

CHAPTER 508

REGISTRATION, TORRENS

508.25 Rights of person holding certificate of title.

508.36 Certificates and copies as evidence.
508.82 Registrar's fees.

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; and
- (8) any lien for state taxes.

History: 1991 c 291 art 18 s 14

508.36 CERTIFICATES AND COPIES AS EVIDENCE.

The original certificate of title in the register of titles, any copy of it duly certified by the registrar, or by a deputy, and authenticated by the registrar's 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: 1991 c 199 art 1 s 79

508.82 REGISTRAR'S FEES.

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

- (1) of the fees provided herein, five percent of the fees collected under clauses (3), (4), (11), (13), (14), (15), (17), (18), and (19), for filing or memorializing shall be paid to the state treasurer and credited to the general fund;
- (2) for registering each original certificate of title, and issuing a duplicate of it, \$30;
- (3) for registering each instrument transferring the fee simple title for which a new

certificate of title is issued and for the issuance and registration of the new certificate of title, \$30;

(4) for the entry of each memorial on a certificate and endorsements upon duplicate certificates, \$15;

(5) for issuing each mortgagee's or lessee's duplicate, \$10;

(6) for issuing each residue certificate, \$20;

(7) for exchange certificates, \$10 for each certificate canceled and \$10 for each new certificate issued;

(8) for each certificate showing condition of the register, \$10;

(9) for any certified copy of any instrument or writing on file in the registrar's 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, \$30;

(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 \$10 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, \$10;

(15) for filing a condominium plat or an amendment to it in accordance with chapter 515, \$30;

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

(17) for filing a condominium declaration and plat or an amendment to it in accordance with chapter 515A, \$10 for each certificate upon which the document is registered and \$30 for the filing of the condominium plat 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;

(19) for filing a registered land survey in triplicate in accordance with section 508.47, subdivision 4, \$30;

(20) for furnishing a certified copy of a registered land survey in accordance with section 508.47, subdivision 4, \$10.

History: 1991 c 226 s 2