570.131 MODIFICATION OR EXPIRATION OF ATTACHMENT.

Subdivision 1. **Modification.** Before the entry of judgment, any party may obtain vacation of the order of attachment, the release of any property, or the modification of any term or condition of the order upon a bond or other condition as the court orders.

Subd. 2. **Expiration.** The attachment shall expire upon the demand of the respondent or upon the discretion of the sheriff if:

(1) in cases in which the civil action was commenced by delivery of the summons and complaint to the sheriff, service of process in the civil action is not obtained on the respondent within 60 days after the order for attachment or such further time as the court specifies;

(2) judgment is entered in favor of the respondent;

(3) no judgment is entered against the respondent within three years after the date of the order of attachment or such further time as the court specifies; or

(4) the property subject to an attachment is not sold or otherwise applied to the judgment within six months after the date when the judgment becomes final and nonappealable.

If the order of attachment is vacated, the claimant shall be responsible for payment of any charges and expenses incurred by the sheriff. After the attachment is vacated, upon request of the respondent, the claimant or the claimant's attorney shall execute any satisfaction or other document that is necessary to clear title to the respondent's property. If the claimant fails to do so, the claimant is liable for the respondent's costs in obtaining a court order to clear title.

History: *1985 c 153 s 14*