

CHAPTER 508

CONVEYANCING, REGISTRATION

508.03	Application.	508.47	Registered lands; transfer, surveys.
508.06	Contents of application; rights and privileges of claimants.	508.48	Instruments affecting title filed with registrar; notice.
508.08	Application, contents.	508.49	Interest less than fee; noticed by memorial.
508.16	Form of summons; service.	508.50	Instruments to have name and address.
508.22	Decree of registration; effect.	508.55	Registration of mortgage; memorial entered on certificate.
508.23	Contents of decree; copy filed.	508.60	Leases.
508.24	Registration runs with land; withdrawal.	508.62	Trustee's conveyance.
508.25	Rights of person holding certificate of title.	508.65	Plaintiff's attorney; name and address endorsed; notice.
508.29	Appeals.	508.671	Determination of boundaries.
508.35	Form of certificate.	508.71	Alterations on register; order of court; directive of examiner; new certificates.
508.36	Certificates and copies as evidence.	508.82	Registrar's fees.
508.41	Repealed.		
508.42	Repealed.		
508.421	Surrender of duplicate; exchange certificate.		

508.03 APPLICATION.

An application for registration may be made by any of the following persons:

- (1) The person or persons who singly or collectively own the land; tenants in common shall join in the application;
- (2) The person or persons who singly or collectively have the power of disposing of the land;
- (3) Infants and other persons under disability, by their guardian duly appointed by the proper court in this state;
- (4) A corporation, by its proper officer, or by an agent duly authorized by the board of directors;
- (5) Any executor, administrator or personal representative duly appointed by the proper court in this state;
- (6) A municipal corporation, by its mayor and city clerk, in the case of a city, after a resolution passed by its city council so directing, and by the county auditor and chairman of the county board, in the case of a county, after a resolution passed by its county board so directing;
- (7) Any person may make application when, for at least 15 years, the land has been in the adverse possession of the applicant or those through whom he claims title;
- (8) A partnership by one or more of its general partners;
- (9) The state of Minnesota, by the county auditor and chairman of the county board of the county in which the land is located, at the direction of the county board of such county, in the case of lands forfeited to the state for taxes, and held by it in trust for its taxing districts, or otherwise.

This provision is in addition to all other laws by which the state may register the title to land.

History: 1983 c 92 s 1

508.06 CONTENTS OF APPLICATION; RIGHTS AND PRIVILEGES OF CLAIMANTS.

The application shall set forth substantially:

- (1) The full name, age, and residence of the applicant; if the application is made by any person acting in behalf of another, the application shall likewise state

the full name and residence of the person so acting, and the capacity in which he acts;

(2) Whether the applicant is or is not married and, if married, the full name and residence of the husband or wife; it shall state whether or not the applicant is under any legal disability, and if so, the nature of the disability; and whether the applicant has ever been divorced and, if so, when, where, and by what court the divorce was granted;

(3) A correct description of the land, together with the estimated market value of the fee simple interest therein, exclusive of improvements, according to the last official assessment; the description of an appurtenant easement shall be accompanied by a description of the fee simple estate to which it is appurtenant;

(4) The estate or interest of the applicant in the land, and whether or not it is subject to an estate of homestead;

(5) The names of all persons or parties, except the applicant, who appear of record, or who are known to the applicant to have or to claim any right, title, estate, lien, or interest in the land and the nature and character of it;

(6) Whether the land is occupied or unoccupied; if occupied by any other person than the applicant, it shall state the full name and address of each occupant and the nature of the estate, interest, lien, or charge which the occupant or occupants have, or claim to have, in the land;

(7) Whether the land is subject to any lien or encumbrance, recorded or unrecorded, together with the character and amount of it, and the name and post office address of each holder of it; if recorded, it shall state the place, book, and page of record;

(8) If the application is on behalf of a minor, it shall state the age of the minor and that a duly certified copy of the letters of guardianship has been recorded with the county recorder in the county in which the land is situated;

(9) When the place of residence of any person whose residence is required to be given is unknown to the applicant, it may be so stated in the application and also that, after due and diligent search, the applicant has been unable to ascertain it;

(10) If it is desired to fix and establish the boundary lines of the land, the full names and post office addresses of all owners of adjoining lands which are in any manner affected by it shall be fully stated.

