

1 Department of Commerce

2

3 Adopted Rules Relating to Subdivided Land

4

5 Rules as Adopted

6 2810.3200 BLANKET ENCUMBRANCES.

7 The subdivider shall not sell lots, units, parcels, or
8 interests within a subdivision subject to a blanket encumbrance
9 unless one or more of the following conditions are met:

10 A. and B. [Unchanged.]

11 C. A bond, cash, or certified check is furnished to
12 the commissioner in the name of the state for the benefit and
13 protection of purchasers of the lots, units, parcels, or
14 interest, in such amount and subject to terms as approved by the
15 commissioner. The bond shall be executed by a surety company
16 authorized to do business in this state and which has given
17 consent to be sued in this state. The bond or agreement
18 accompanying the cash or certified check shall provide for the
19 return of money paid or advanced by any purchaser, on account of
20 purchase of any lot, unit, parcel, or interest if the title
21 contracted for is not delivered and a full release from each
22 blanket encumbrance is not obtained. If it is determined that
23 the purchaser by reason of default or otherwise, is not entitled
24 to the return of the money, or any portion thereof, then the
25 bond, cash, or certified check may be released by the
26 commissioner in the amount of money to which the purchaser of a
27 lot, unit, parcel, or interest is not entitled.

28 D. and E. [Unchanged.]

29 2810.9930 FORMAT OF PUBLIC OFFERING STATEMENT.

30 1. to 21. [Unchanged.]

31 22. State whether the subdivider offers a resale program
32 for those purchasers who wish to resell their lot. Yes or No
33 _____. State how the purchaser will resell his lot in the
34 absence of such a program. List any factors which may limit or
35 affect the purchaser's ability to resell his lot.

1 Signatures of the Senior Executive Officer of the
2 Subdivider:

3 _____
4 (Title) (Date)
5 Minnesota addendum.

6 In addition to the information required above, Public
7 Offering Statements authorized for use in the State of Minnesota
8 shall include the following:

9 1. A statement whether the subdivider holds any options to
10 purchase adjacent properties, and if so, a description of such
11 options and the location and zoning of the adjacent properties.

12 2. A statement indicating whether there is as of the date
13 of registration an existing market for resale of any properties
14 sold pursuant to this offering.

15 3. The material terms of any encumbrances, easements,
16 liens, and restrictions, including zoning and other regulations
17 affecting the subdivided lands and each unit or lot, a statement
18 of the subdivider's efforts to remove such lien or encumbrance,
19 and a statement of all existing taxes and existing or proposed
20 special taxes or assessments which affect the subdivided lands.

21 4. ALL SIGNATURES REQUIRED BY THESE RULES MUST BE MANUAL
22 SIGNATURES.

23 5. The name, principal address and telephone number of the
24 subdivider and of its offices and agents in this state.

25 6. A statement asserting that the subdivision is in
26 compliance with federal, state and local environmental quality
27 standards. If the subdivision is not in compliance, a listing
28 of the steps to be taken, if any, to insure compliance.

29 2810.9940 FORMAT FOR REGISTRATION OF SUBDIVIDED LANDS BY
30 NOTIFICATION.

31 File No. _____
32 Date Approved _____
33 Date Denied _____
34 Examiner _____
35 Commissioner _____
36

37 REGISTRATION OF SUBDIVIDED LANDS BY NOTIFICATION

38 Minnesota Statutes, section 83.23

39 This form is to be prepared and filed pursuant to Minnesota

1 Statutes, section 83.23 and mailed to:

2 State of Minnesota
3 Department of Commerce
4 Registration and Licensing Division
5 5th Floor, Metro Square Bldg.
6 Saint Paul, Minnesota 55101

7 1. to 7. [Unchanged.]

8 8. State the condition of title to the land to be
9 subdivided, including, but not limited to, a statement
10 reflecting all encumbrances, deed restrictions, and covenants
11 applicable to the title and state the condition of the title as
12 recorded as of a date 30 days prior to the filing of this
13 application. THE STATEMENTS REQUIRED BY THIS PARAGRAPH MUST BE
14 AUTHORED BY AN ATTORNEY WHO IS LICENSED TO PRACTICE IN THE STATE
15 IN WHICH THE LAND TO BE SUBDIVIDED IS LOCATED OR BY A TITLE
16 INSURANCE COMPANY ACCEPTABLE TO THE COMMISSIONER.

17 9. to 15. [Unchanged.]

18 16. Attach an irrevocable appointment of the commissioner
19 to receive service of any lawful process, any civil proceeding
20 arising under this act against the subdivider, or his personal
21 representative, in accordance with part 2810.9920.

22 THE SUBDIVIDER CONSENTS TO PERMIT INSPECTION OF THE LOTS,
23 PARCELS, UNITS OR INTERESTS TO BE OFFERED AND FURTHER TO PERMIT
24 INSPECTION OF ITS BOOKS, RECORDS, ACCOUNTS, AND FILES BY THE
25 COMMISSIONER OF COMMERCE OR HIS DESIGNEE WITH REFERENCE TO THE
26 SALE OF THE SUBDIVIDED LANDS DESCRIBED HEREIN, AND AGREES TO
27 PROVIDE THE COMMISSIONER WITH SUCH ADDITIONAL INFORMATION WITH
28 RESPECT TO THE SALE OF THESE SUBDIVIDED LANDS AS HE MAY REQUIRE.

29 The undersigned certifies that he has read the contents of
30 the above form and the exhibits appended hereto and certifies
31 that he has personal knowledge of the contents hereof and knows
32 the responses set forth are true and accurate.

33 Dated this _____ day of _____

34
35
36 Subscribed and sworn to before me
37 this _____ day of _____

SUBDIVIDER
BY ITS _____

38 _____
39 _____

1 A \$100 fee must be filed with this application. Make check
2 payable to Treasurer, State of Minnesota.