

CHAPTER 508A

REGISTRATION WITHOUT COURT PROCEEDINGS

508A.51 When owner's duplicate must be presented; exceptions.

508A.51 WHEN OWNER'S DUPLICATE MUST BE PRESENTED; EXCEPTIONS.

Subdivision 1. **If voluntary instrument; exception: court order.** Except as provided in subdivision 2, no new CPT shall be entered or issued, and no memorial shall be made upon any CPT in pursuance of any deed or other voluntary instrument made by the registered owner or the registered owner's attorney-in-fact, unless the owner's duplicate is presented with it, except upon the order of the court. When an order or directive is made, a memorial of it shall be entered, or a new CPT issued as directed. The registrar shall require that the owner's duplicate be presented only when an instrument is submitted for filing that is executed by the registered owner or the registered owner's attorney-in-fact. When any voluntary instrument made by the registered owner or the registered owner's attorney-in-fact is presented for registration, the production of the owner's duplicate CPT shall authorize the registrar to enter a new CPT or to make a memorial of registration in accordance with the instrument, and the new CPT or memorial shall be binding upon the registered owner and upon all persons claiming under the registered owner in favor of every purchaser for value and in good faith. In all cases of registration which are procured by fraud, the owner may pursue all legal and equitable remedies against the parties to the fraud, without prejudice to the rights of any innocent holder for value of a CPT.

Subd. 2. **Exception: instrument for government agency.** A deed or other voluntary instrument, made by the registered owner or the registered owner's attorney-in-fact, in favor of the United States of America, this state, or any political subdivision, agency, or instrumentality of the United States of America or this state, must be accepted for registration regardless of whether the owner's duplicate CPT is presented with it. The execution of a deed or other voluntary instrument by the registered owner or the registered owner's attorney-in-fact authorizes the registrar to enter a new CPT or to make a memorial of registration in accordance with the instrument, and the new CPT or memorial is binding upon the registered owner and upon all persons claiming under the registered owner in favor of every purchaser for value and in good faith. In all cases of registration that are procured by fraud, the owner may pursue all legal and equitable remedies against the parties to the fraud, without prejudice to the rights of any innocent holder for value of a CPT.

History: 1995 c 92 s 3