Any person having or claiming any right, title, interest, or estate in land, or any lien or charge upon or against it, may assent in writing to its registration. The person assenting need not be named as a defendant in the registration proceeding or, if already named as a defendant in it, need not be served with the summons in it. The assent shall be executed and acknowledged in the manner required by law for the execution and acknowledgment of a deed and filed with the clerk of the court.

History: 1983 c 92 s 2

508.08 APPLICATION, CONTENTS.

Any number of adjoining tracts of land in the same county and owned by the same person and in the same right, or any number of tracts of land in the same county having the same chain of title, and belonging to the same person, may be included in one application. When approved by the examiner of titles, nonad-

joining tracts of land owned by the same person or persons in the same right having different chains of title may be included in one application.

History: 1983 c 92 s 3

508.16 FORM OF SUMMONS; SERVICE.

[For text of subd 1, see M.S.1982]

Subd. 2. **Jurisdiction.** When the summons has been served, the court acquires jurisdiction of the subject matter of the proceeding, and of all persons who have, or may have, any right, title, interest, or estate in the real estate described in the application, or any lien or charge upon or against it. By the phrase in the summons "all other persons or parties unknown claiming any right, title, estate, lien, or interest in the real estate described in the application herein," all the world are made parties defendant, and shall be bound and concluded by the decree. Any person claiming any right, title, estate, or interest in or lien upon the land who has been served shall be bound by the decree without regard to the nature of the right, title, estate, or interest in or lien upon the land asserted by the person or described in the application, report of the examiner, summons, or otherwise, it being the public policy of the state of Minnesota to give effect to the decree of registration as set forth in section 508.22 as to any such person.

History: 1983 c 92 s 4

508.22 DECREE OF REGISTRATION; EFFECT.

If, after hearing, the court finds the applicant has a title proper for registration, whether as stated in his application or otherwise, it shall make and file its decree therein, confirming the title of the applicant and ordering its registration. Except as herein otherwise provided, every decree of registration shall bind the land described in it, forever quiet the title to it, and be forever binding and conclusive upon all persons, regardless of whether they were mentioned in the application or in the report of the examiner or whether they possessed an interest in the land not referred to in the application or in the report of the examiner, whether they were mentioned by name in the summons, or included in the phrase, "all other persons or parties unknown claiming any right, title, estate, lien, or interest in the real estate described in the application herein." The decree shall not be opened, vacated, or set aside by reason of the absence, infancy, or other disability of any person affected by it, nor by any proceeding at law or in equity for opening, vacating, setting aside, or reversing judgments and decrees, except as herein especially provided. The decree shall forever determine, bind, and conclude all the right, title, interest, estate, or lien in the land described in it of the husband or wife of any defendant acquired or growing out of the marriage relation as though the husband or wife had been expressly named in the decree.

History: 1983 c 92 s 5

508.23 CONTENTS OF DECREE; COPY FILED.

[For text of subd 1, see M.S.1982]

Subd. 1a. **Judicial determination of boundaries.** If one or more boundary lines are judicially determined, the land description in the decree of registration shall make reference to that fact and to the location of the judicial landmarks that mark the boundary lines. When any of the boundary lines are registered, the clerk also shall file with the registrar a certified copy of the plat of the survey which

contains a certification by a registered land surveyor that the boundaries registered have been marked by judicial landmarks set pursuant to the order of the court. The registrar of titles shall enter the certified copy of the plat of the survey as a memorial upon the certificate of title issued for the land registered by the decree. If any of the adjoining lands are registered, the decree of registration shall direct the registrar of titles to show by memorial upon the certificates of title for the adjoining lands which of the boundary lines of these lands have been determined in the district court case.

