

CHAPTER 508

REGISTRATION, TORRENS

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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. 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.....,

REGISTRATION

State of Minnesota)
County of) ss.

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

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;
- (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.

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

.....
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 or certificate of title number of registration).”

History: 2005 c 4 s 121

508.37 TRACT INDEXES, RECEPTION INDEXES.

Subd. 1a. **Indexes.** The registrar shall likewise keep tract indexes, in which the registrar shall enter an accurate description of all registered land, together with the names of the respective owners thereof, and a reference to the number of the certificate of title. The registrar shall keep two indexes, to be known as the grantors' and grantees' reception indexes respectively.

The reception indexes shall include the surname and given name of the grantor and grantee; the date of registration, specifying the month, day, year, and hour and whether a.m. or p.m.; the number of the instrument; the number of the certificate or, where applicable, the book and page where the land is registered.

Subd. 2. **Entries.** The registrar shall enter in each of these indexes in the order and manner aforesaid, and as soon as the same are recorded, all instruments affecting the title to land which are recorded with the registrar and, as far as may be the particulars of the instruments in the appropriate places in the indexes. Retrieval of information from these indexes must be by as convenient an alphabetical search as possible.

History: 2005 c 4 s 122

508.38 FORMS OF RECORDS ADOPTED.

Instruments affecting the title to land, filed with the registrar, shall be numbered by the registrar consecutively, to the extent practicable and the registrar shall endorse upon each instrument over the registrar's official name, OFFICE OF THE REGISTRAR OF TITLES, ... COUNTY, MINNESOTA, CERTIFIED FILED ON, together with the date, hour, and minute when the instrument is filed, the document number thereof, and a reference to the proper certificate of title. Instruments shall be copied or reproduced as provided by section 15.17, as amended. Instruments shall then be returned in person or by mail to the party who presented the instruments for filing or to any other party to whom the registrar is directed to deliver the instruments. When the memorial of any instrument is made upon any certificate, the date, number, and time of filing thereof shall also be endorsed upon the certificate. All records and papers relating to registered land in the office of the registrar, shall be open to the inspection of the public at such times and under such conditions as the court may prescribe. Duplicates of all instruments, voluntary or involuntary, filed and registered with the registrar, may be presented with the originals, and shall thereupon be endorsed with the file number, and other memoranda on the originals, and may be attested and sealed by the registrar, and returned to the person presenting the same. The registrar shall furnish certified copies of the instruments filed and registered in the registrar's office, upon payment of a fee as provided in section 508.82.

History: 2005 c 4 s 123

508.82 REGISTRAR OF TITLES' FEES.

Subdivision 1. **Standard documents.** The fees to be charged by the registrar of titles shall be and not exceed the following:

(1) of the fees provided herein, \$1.50 of the fees collected under clauses (3), (4), (11), (13), (15), (17), and (18) for filing or memorializing shall be paid to the state treasury pursuant to section 508.75 and credited to the general fund;

(2) for registering a first certificate of title, including issuing a copy of it, \$46. Pursuant to clause (1), distribution of this fee is as follows:

(i) \$10.50 shall be paid to the state treasury and credited to the general fund;

(ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3; and

(iii) \$25.50 shall be deposited in the county general fund;

(3) for registering each instrument transferring the fee simple title for which a new certificate of title is issued and for the registration of the new certificate of title, including a copy of it, \$46. Pursuant to clause (1), distribution of this fee is as follows:

(i) \$12 shall be paid to the state treasury and credited to the general fund;

(ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3; and

(iii) \$24 shall be deposited in the county general fund;

(4) for the entry of each memorial on a certificate, \$46. For multiple certificate entries, \$20 thereafter. Pursuant to clause (1), distribution of this fee is as follows:

(i) \$12 shall be paid to the state treasury and credited to the general fund;

(ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3;

(iii) \$24 shall be deposited in the county general fund; and

(iv) \$20 shall be deposited in the county general fund for each multiple entry used;

(5) for issuing each residue certificate, \$40;

(6) for exchange certificates, \$20 for each certificate canceled and \$20 for each new certificate issued;

(7) for each certificate showing condition of the register, \$50;

