

MINNESOTA STATUTES 1977 SUPPLEMENT

JUDGMENTS 548.27

ment certificate shall be deemed marketable. It is the policy of the state of Minnesota that, except as provided by Laws 1977, Chapter 265, unadjudicated adverse rights shall not fetter the marketability of tax titles of real estate.

Subd. 4. This section does not extend the right to commence any action beyond the date on which the right would be extinguished under section 284.28 or any other law.

Subd. 5. This section applies to real estate titles based upon or derived from a county auditor's certificate of forfeiture, or auditor's certificate of sale or state assignment certificate issued prior to June 15, 1977.

[1977 c 265 s 2]

541.051 Limitation of action for damages based on services or construction to improve real property.

[For text of subs 1 to 3, see M.S.1976]

Subd. 4. This section shall not apply to actions based on breach of the statutory warranties set forth in section 327A.02.

[1977 c 65 s 8]

NOTE: Section 541.051, Subdivision 4, as amended by Laws 1977, Chapter 65, Section 8 is effective January 1, 1978, and shall apply to all contracts for the sale of a dwelling signed on or after that date, pursuant to Laws 1977, Chapter 65, Section 9.

541.14 [Repealed, 1977 c 187 s 1]

CHAPTER 546. TRIALS

Sec.
546.09 Repealed.

546.09 [Repealed, 1977 c 286 s 21]

CHAPTER 548. JUDGMENTS

Sec.
548.26 Definition. [New]
548.27 Filing and status of foreign judgments.
[New]
548.28 Notice of filing. [New]
548.29 Stay. [New]

Sec.
548.30 Fees. [New]
548.31 Optional procedure. [New]
548.32 Uniformity of application and construction. [New]
548.33 Citation. [New]

548.26 Definition.

"Foreign judgment" means any judgment, decree, or order of a court of the United States or of any other court which is entitled to full faith and credit in this state.

[1977 c 51 s 1]

548.27 Filing and status of foreign judgments.

A copy of any foreign judgment authenticated in accordance with the act of Congress or the statutes of this state may be filed in the office of the clerk of any district court of this state. The clerk shall treat the foreign judgment in the same manner as a judgment of any district court or the supreme court of this state. A judgment so filed has the same effect and is subject to the same procedures, defenses and proceedings for reopening, vacating, or staying as a judgment of a district court or the supreme court of this state, and may be enforced or satisfied in like manner.

[1977 c 51 s 2]

MINNESOTA STATUTES 1977 SUPPLEMENT

548.28 JUDGMENTS

548.28 Notice of filing.

Subdivision 1. At the time of the filing of the foreign judgment, the judgment creditor or his lawyer shall make and file with the clerk of court an affidavit setting forth the name and last known post office address of the judgment debtor, and the judgment creditor.

Subd. 2. Promptly upon the filing of the foreign judgment and the affidavit, the clerk shall mail notice of the filing of the foreign judgment to the judgment debtor at the address given and shall make a note of the mailing in the docket. The notice shall include the name and post office address of the judgment creditor and the judgment creditor's lawyer, if any, in this state. In addition, the judgment creditor may mail a notice of the filing of the judgment to the judgment debtor and may file proof of mailing with the clerk. Failure of the clerk to mail notice of filing shall not affect the enforcement proceedings if proof of mailing by the judgment creditor has been filed.

Subd. 3. No execution or other process for enforcement of a foreign judgment filed hereunder shall issue until 20 days after the date the judgment is filed.

[1977 c 51 s 3]

548.29 Stay.

Subdivision 1. If the judgment debtor shows the district court that an appeal from the foreign judgment is pending or will be taken, or that a stay of execution has been granted, the court shall, upon proof that the judgment debtor has furnished the security for the satisfaction of the judgment required by the state in which it was rendered, stay enforcement of the foreign judgment until the appeal is concluded, the time for appeal expires, or the stay of execution expires or is vacated.

Subd. 2. If the judgment debtor at any time shows the district court any ground upon which enforcement of a judgment of any district court or the supreme court of this state would be stayed, the court shall stay enforcement of the foreign judgment for an appropriate period, upon requiring the same security for satisfaction of the judgment which is required in this state.

[1977 c 51 s 4]

548.30 Fees.

Any person filing a foreign judgment shall pay to the clerk of court such amount as is determined by the judges of the court in which the judgment is filed. Fees for docketing, transcription or other enforcement proceedings shall be as provided for judgments of any district court of this state.

[1977 c 51 s 5]

548.31 Optional procedure.

The right of a judgment creditor to bring an action to enforce his judgment instead of proceeding under sections 548.26 to 548.30 remains unimpaired.

[1977 c 51 s 6]

548.32 Uniformity of application and construction.

Sections 548.26 to 548.33 shall be so applied and construed as to effectuate its general purpose to make uniform the law with respect to the subject of sections 548.26 to 548.33 among those states which enact it.

[1977 c 51 s 7]

548.33 Citation.

Sections 548.26 to 548.33 may be cited as the uniform enforcement of foreign judgments act.

[1977 c 51 s 8]