

CHAPTER 507

RECORDING AND FILING CONVEYANCES

507.04 Conveyance of protected person's real
property.
507.24 Recordable, when.

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507.04 CONVEYANCE OF PROTECTED PERSON'S REAL PROPERTY.

Subdivision 1. **No conveyance except by court approval.** Except as otherwise provided by this section, if a protected person's right to convey an interest in real property is restricted under sections 524.5-401 to 524.5-433, no conveyance of the interest is effective unless ordered by the court pursuant to section 524.5-4185. A conveyance of an interest in real property owned by the spouse of a protected person remains subject to the marital rights of the protected person unless the protected person's conservator joins in the conveyance on behalf of the protected person pursuant to a court order under section 524.5-4185. This section does not revive marital rights in real property extinguished as part of a property agreement or settlement between the spouses approved by a court of competent jurisdiction, including but not limited to a valid prenuptial or postnuptial agreement, a legal separation, or any other court approved division of assets between the spouses.

Subd. 2. [Repealed by amendment, 2003 c 12 art 2 s 5]

Subd. 3. [Repealed by amendment, 2003 c 12 art 2 s 5]

Subd. 4. [Repealed by amendment, 2003 c 12 art 2 s 5]

Subd. 5. **Inchoate interest in real property of protected person's spouse.** In all cases where the court under section 524.5-4185 has ordered a conveyance of the interest in real property owned by a protected person or has ordered a protected person's joinder in the conveyance of an interest in real property owned by the protected person's spouse, the conveyance includes the inchoate interest of the protected person in any share or part of the real property owned by the protected person's spouse whether or not specifically mentioned in the proceedings or conveyance.

Subd. 6. **Validity of homestead conveyance.** No conveyance of the homestead is valid unless each spouse or the duly authorized legal representative of each spouse joins in the conveyance by joint deed or by separate deeds.

History: 2003 c 12 art 2 s 5

507.24 RECORDABLE, WHEN.

[For text of subd 1, see M.S.2002]

Subd. 2. **Original signatures required.** Unless otherwise provided by law, an instrument affecting real estate that is to be recorded as provided in this section or other applicable law must contain the original signatures of the parties who execute it and of the notary public or other officer taking an acknowledgment. However, a financing statement that is recorded as a filing pursuant to section 336.9-502(b) need not contain: (1) the signatures of the debtor or the secured party; or (2) an acknowledgment. Any electronic instruments, including signatures and seals, affecting real estate may only be recorded as part of a pilot project for the electronic filing of real estate documents implemented by the task force created in Laws 2000, chapter 391. Notices filed pursuant to section 168A.141, subdivisions 1 and 3, need not contain an acknowledgment.

History: 2003 c 90 s 2

507.402 DISCHARGE OF MORTGAGE FROM CONTRACT FOR DEED SELLER.

A mortgage that encumbers the seller's interest in a contract for deed ceases to encumber real property described in a deed given pursuant to the contract if the purchaser has not joined in or consented to the mortgage in a recorded instrument and the mortgage is recorded subsequent to the recording of the contract.

History: 2003 c 5 art 2 s 2