

CHAPTER 508

CONVEYANCING, REGISTRATION

508.47 Registered lands; transfer, surveys.

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508.47 REGISTERED LANDS; TRANSFER, SURVEYS.*[For text of subd 1, see M.S.1984]*

Subd. 2. **Registered land survey.** The registrar of titles may require that the owner of a parcel of unplatted registered land, who conveys any part thereof which is not a full government subdivision, or simple fractional or quantity part of a full government subdivision, shall first file with the registrar of titles a drawing in triplicate of said parcel of unplatted land, showing the tract or tracts being or to be conveyed, which drawing shall be known as a "registered land survey."

[For text of subd 3, see M.S.1984]

Subd. 4. **Survey; requisites; filing; copies.** The registered land survey shall correctly show the legal description of the parcel of unplatted land represented by said registered land survey and the outside measurements of the parcel of unplatted land and of all tracts delineated therein, the direction of all lines of said tracts to be shown by angles or bearings or other relationship to the outside lines of said registered land survey, and the surveyor shall place monuments in the ground at appropriate corners, and all tracts shall be lettered consecutively beginning with the letter "A." A registered land survey which delineates multilevel tracts shall include a map showing the elevation view of the tracts with their upper and lower boundaries defined by elevations referenced to National Geodetic Vertical Datum, 1929 adjustment. None of said tracts or parts thereof may be dedicated to the public by said registered land survey. Except in counties having microfilming capabilities, a reproduction copy of the registered land survey shall be delivered to the county auditor. The registered land survey shall be on paper, mounted on cloth, shall be a black on white drawing, the scale to be not smaller than one inch equals 200 feet, and shall be certified to be a correct representation of said parcel of unplatted land by a registered surveyor. The mounted drawing shall be exactly 17 inches by 14 inches and not less than 2-1/2 inches of the 14 inches shall be blank for binding purposes, and such survey shall be filed in triplicate with the registrar of titles. Before filing, however, any such survey shall be approved in the manner required for the approval of subdivision plats, which approval shall be endorsed thereon or attached thereto.

At the time of filing, a certificate from the treasurer that current taxes have been paid must be presented before the survey is accepted by the registrar for filing.

In counties having microfilming capabilities, the survey may be prepared on sheets of suitable mylar or on linen tracing cloth by photographic process or on material of equal quality. Notwithstanding any provisions of subdivision 5 to the contrary, no other copies of the survey need be filed.

The registrar shall furnish to any person a copy of said registered land survey, duly certified by him, which shall be admissible in evidence.

*[For text of subds 5 to 7, see M.S.1984]***History:** 1985 c 16 s 1,2; 1985 c 281 s 14; 1985 c 300 s 27

508.61 TRUST AND OTHER DEEDS OF LIMITATION; NEW TRUSTEE; CORPORATE DISSOLUTION.*[For text of subds 1 and 2, see M.S.1984]*

Subd. 3. Where a corporate owner did adopt a resolution for voluntary dissolution pursuant to chapter 301, the registrar of titles shall enter a new certificate of title in the name of the trustee in dissolution upon the surrender of the owner's duplicate certificate and the presentation of a certified copy of the certificate setting forth the adoption of the resolution together with the certificate of the secretary of state that said certificate of dissolution has been filed for record in his office.

*[For text of subd 4, see M.S.1984]***History:** 1985 c 16 s 3**508.62 TRUSTEE'S CONVEYANCE.**

No instrument executed by an owner whose fee title to registered land is held in trust which transfers or plats the land, shall be registered except upon the written certification of the examiner of titles that the instrument is executed in accordance with a power conferred in the instrument of trust or is authorized by law, or upon the order of the district court directing its registration. The examiner shall not certify any such instrument unless the trust is administered by the court or unless the document creating the trust, or a certified copy of it, is registered as a memorial upon the certificate of title. The certified copy of the certificate setting forth the adoption of the resolution for voluntary dissolution of a corporate registered owner together with the certificate of the secretary of state that said certificate of dissolution has been filed for record in his office shall be deemed the document creating the trust.