[For text of subd 2, see M.S.1982]

History: 1983 c 92 s 6

508.24 REGISTRATION RUNS WITH LAND; WITHDRAWAL.

[For text of subd 1, see M.S.1982]

Subd. 2. Petition; nonmetropolitan counties. The registered owner of land in counties not containing a city of the first class may apply by verified petition to the district court of the county wherein the land is situated for its withdrawal from registration. The application shall be heard by the district court on not less than 20 days' written notice to all persons appearing of record or known to the petitioner to have or claim an interest in the property. The notice shall be served in the manner provided by law for the service of a summons in a civil action in the district court unless otherwise specified by the court. At the hearing any person interested in any manner in the land or who may be affected by its withdrawal from registration, may appear and be heard in favor of or in opposition to the application. After hearing the court may order that the land be withdrawn from registration, subject to encumbrances, liens, and other incidents of title then existing, and if so ordered shall require that a certified copy of the order, a certified copy of the original decree of registration, and certified copies of all undischarged instruments memorialized on the certificate of title, be recorded in the office of the county recorder at the expense of the petitioner. In its order the court shall reconcile any differences in description of the land as originally registered and as described in the last certificate of title. Upon the recording of the instruments and upon filing a certified copy of the order in the office of the registrar of titles, and surrender to him of the duplicates of the last certificate of title, the land shall be withdrawn from registration and become unregistered property.

History: 1983 c 92 s 7

508.25 RIGHTS OF PERSON HOLDING CERTIFICATE OF TITLE.

Every person receiving a certificate of title pursuant to a decree of registration and every subsequent purchaser of registered land who receives a certificate of title in good faith and for a valuable consideration shall hold it free from all encumbrances and adverse claims, excepting only the estates, mortgages, liens, charges, and interests as may be noted in the last certificate of title in the office of the registrar, and also excepting any of the following rights or encumbrances subsisting against it, if any:

- (1) Liens, claims, or rights arising or existing under the laws or the constitution of the United States, which this state cannot require to appear of record;
- (2) The lien of any real property tax or special assessment for which the land has not been sold at the date of the certificate of title;

- (3) Any lease for a period not exceeding three years when there is actual occupation of the premises thereunder;
- (4) All rights in public highways upon the land;
- (5) The right of appeal, or right to appear and contest the application, as is allowed by this chapter;
- (6) The rights of any person in possession under deed or contract for deed from the owner of the certificate of title;
- (7) Any outstanding mechanics lien rights which may exist under sections 514.01 to 514.17.

History: 1983 c 92 s 8

508.29 APPEALS.

An appeal may be taken to the court of appeals from any order or judgment of the district court under this chapter as follows:

- (1) from any final decree, within 90 days from its date except that the appeal period for those parties who were not personally served shall be six months from the date of the final decree; upon appeal from the decree, the court of appeals may review any intermediate order involving the merits or necessarily affecting the decree;
- (2) from any order granting or denying an application to open, vacate, or set aside the decree, within 30 days from the date of the filing of the order;
- (3) from any order granting or refusing a new trial, or from any order involving the merits of the proceeding, or some part of them, within 30 days from the filing of the order;
- (4) from any order relating to registered land after its original registration, within 90 days after the entry of the order.

All appeals from any order or decree in any proceeding under this chapter shall be as in other civil cases.

History: 1983 c 247 s 184

508.35 FORM OF CERTIFICATE.

The certificate of title shall contain the name and residence of the owner, a description of the land, and of the estate of the owner therein, and shall by memorial contain a description of all encumbrances, liens, and interests in which the estate of the owner is subject. It shall state his age and, if under disability, the nature of it. It shall also state whether or not the owner is married and, if married, the name of the husband or wife. In case the land is held in trust or subject to any condition or limitation, it shall state the nature and character of it. It shall be substantially in the following form:

CERTIFICATE OF TITLE

First certificate of title, pursuant to the order of the district court,
judicial district, county of, and state of Minnesota, date....., 19....

