565.26 ORDER FOR SEIZURE OF PROPERTY.

Subdivision 1. **Seizure order requirements.** An order for seizure of property shall:

(1) identify the property to be seized;

(2) direct the sheriff to seize the property; and

(3) specify that the claimant is authorized, immediately or after a specified reasonable period of time, to sell or otherwise dispose of the property pending final hearing on the merits unless the court makes a specific finding that the interests of respondent cannot be adequately protected by the bond.

Subd. 2. **Order entry.** An order for seizure of property may:

(1) describe the place or places which may be entered by force by the sheriff subject to the limitations of clause (3);

(2) require that the respondent, the respondent's agents or employees deliver the property to claimant or disclose its location, and, if delivery is not made or the location is not disclosed, that respondent must appear in court at a specified time and place to give testimony as to the location of the property and to show cause why an order should not be entered finding respondent in contempt of court for failure to deliver the property or to disclose its location; and

(3) provide that if the property, or any of it is concealed in a building or elsewhere, and a public demand made by the sheriff for its delivery is refused or there is no response, the sheriff shall cause the building or enclosure to be broken open and shall take the property therefrom. The sheriff may not enter the residence of a person other than respondent unless the order specifies, identifying with particularity the residence or residences which may be entered, on the basis of a finding by the court that probable cause exists to believe that the property is at this residence.

History: *1979 c 18 s 6; 1986 c 444*