History: 1985 c 16 s 4**508.71 ALTERATIONS ON REGISTER; ORDER OF COURT; DIRECTIVE OF EXAMINER; NEW CERTIFICATES.***[For text of subds 1 to 3, see M.S.1984]*

Subd. 4. **Registration of memorials.** Without order of court or directive of the examiner, the registrar of titles may receive and register as memorials upon any certificate of title to which they pertain, the following instruments: receipt or certificate of county treasurer showing redemption from any tax sale or payment of any tax described in a certificate of title, a state deed issued to purchaser of tax-forfeited land, a certified copy of a marriage certificate showing the subsequent marriage of any owner shown by a certificate of title to be unmarried, a certified copy of a final decree of divorce or dissolution of a marriage entered in the state of Minnesota, or in any state, territory or possession of the United States, or the District of Columbia to establish the dissolution of a marriage relationship of any party shown on the certificate to be married, and a certified copy of the death certificate of party listed in any certificate of title as being the spouse of the registered owner when accompanied by an affidavit satisfactory to the registrar identifying the decedent with the spouse. In all subsequent dealings with the land covered by the certificates, the registrar shall give full faith to these memorials.

Subd. 5. **Survivorship.** In case of a certificate of title outstanding to two or more owners as joint tenants, upon the filing for registration of a certificate of death of one of the joint tenants and an affidavit of survivorship, and upon the surrender of

the owner's duplicate certificate of title, the registrar without the order or directive shall issue a new certificate of title for the premises to the survivor in severalty or to the survivors in joint tenancy as the case may be.

[For text of subd 6, see M.S.1984]

History: 1985 c 16 s 5; 1985 c 300 s 28

508.82 REGISTRAR'S FEES.

The fees to be paid to the registrar shall be as follows:

(1) of the fees provided herein, five percent of the fees collected under clauses (3), (4), (11), (13), (14), (15), (17), and (18) for filing or memorializing shall be paid to the state treasurer and credited to the real estate assurance account;

(2) for registering each original certificate of title, and issuing a duplicate of it, \$20;

(3) for registering each instrument transferring the fee simple title for which a new certificate of title is issued and for the issuance and registration of the new certificate of title, \$20;

(4) for the entry of each memorial on a certificate and endorsements upon duplicate certificates, \$10;

(5) for issuing each mortgagee's or lessee's duplicate, \$10;

(6) for issuing each residue certificate, \$20;

(7) for exchange certificates, \$10 for each certificate canceled and \$10 for each new certificate issued;

(8) for each certificate showing condition of the register, \$10;

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

(10) for a noncertified copy of any instrument or writing on file in the office of the registrar of titles, or any specified page or part of it, an amount as determined by the county board for each page or fraction of a page specified. If computer or microfilm printers are used to reproduce the instrument or writing, a like amount per image;

(11) for filing two copies of any plat in the office of the registrar, \$30;

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

(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 paid in the same manner as the compensation of other county employees, \$50, plus \$10 to memorialize;

(14) 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, \$10;

(15) for filing a condominium floor plan or an amendment to it in accordance with chapter 515, \$30;

(16) for a copy of a condominium floor plan filed pursuant to chapters 515 and 515A, the fee shall be \$1 for each page of the floor plan with a minimum fee of \$10;

(17) for filing a condominium declaration and floor plans or an amendment to it in accordance with chapter 515A, \$10 for each certificate upon which the document is registered and \$30 for the filing of the floor plans or an amendment thereto;

(18) for the filing of a certified copy of a plat of the survey pursuant to section 508.23 or 508.671, \$10;

(19) for filing a registered land survey in triplicate in accordance with section 508.47, subdivision 4, \$30;

(20) for furnishing a certified copy of a registered land survey in accordance with section 508.47, subdivision 4, \$10.

History: 1985 c 281 s 15