

United States and the deputy clerk of each division of the United States district court in this state, the secretary of state of the United States, the library of congress, and the Minnesota historical society.

Sec. 8. Minnesota Statutes 1974, Section 115.05, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9 and 10, are repealed.

Approved March 25, 1976.

CHAPTER 77—H.F.No.2022

An act relating to real property; title registration; providing for the issuance of duplicate certificates of title to replace lost or destroyed duplicate certificates; prescribing fees of the registrar; amending Minnesota Statutes 1974, Sections 508.44 and 508.82.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 508.44, is amended to read:

508.44 REAL PROPERTY; TITLE REGISTRATION; LOSS OF DUPLICATE CERTIFICATES. Subdivision 1. If any duplicate certificate is lost or destroyed or cannot be produced, a duly verified statement, setting forth the facts relating thereto, may be filed with the registrar by the registered owner, or other person in interest. Upon such application, after due notice and hearing, the court may direct the registrar to issue a new duplicate certificate containing a memorandum of the fact that it is issued in place of a lost duplicate certificate, which shall be entitled to like faith and credit as the original duplicate.

Subd. 2. In lieu of the court directive to the registrar to issue a new duplicate certificate under subdivision 1, the registrar of titles shall issue such a duplicate certificate when directed to do so by the examiner of titles. The directive of the examiner shall be in writing after posting a notice addressed "TO WHOM IT MAY CONCERN" fixing a time when he shall direct the issuance of a new duplicate certificate of title unless valid objections thereto are delivered to his office prior to the specified time. The notice shall be posted on a bulletin board provided for the posting of legal notices at the courthouse at least seven days prior to the date fixed for the issuance of the directive. No such directive shall be issued by the examiner unless all persons in interest have signed and verified a statement setting forth the facts relating to the reasons why the duplicate certificate cannot be produced, the statement is memorialized upon the certificate of title and there is satisfactory evidence as to the identity of the signers and the facts relating to the loss or destruction of the duplicate certificate of title. Persons in interest in the case of an owner's duplicate certificate are the

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registered owners or their probate representatives, and in the case of the mortgagee's or lessee's duplicate certificate the persons in interest are the registered owners of the mortgage or lease, as the case may be, or their probate representative.

Sec. 2. Minnesota Statutes 1974, Section 508.82, is amended to read:

508.82 **REGISTRAR'S FEES.** The fees to be paid to the registrar shall be as follows:

(1) At or before the time of filing the certified copy of the application for registration the applicant shall pay, if the land have an assessed value of \$1,000, or less, the sum of \$7.50; if assessed for more, the further sum of \$2 on each additional \$1,000 of assessed valuation, or major fraction thereof;

(2) For registering each original certificate of title, and issuing a duplicate thereof, \$6;

(3) For registering each transfer, including the filing of all instruments connected therewith, and the issuance and registration of the new certificate of title, \$7.50;

(4) For the entry of each memorial on the register, or the cancellation thereof, including the filing of all instruments and papers connected therewith and endorsements upon duplicate certificates, \$3;

(5) For issuing each mortgagee's or lessee's duplicate, \$3;

(6) For issuing each residue certificate, \$6;

(7) For issuing separate certificates and duplicates thereof, in exchange for one certificate for two or more distinct parcels, for each exchange certificate, \$3;

(8) For each certificate showing condition of the register, \$4.50;

(9) For any certified copy of any instrument or writing on file in his office, the same fees allowed by law to registers of deeds for like services;

(10) For filing two copies of any plat in the office of the registrar, \$15;

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

(12) For issuing a duplicate certificate of title pursuant to the directive of the examiner of titles in counties in which the compensation of the examiner is paid in the same manner as the compensation of

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other county employees, \$35;

(13) For issuing a duplicate certificate of title pursuant to the directive of the examiner of titles in counties in which the compensation of the examiner is not paid by the county or pursuant to an order of the court, \$3 .

Sec. 3. **EFFECTIVE DATE.** This act is effective the day following its final enactment.

Approved March 25, 1976.

CHAPTER 78—H.F.No.2009

[Not Coded]

An act relating to the cities of Chisholm, Eveleth and Duluth; police and firemen's pensions and survivor benefits therein; amending Laws 1935, Chapter 208, Section 11, as added; and Laws 1975, Chapter 127, Section 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Laws 1935, Chapter 208, Section 11, as added by Laws 1975, Chapter 200, Section 1, is amended to read:

Sec. 11. **CHISHOLM, EVELETH AND DULUTH, CITIES OF; POLICE AND FIREMEN'S PENSIONS; INCREASE IN BENEFITS.** Any pension payable to a retired member or to a widow pursuant to section 1 of Laws 1935, Chapter 208, as amended, as of ~~January 1, 1975~~ April 1, 1976 shall be increased by \$25 per month, effective with the first monthly payment after the effective date of this act. Notwithstanding Minnesota Statutes, Section 356.18, increases in pensions pursuant to this section shall be made automatically, unless the recipient files written notice with the association requesting that the increase not be made. No retired member or surviving widow shall receive increases under both Laws 1975, Chapter 200, and this act.

Sec. 2. **CHISHOLM POLICE AND FIREMEN RETIREMENT BENEFITS.** The retirement annuities of each member of the Chisholm police relief association and the Chisholm firemen's relief association who retired from active service as a policeman or fireman with the city prior to January 1, 1970 may be increased by \$50 per month, commencing with the first pay period after the effective date of this section.

Sec. 3. **CHISHOLM POLICE AND FIREMEN WIDOWS' PENSIONS.** The widows' benefits of each widow receiving a pension on January 1, 1970, under the Chisholm police and Chisholm firemen's relief association bylaws, may be increased by \$50 per month, not ex-

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