REGISTRATION

State of Minnesota)
) ss.
County of)

This is to certify that, of the of, county of, and state of, is now the owner of an estate, to-wit, of and in the following described land situated in the county of and state of Minnesota, to-wit,

Subject to the encumbrances, liens, and interest noted by the memorial underwritten or endorsed hereon; and subject to the following rights or encumbrances subsisting, as provided in Laws 1905, chapter 305, section 24, namely:

(1) Liens, claims, or rights arising under the laws or the Constitution of the United States, which the statutes of this state cannot require to appear of record;

(2) Any real property tax or special assessment for which a sale of the land has not been had at the date of the certificate of title;

(3) Any lease for a period not exceeding three years, when there is actual occupation of the premises under the lease;

(4) All rights in public highways upon the land;

(5) Such right of appeal or right to appear and contest the application as is allowed by law;

(6) The rights of any person in possession under deed or contract for deed from the owner of the certificate of title;

(7) Any outstanding mechanics lien rights which may exist under sections 514.01 to 514.17.

That the said is of the age of years, is married, and is under disability.

In witness whereof, I have hereunto subscribed my name and affixed the seal of my office, this day of, 19.....

.....
Registrar of Titles, in and for the county of
..... and State of Minnesota.

All certificates issued subsequent to the first certificate of title shall be in like form except that they shall be entitled "Transfer from number (here give the number of the next previous certificate relating to the same land)," and shall also contain the words "Originally registered (date, volume, and page of registration)."

History: 1983 c 92 s 9

508.36 CERTIFICATES AND COPIES AS EVIDENCE.

The original certificate of title in the registrar of titles, any copy of it duly certified by the registrar, or by his deputy, and authenticated by his seal, and likewise the owner's duplicate certificate of title shall be received in evidence in all the courts of this state and be conclusive evidence of all matters and things contained in it. In case of variance between the owner's duplicate certificate and the original certificate of title, the original certificate shall prevail. Deeds, mortgages, leases, or other conveyances of real estate, and all instruments in any manner affecting the title to registered land, together with any notations, endorsements, or memorials upon the same made by the registrar of titles, as required by law, heretofore or hereafter filed with the registrar, shall be received in evidence in all the courts of this state, without further or other proof, and be prima facie evidence of the contents of it. Duly authenticated copies of these instruments, or any of them, may likewise be received in evidence in any court in this state with like force and effect as the original instruments.

History: 1983 c 92 s 10

508.41 [Repealed, 1983 c 92 s 38]

508.42 [Repealed, 1983 c 92 s 38]

508.421 SURRENDER OF DUPLICATE; EXCHANGE CERTIFICATE.

Subdivision 1. **Surrender; reissuance.** The owner or owners of registered land may surrender their owners' duplicate certificate of title and the registrar of titles may then issue to them a new certificate of title free from the memorials of all interests which have terminated.

Subd. 2. **Multiple parcels or interests.** The owner or owners of registered land holding (1) one certificate of title for two or more parcels of land or (2) one certificate for undivided interests in one or more parcels of land may surrender the owner's duplicate certificate of title for the land and thereupon the registrar may issue separate certificates of title to each owner or for each parcel or any combination thereof as may be desired consistent with their registered interests, provided a registered land survey is not required by section 508.47. When the registrar of titles has issued more than one certificate of title to one or more owners for one or more parcels of land, the owner or owners may surrender the owner's duplicate certificates of title for the land and thereupon the registrar may issue a single certificate of title for all of the land to the owner or owners of the land, or the registrar may issue two or more certificates to the owner or owners of the land or for each parcel or any combination thereof as may be desired consistent with their registered interests, provided a registered land survey is not required by section 508.47.

Subd. 3. **Exchange certificate designation.** A certificate of title issued pursuant to this section shall be known as an exchange certificate.

