

With the prior approval of the commissioner of banks, any bank doing business within 35 miles of the city of Babbitt may establish and maintain not more than one detached facility in the city of Babbitt. Any bank desiring to establish a detached facility shall follow the approval procedure prescribed in Minnesota Statutes, section 47.54. The establishment of a detached facility pursuant to this act is subject to the provisions of Minnesota Statutes, sections 47.51 to 47.57 except insofar as inconsistent with this section.

Sec. 2. **LOCAL APPROVAL.**

This act takes effect the day after compliance by the governing body of the city of Babbitt with Minnesota Statutes, section 645.021, subdivision 3.

Approved May 9, 1983

CHAPTER 99 — H.F.No. 741

An act relating to real estate; regulating the duties of a county recorder; amending Minnesota Statutes 1982, sections 386.31; 386.36; 580.24; 580.25; 582.03; 582.04; repealing Minnesota Statutes 1982, section 357.181.

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

Section 1. Minnesota Statutes 1982, section 386.31, is amended to read:

386.31 CONSECUTIVE NUMBERING.

~~Each county recorder shall endorse plainly upon the top of the back, when folded, of each instrument received by him for record or filing as soon as received a number consecutive to the number affixed to the instrument next previously received and enter such number as a part of the entry relating to such instrument in all the indexes kept in his office and on the margin of the record of the instrument, and such number shall be prima facie evidence of priority of registration. If more than one instrument shall be received at the same time, by mail or other like enclosure, the recorder shall affix such number in the order directed by the sender; if no direction be given, then in the order in which the instruments actually come to his hand in opening the enclosures. His fee for such numbering and entry shall be five cents.~~

Sec. 2. Minnesota Statutes 1982, section 386.36, is amended to read:

386.36 FARM NAMES RECORDED.

The owner of farm lands in the state may designate a specific name of his farm lands and this name, together with a description of the farm lands according to the government survey thereof, may be filed with the county recorder of the

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county wherein the lands, or a part thereof, are situated, and this name, together with the description of the lands, shall be recorded by the county recorder in a book to be provided for such purpose, upon payment of a fee of ~~50 cents therefor~~ as prescribed in section 357.18, but no two names so designated and recorded shall be alike in the same county.

Sec. 3. Minnesota Statutes 1982, section 580.24, is amended to read:

580.24 REDEMPTION BY CREDITOR.

If no such redemption be made by the mortgagor, his personal representatives or assigns, the senior creditor having a lien, legal or equitable, upon the mortgaged premises, or some part thereof, subsequent to the mortgage, may redeem within five days after the expiration of the redemption period specified in section 580.23; and each subsequent creditor having a lien in succession, according to priority of liens, within five days after the time allowed the prior lienholder, respectively, may redeem by paying the amount aforesaid and all liens prior to his own held by the person from whom redemption is made; provided that no creditor shall be entitled to redeem unless within the period allowed for redemption he file for record notice of his intention to redeem with the county recorder or registrar of titles of each county where the mortgage is recorded.

Sec. 4. Minnesota Statutes 1982, section 580.25, is amended to read:

580.25 REDEMPTION, HOW MADE.

Redemption shall be made as follows.

The person desiring to redeem shall pay to the person holding the right acquired under such sale, or for him to the sheriff who made the sale, or his successor in office, the amount required by law for such redemption, and shall produce to such person or officer:

(1) A copy of the docket of the judgment, or of the deed or mortgage, or of the record or files evidencing any other lien under which he claims a right to redeem, certified by the officer in whose custody such docket, record, or files shall be, or the original deed or mortgage, with the certificate of record endorsed thereon;

(2) Any assignment necessary to establish his claim, verified by the affidavit of himself or a subscribing witness thereto, or some person acquainted with the signature of the assignor. If the redemption is under an assignment of a judgment, the assignment shall be filed in the court rendering the judgment, as provided by law, and the person so redeeming shall produce a certified copy thereof and of the record of its filing, and the copy of the docket shall show that the proper entry was made upon the docket;

(3) An affidavit of himself or his agent, showing the amount then actually due on his lien.

