designate a name after marriage in the space provided, it shall be presumed that she has adopted the surname of the groom.

[1975 c 52 s 4]

### 517.08 Application for license.

[For text of subds 1 and 2, see M.S.1974]

Subd. 3. The personal information necessary to complete the report of marriage shall be furnished by the applicant prior to the issuance of the license. The report shall contain only the following information:

(a) Personal information on bride and groom.

1. Name.