

any fixture filings pursuant to section 336.9-314 where the financing statement describes the common elements in a condominium; any easement on the common elements in a condominium pursuant to section 515B.3-102, subsection (a)(9); any instrument evidencing the transfer of a special declarant right pursuant to section 515B.3-104; and any conveyance or encumbrance of the common elements in a condominium pursuant to section 515B.3-112 must be entered as memorials on the CICCT only. The entry of a memorial on the CICCT shall have the same effect as if the memorial were entered on the certificates of title for the units in the common interest community and on the certificates of title for the common elements in a planned community.

Subd. 6. Preexisting condominiums. (a) Except as provided in paragraph (b), in the case of a condominium existing prior to August 1, 2009, on registered land, for which no CICCT has been issued, upon the recording of a document of the kind specified in subdivision 5, the registrar shall issue a CICCT, but documents filed prior to the issuance of the CICCT need not be entered as memorials on the CICCT. The registrar for no additional fee shall enter on the certificate of title for each of the units in the condominium the statement specified in subdivision 4.

(b) In the case of a condominium for which a CECT has been issued pursuant to Laws 2001, chapter 50, section 4, upon the recording of a document specified in subdivision 5, the registrar shall cancel the CECT and issue a CICCT in lieu thereof. The statement on the certificate of title for each of the units in the condominium regarding the CECT shall be amended by the registrar for no additional fee to refer to the CICCT.

Subd. 7. Preexisting planned communities. In the case of a planned community, as defined in chapter 515B, existing prior to August 1, 2009, on registered land, for which no CICCT has been issued, upon the recording of any amendment to the declaration of the planned community, or any supplemental declaration pursuant to section 515B.2-111, which identifies the common interest community number of the planned community, the registrar shall issue a CICCT, but documents filed prior to the issuance of the CICCT need not be entered as memorials on the CICCT. The registrar for no additional fee shall enter on the certificate of title for each of the units and for the common elements in the planned community the statement specified in subdivision 4.

History: 1982 c 396 s 28; 2001 c 50 s 18-23,38; 2009 c 30 art 2 s 2; 2010 c 233 s 5-7