History: 1983 c 92 s 11

508.47 REGISTERED LANDS; TRANSFER, SURVEYS.

[For text of subs 1 to 5, see M.S.1982]

Subd. 6. **Not to change tax classification.** Nothing in this section shall operate to change the tax classification of the lands in the registered land survey or otherwise in any way affect the land. The purpose of this section is to simplify the description and designation of the registered land in connection with its transfer. Land conveyed by reference to a registered land survey shall be deemed to be conveyed by metes and bounds.

[For text of subd 7, see M.S.1982]

History: 1983 c 92 s 12

508.48 INSTRUMENTS AFFECTING TITLE FILED WITH REGISTRAR; NOTICE.

Every conveyance, lien, attachment, order, decree, or judgment, or other instrument or proceeding, which would affect the title to unregistered land under existing laws, if recorded, or filed with the county recorder, shall, in like manner, affect the title to registered land if filed and registered with the registrar in the county where the real estate is situated, and shall be notice to all persons from the time of such registering or filing of the interests therein created. Neither the reference in a registered instrument to an unregistered instrument or interest nor the joinder in a registered instrument by a party or parties with no registered

interest shall constitute notice, either actual or constructive, of an unregistered interest.

History: 1983 c 92 s 13

508.49 INTEREST LESS THAN FEE; NOTICED BY MEMORIAL.

No new certificate shall be issued upon any transfer of registered land which does not divest the title in fee simple of the land, or some part of it. All interests in registered land, less than an estate in fee simple, shall be registered by filing with the registrar the instrument which creates, transfers, or claims the interest, and by brief memorandum or memorial of it made and signed by the registrar upon the certificate of title. A similar memorandum shall also be made on the owner's duplicate if practicable so to do. The cancellation of the interests shall be registered in the same manner.

History: 1983 c 92 s 14

508.50 INSTRUMENTS TO HAVE NAME AND ADDRESS.

Every deed or other voluntary instrument which is presented for registration shall contain or have endorsed upon it the full name and post office address of the grantee, or other person, who acquires or claims an interest under the instrument. All names and addresses shall also be entered upon the certificates of title. Any change in the post office address of the person shall be memorialized on the certificate of title upon the filing of an affidavit from the person of the change.

History: 1983 c 92 s 15

508.55 REGISTRATION OF MORTGAGE; MEMORIAL ENTERED ON CERTIFICATE.

The registration of a mortgage shall be made in the following manner: The owner's duplicate certificate shall be presented to the registrar, together with the mortgage deed, or other instrument to be registered, and the registrar shall enter upon the original certificate of title and also upon the owner's duplicate certificate a memorial of the purport of the instrument registered, the exact time of filing, and its file number. He shall also note upon the registered instrument the time of filing and a reference to the volume and page where it is registered. The registrar shall also, at the request of the mortgagee or his assignee, make and deliver to him a duplicate certificate of title like the owner's duplicate certificate, except that the words "Mortgagee's Duplicate" shall be written or printed diagonally across its face in large letters. A memorandum of the issuance of the mortgagee's duplicate shall be made upon the original certificate of title.

History: 1983 c 92 s 16

508.60 LEASES.

Leases of registered land for a term of three years or more shall be registered. All the provisions of this chapter relating to the registration of mortgages shall apply to the registration of leases so far as they are applicable to them.

History: 1983 c 92 s 17

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 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.

History: 1983 c 92 s 18

508.65 PLAINTIFF'S ATTORNEY; NAME AND ADDRESS ENDORSED; NOTICE.

The name and address of the attorney for the party giving the notice shall be endorsed upon the instrument which is registered pursuant to section 508.64. He shall be deemed to be the attorney for that party until the party files a written notice as a memorial upon the certificate of title stating that the designated attorney has ceased to be the party's attorney.

