

MINNESOTA STATUTES 1979 SUPPLEMENT

565.26 CLAIM AND DELIVERY

mony as to the location of the property and to show cause why an order should not be entered finding respondent in contempt of court for failure to deliver the property or to disclose its location; and

(c) Provide that if the property, or any of it is concealed in a building or elsewhere, and a public demand made by the sheriff for its delivery is refused or there is no response, the sheriff shall cause the building or enclosure to be broken open and shall take the property therefrom. The sheriff may not enter the residence of a person other than respondent unless the order specifies, identifying with particularity the residence or residences which may be entered, on the basis of a finding by the court that probable cause exists to believe that the property is at this residence.

[1979 c 18 s 6]

565.27 Sufficiency of surety.

A person asserting a claim to property seized by order of the court may by motion challenge the sufficiency of the surety for the bond filed with the court. If the court finds the surety insufficient, it may grant a reasonable time for the filing of another bond.

[1979 c 18 s 7]

565.28 Fees to sheriff.

When the sheriff has taken property pursuant to an order of the court, he shall keep it in a secure place and shall deliver it to the party entitled thereto as soon as reasonably possible upon receiving his lawful fees and expenses for taking and keeping the property.

The sheriff shall promptly return, without cost, any property taken which is not specified in the court's order.

[1979 c 18 s 8]

565.29 Advancement on calendar.

A motion for advancement on the calendar or for a date certain for final hearing on the merits may be presented at any time and may be combined with any other motion and the court may advance the case or set a date certain as the ends of justice require.

[1979 c 18 s 9]

CHAPTER 574. BONDS, FINES, FORFEITURES

Sec.
574.32 Notice.

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The commissioner of insurance or the county auditor in whose office the written notice is filed shall, upon receipt of such written notice, mail one copy of the same, by certified mail, to the principal contractor, at his last known address, and to each of the sureties on his bond, at their last known addresses, and the claimant shall, at the time he files the written notice, furnish the commissioner of insurance or the county auditor in whose office the notice is filed, at least two copies of the notice. The commissioner of insurance or county auditor with whom the notice is filed shall be entitled to charge a fee of \$5 for filing the notice and may also charge a fee to cover the cost of mailing the copies as herein provided. The failure of the commissioner of insurance or the county auditor with whom the notice is filed to mail these copies as herein provided, shall in no way affect the validity of the claim or the right of the claimant to maintain an action thereon.

[1979 c 2 s 1]