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Within 24 hours after such redemption is made, the person redeeming shall cause the documents so required to be produced to be filed with the county recorder, or registrar of titles, who shall endorse thereon the date and hour of filing, and shall preserve the same in his office for one year thereafter, for which service he shall be entitled to receive \$1 fees as prescribed in section 357.18 or section 508.82. If such redemption shall be made at any place other than the county-seat, it shall be sufficient forthwith to deposit such documents in the nearest post office, addressed to such recorder or registrar of titles, with the postage prepaid.

Sec. 5. Minnesota Statutes 1982, section 582.03, is amended to read:

582.03 PURCHASER AT FORECLOSURE, EXECUTION, OR JUDICIAL SALE MAY PAY TAXES, ASSESSMENTS, INSURANCE PREMIUMS, OR INTEREST.

The purchaser at any sale, upon foreclosure of mortgage or execution or at any judicial sale during the year of redemption, may pay any taxes or assessments on which any penalty would otherwise accrue, and may pay the premium upon any policy of insurance procured in renewal of any expiring policy upon mortgaged premises, and may, in case any interest or instalment of principal upon any prior or superior mortgage is in default or shall become due during such year of redemption, pay the same, and, in all such cases, the sum so paid, with interest, shall be a part of the sum required to be paid to redeem from such sale. Such payments shall be proved by the affidavit of the purchaser, his agent or attorney, stating the items and describing the premises, which must be filed for record with the county recorder or registrar of titles, and a copy thereof shall be furnished to the sheriff at least ten days before the expiration of the year of redemption.

Sec. 6. Minnesota Statutes 1982, section 582.04, is amended to read:

582.04 HOMESTEAD INCLUDED IN MORTGAGE; SEPARATE SALE.

In all proceedings to foreclose any mortgage upon real property in this state, if the whole or any part of the homestead of the mortgagor, or of any one claiming under him, as such homestead is defined by the laws of this state, shall be included in the real estate described in such mortgage, the person claiming such homestead may, at any time prior to the foreclosure sale, serve or cause to be served upon the sheriff making such sale a notice of such claim which shall designate and describe with reasonable certainty the real estate so claimed and selected as such homestead, which selection shall include the site of the dwelling and its appurtenances, shall be compact in form and shall be so made as not unreasonably to affect the value of the remaining part, which notice, together with the proof of service thereof, shall be filed for record and recorded in the office of the county recorder or registrar of titles. Upon the service and filing of

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such notice it shall be the duty of the sheriff, at the time of the sale, to first offer for sale and sell that part of the mortgaged real estate, or so much thereof as is necessary, which is not included in such selected homestead, and thereupon, if the proper purposes of the foreclosure require, he shall offer for sale and shall sell separately that part of the mortgaged real estate included in the selected homestead; provided, that if such homestead claimant shall have, prior to such foreclosure, made a property homestead selection from his real estate, he shall be bound thereby, and cannot change the same for the purposes of such foreclosure.

Sec. 7. REPEALER.

Minnesota Statutes 1982, section 357.181, is repealed.

Sec. 8. EFFECTIVE DATE.

This act is effective on the day following final enactment.

Approved May 9, 1983

CHAPTER 100 — H.F.No. 631

An act relating to Hennepin county; authorizing employees to withdraw from participation in the Hennepin county supplemental retirement fund.

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

Section 1. WITHDRAWAL FROM PARTICIPATION.

Notwithstanding Laws 1982, chapter 450, or any other law to the contrary, a Hennepin county employee currently participating in the Hennepin county supplemental retirement program pursuant to Laws 1982, chapter 450 may, within a period of 180 days after the effective date of this section, apply to the county to discontinue participation in the program. Employees who are no longer participating in the program may apply for the redemption of all shares credited to their share account record. A participant exercising the option provided by this section shall be ineligible for further participation in the supplemental retirement program.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective upon compliance with Minnesota Statutes, section 645.021.

Approved May 9, 1983

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