History: 1983 c 92 s 19

508.671 DETERMINATION OF BOUNDARIES.

Subdivision 1. **Petition.** An owner of registered land may apply by a duly verified petition to the court to have all or some of the boundary lines judicially determined. The petition shall contain the full names and post office addresses of all owners of adjoining lands which are in any manner affected by the boundary determination. At the time of the filing of the petition with the clerk, a copy of it, duly certified by him, shall be filed for record with the county recorder. If any of the adjoining lands are registered, the certified copy of the petition also shall be filed with the registrar of titles and entered as a memorial on the certificate of title for those lands. When recorded or filed, the certified copy of the petition shall be notice forever to purchasers and encumbrancers of the pendency of the proceeding and of all matters referred to in the court files and records pertaining to the proceeding. The owner shall have the premises surveyed by a registered land surveyor and shall file in the proceedings a plat of the survey showing the correct location of the boundary line or lines to be determined. There also shall be filed with the clerk a memorandum abstract, satisfactory to the examiner, showing the record owners and encumbrancers of the adjoining lands which are in any manner affected by the boundary line determination. The petition shall be referred to the examiner of titles for examination and report in the manner provided for the reference of initial applications for registration. Notice of the proceeding shall be given to all interested persons by the service of a summons which shall be issued in the form and served in the manner as in initial applications.

Subd. 2. **Order.** Before the issuance of any final order determining the location of the owner's boundary lines, the court shall fix and establish the boundaries and direct the establishment of judicial landmarks in the manner provided by section 559.25. The final order shall make reference to the boundary lines that have been determined and to the location of the judicial landmarks that mark the boundary lines. A certified copy of the final order shall be filed by the clerk with the registrar of titles. If any of the adjoining lands are registered, the final order also shall be filed upon the certificates of title for these lands and it

shall direct the registrar of titles to show by memorial which of the boundary lines of the adjoining lands have been determined in the district court case. Upon the filing of the final order, the registrar shall omit from future certificates the memorial of the petition for registration of the boundary lines.

Subd. 3. **Plat of survey to be filed.** The clerk also shall file with the registrar of titles a certified copy of the plat of the survey which contains a certification by a registered land surveyor that the boundaries as registered have been marked by judicial landmarks set pursuant to the order of the court. The registrar of titles shall enter the certified copy of the plat of the survey as a memorial upon the certificate of title.

History: 1983 c 92 s 20

508.71 ALTERATIONS ON REGISTER; ORDER OF COURT; DIRECTIVE OF EXAMINER; NEW CERTIFICATES.

Subdivision 1. **Alterations.** No erasure, alteration, or amendment shall be made upon the register of titles after the entry of a certificate of title or of any memorial on it, and the attestation of the same by the registrar, except by order of the court or as otherwise provided in this chapter.

Subd. 2. **Court order.** A registered owner or other person in interest may, at any time, apply by petition to the court, upon the ground that (1) registered interests of any description, whether vested, contingent, expectant, or inchoate, have terminated and ceased; (2) new interests have arisen or been created which do not appear upon the certificate; (3) any error or omission was made in entering a certificate or any memorial thereon, or on any duplicate certificate; (4) the name of any person on the certificate has been changed; (5) the registered owner has married, or, if registered as married, that the marriage has been terminated; (6) a corporation which owned registered land and has been dissolved has not conveyed it within three years after its dissolution; or (7), upon any reasonable ground, that any other alteration or adjudication should be made. The court may hear and determine the petition after notice given to all parties in interest, as determined by the examiner of titles, by a summons issued in the form and served in the manner as in initial applications or by an order to show cause, as the court may deem appropriate. After notice has been given as ordered, the court may order the entry of a new certificate, the entry, amendment, or cancellation of a memorial upon a certificate, or grant any other relief upon the terms, requiring security if necessary, as it may consider proper. The provisions of this section shall not give the court authority to open the original decree of registration, and nothing shall be done or ordered by the court which shall impair the title or other interest of a purchaser who holds a certificate for value and in good faith, or of his heirs or assigns without his or their written consent. A certified copy of the petition may be filed as a memorial on any appropriate certificate of title which shall be notice forever to purchasers and encumbrancers of the pendency of the proceeding and all matters referred to in the court files and records pertaining to the proceeding.

