

**Chapter:** 16

**Session:** 2017 Regular Session

**Topic:** Changes to real property statutes; recording; registration; and titles

**Analyst:** Mary Mullen

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### Overview

This Act has clarifying and technical changes to statutes affecting real property including the registration of land, recording, and land titles.

#### Section

- 1**      **Requirements.** Adds contracts for deed to the current list of exemptions to the requirement that a certificate of value be filed after the property is sold. This section is effective April 22, 2017.
- 2**      **Deed in fulfillment of contract for deed.** Allows an exemption for filing a certificate of real estate value for contracts for deed consistent with section 1. This section is effective April 22, 2017.
- 3**      **Validity and time of recording of electronic documents.** Clarifies the use of electronic signatures and electronic documents for the purposes of real property recording.
- 4**      **Contents of application; rights and privileges of claimants.** Removes a requirement that the estimated market value of real property be included on an application to register real property.
- 5**      **Rights of person holding certificate of title.** Includes existing petitions or other proceedings affecting title in the list of rights and encumbrances that continue after a certificate of title is issued.
- 6**      **Appeals.** Amends the time to appeal an order in an action relating to registered land from 90 days to 60 days.
- 7**      **Reissuance.** Allows an agent of the owner of land, such as an attorney, to request a new certificate of title.
- 8**      **Transfers of lot, block parts.** Corrects a grammatical mistake in statute.

- 9        **Determination of boundaries.** Amends the court proceedings for actions determining boundary lines of real estate and the process for using an order to be filed with the county recorder and registrar of titles.
- 10       **Directive by examiner.** Adds a provision that allows title examiners to remove easements and other non-fee interests which have ended by their own terms or written agreements without a court order or court proceeding.
- 11       **Court administrator's fees; publication and service costs.** Deletes existing law that allows for a minimal filing fee for the registration of real property and requires the registration of titles to pay the standard civil filing fee in Minn. Stat. 357.021, which is \$310. This section also requires the parties to provide service and cover the expense of postage and changes how orders affecting adjoining lands are filed with the registrar of titles and county recorder's office.
- 12       **Standard documents.** Changes the fee to be charged for a certified copy of a certificate of title from \$50 to \$10.
- 13       **Contents of application; claimants' rights, privileges.** Removes the requirement for estimated market value of the land in an application for the registration of land without court approval.
- 14       **Rights of person holding CPT.** Clarifies that a person holding the certificate of possessory title ("CPT") has the right to appeal or contest actions affecting the title where they may not already be a party to the action.
- 15       **Appeals.** Changes the amount of time a party can appeal an order of the district court relating to land registration from 90 days to 60 days.
- 16       **Reissuance.** Allows a person's attorney to request a new certificate of possessory title showing that past memorials have been terminated.
- 17       **Applies to transfers of parts of lots.** Corrects a grammatical error.
- 18       **Directive by examiner.** Adds a provision that allows title examiners to remove easements and other non-fee interests which have ended by their own terms or written agreements without a court order or court proceeding.
- 19       **Standard documents.** Allows a person to request a certified copy of a certificate of possessory title for \$10 instead of an official certificate of possessory title for \$50.
- 20       **Action to determine boundary lines.** Clarifies that actions to determine a boundary line with Torrens property must be brought under Minn. Stat. 508.671, which is that statute that allows for a petition to determine boundary lines with registered, Torrens property, and unregistered property.