(8) for any certified copy of any instrument or writing on file or recorded in the registrar of titles' office, \$10;

(9) for a noncertified copy of any certificate of title, other than the copies issued under clauses (2) and (3), any instrument or writing on file or recorded 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;

(10) for a noncertified copy of any document submitted for recording, if the original document is accompanied by a copy or duplicate original, \$2. Upon receipt of the copy or duplicate original and payment of the fee, a registrar of titles shall return it marked "copy" or "duplicate," showing the recording date and, if available, the document number assigned to the original;

(11) for filing two copies of any plat in the office of the registrar, \$56. Pursuant to clause (1), distribution of this fee is as follows:

(i) \$12 shall be paid to the state treasury and credited to the general fund;

(ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3; and

(iii) \$34 shall be deposited in the county general fund;

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

(13) for filing an amendment to a declaration in accordance with chapter 515, \$46 for each certificate upon which the document is registered and for multiple certificate entries, \$20 thereafter; \$56 for an amended floor plan filed in accordance with chapter 515. Pursuant to clause (1), distribution of this fee is as follows:

(i) \$12 shall be paid to the state treasury and credited to the general fund;

(ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3;

(iii) \$24 shall be deposited in the county general fund for amendment to a declaration;

(iv) \$20 shall be deposited in the county general fund for each multiple entry used; and

(v) \$34 shall be deposited in the county general fund for an amended floor plan;

(14) for issuance of a CECT pursuant to section 508.351, \$40;

(15) for filing an amendment to a common interest community declaration and plat or amendment complying with section 515B.2-110, subsection (c), \$46 for each certificate upon which the document is registered and for multiple certificate entries, \$20 thereafter and \$56 for the filing of the condominium or common interest community plat or amendment. Pursuant to clause (1), distribution of this fee is as follows:

(i) \$12 shall be paid to the state treasury and credited to the general fund;

(ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3;

(iii) \$24 shall be deposited in the county general fund for the filing of an amendment complying with section 515B.2-110, subsection (c);

(iv) \$20 shall be deposited in the county general fund for each multiple entry used; and

(v) \$34 shall be deposited in the county general fund for the filing of a condominium or CIC plat or amendment;

(16) for a copy of a condominium floor plan filed in accordance with chapter 515, or a copy of a common interest community plat complying with section 515B.2-110, subsection (c), the fee shall be \$1 for each page of the floor plan or common interest community plat with a minimum fee of \$10;

(17) for the filing of a certified copy of a plat of the survey pursuant to section 508.23 or 508.671, \$46. Pursuant to clause (1), distribution of this fee is as follows:

(i) \$12 shall be paid to the state treasury and credited to the general fund;

(ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3; and

(iii) \$24 shall be deposited in the county general fund;

(18) for filing a registered land survey in triplicate in accordance with section 508.47, subdivision 4, \$56. Pursuant to clause (1), distribution of this fee is as follows:

(i) \$12 shall be paid to the state treasury and credited to the general fund;

(ii) \$10 shall be deposited in the technology fund pursuant to section 357.18, subdivision 3; and

(iii) \$34 shall be deposited in the county general fund; and

(19) for furnishing a certified copy of a registered land survey in accordance with section 508.47, subdivision 4, \$15.

Subd. 1a. Fees for recording instruments with registrar of titles' office. Notwithstanding the provisions of any general or special law to the contrary, and pursuant to section 357.182, the established fees pursuant to subdivision 1 shall be the fee charged in all counties for the specified service, other than Uniform Commercial Code documents and documents filed or recorded pursuant to sections 270C.63, subdivision 2, paragraph (c); 272.481 to 272.488; 277.20; and 386.77.

Subd. 2. Variance from standards. A document should conform to the standards in section 507.093, paragraph (a), but should not be rejected unless the document is not legible or cannot be archived. This subdivision applies only to documents dated after July 31, 1997, and does not apply to Minnesota uniform conveyancing blanks on file in the office of the commissioner of commerce provided for under section 507.09, certified copies, or any other form provided for under Minnesota Statutes.

History: 2005 c 136 art 14 s 9; 2005 c 151 art 1 s 116; 1Sp2005 c 7 s 13