Subd. 3. **Directive by examiner.** At the request of a registered owner or other person in interest, the examiner of titles by a written directive may order the amendment or cancellation of a memorial relating to racial restrictions, rights which are barred by a statute or rights which have expired by the terms of the instrument creating the rights. The registrar of titles may register the directives of the examiner of titles upon the certificates of title, and he shall give full faith to the directives.

Subd. 4. Registration of memorials. Without order of court or directive of the examiner, the registrar of titles may receive and register as memorials upon any certificate of title to which they pertain, the following instruments: receipt or certificate of county treasurer showing redemption from any tax sale or payment of any tax described in a certificate of title, a certified copy of a marriage certificate showing the subsequent marriage of any owner shown by a certificate of title to be unmarried, a certified copy of a final decree of divorce or dissolution of a marriage entered in the state of Minnesota, or in any state, territory or possession of the United States, or the District of Columbia to establish the dissolution of a marriage relationship of any party shown on the certificate to be married, and a certified copy of the death certificate of party listed in any certificate of title as being the spouse of the registered owner when accompanied by an affidavit satisfactory to the registrar identifying the decedent with the spouse. In all subsequent dealings with the land covered by the certificates, the registrar shall give full faith to these memorials.

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.

Subd. 6. Recorded instruments. When instruments affecting registered land have been recorded in the office of any county recorder in this state, a certified copy thereof may be filed for registration and registered with like effect as the original instrument without the order or directive. The owner's, mortgagee's, or lessee's duplicate certificate of title shall be presented to the registrar, together with the certified copy, whenever the presentation is required by statute for registration of the original instrument.

History: 1983 c 92 s 21

508.82 REGISTRAR'S FEES.

The fees to be paid to the registrar shall be as follows;

(1) In addition to other fees provided herein, for the entry of each memorial upon a certificate of title, fifty cents, which shall be paid to the state treasurer and credited to the real estate assurance account;

(2) For registering each original certificate of title, and issuing a duplicate of it, \$10;

(3) For registering each transfer, including the filing of all instruments connected with it, and the issuance and registration of the new certificate of title, \$10;

(4) For the entry of each memorial on the register, or the cancellation thereof, including the filing of all instruments and papers connected with it and endorsements upon duplicate certificates, \$5;

(5) For issuing each mortgagee's or lessee's duplicate, \$5;

(6) For issuing each residue certificate, \$10;

(7) For exchange certificates, \$5 for each certificate canceled and \$5 for each new certificate issued;

(8) For each certificate showing condition of the register, \$5;

(9) For any certified copy of any instrument or writing on file in his office, the same fees allowed by law to county recorders for like services;

(10) For a noncertified copy of any instrument or writing on file in the office of the registrar of titles, or any specified page or part of it, an amount as determined by the county board for each page or fraction of a page specified. If computer or microfilm printers are used to reproduce the instrument or writing, a like amount per image;

(11) For filing two copies of any plat in the office of the registrar, \$15;

(12) For any other service under this chapter, such fee as the court shall determine;

(13) For issuing a duplicate certificate of title pursuant to the directive of the examiner of titles in counties in which the compensation of the examiner is paid in the same manner as the compensation of other county employees, \$50, plus \$5 to memorialize;

(14) For issuing a duplicate certificate of title pursuant to the directive of the examiner of titles in counties in which the compensation of the examiner is not paid by the county or pursuant to an order of the court, \$5;

(15) For filing a condominium floor plan or an amendment to it in accordance with chapter 515, \$15;

(16) For a copy of a condominium floor plan filed pursuant to chapters 515 and 515A, the fee shall be \$1 for each page of the floor plan with a minimum fee of \$10;

(17) For filing a condominium declaration and floor plans or an amendment to it in accordance with chapter 515A, \$5 for each certificate upon which the document is registered and \$15 for the filing of the floor plans or an amendment thereto;

(18) For the filing of a certified copy of a plat of the survey pursuant to section 508.23 or 508.671, \$10.

History: 1983 c 92 s 22