

## CHAPTER 53—S. F. No. 71

*An act to legalize mortgage foreclosure sales heretofore made.*  
Be it enacted by the Legislature of the State of Minnesota:

**Section 1. Mortgage foreclosures validated.**—Every mortgage foreclosure sale by advertisement heretofore made in this state under power of sale in the usual form contained in any mortgage, duly executed and recorded in the office of the register of deeds or registered with the registrar of titles for the proper county of this state, which mortgage covered either registered or unregistered land and wherein the purchaser at such foreclosure sale, his heirs or assigns are in possession of the premises covered by such mortgage, together with the record of such foreclosure sale is hereby legalized and made valid and effective to all intents and purposes as against either or all of the following objections, viz: That the date of the mortgage or any assignment thereof or the date, the month, the day, hour, book, page of the record of the mortgage or any assignment thereof, in the office of the register of deeds or registrar of titles is incorrectly stated in the notice of sale or in any of the foreclosure papers, affidavits or instruments.

**Sec. 2. New certificate may be issued.**—In any of the foregoing cases, when the mortgage covered registered land, the purchaser at such foreclosure sale, his heirs or assigns, may after the expiration of the year of redemption in such foreclosure proceedings have his title duly registered in his name regardless of such defects. He shall apply by duly verified petition to the court for a new certificate of title to such land and the court shall thereupon after due notice to all parties in interest and upon such hearing as the court may direct, make an order or decree for the issuance of a new certificate of title to such person and the registrar will thereupon enter a new certificate of title to the land or the part thereof to which the applicant is entitled and issue an owner's duplicate as in the case of a voluntary conveyance.

**Sec. 3. Not to affect pending actions.**—The provisions of this act shall not affect any action or proceedings now pending in any of the courts in this state, but this section shall not prevent mortgagee, who has heretofore filed a petition for a new certificate after the expiration of the year of redemption which petition has been denied by the court on the grounds that the notice of foreclosure sale incorrectly stated the date of the mortgage, no one appearing in opposition thereto, from filing a new petition and receiving such new certificate of title regardless of such defective notice.

Approved March 9, 1929.