

Examiner's Document List

Examiner's Approval and Certification

Examiner's Approval and Certification is needed prior to Recording for all Title Transfers, including Mortgage (or other liens), Easements, Platting, etc., which involve any of the following:

- * Trust documents (Deeds and Plats) 508.62
- * Probate documents (Personal Representative's Deed or Decree) 508.69
- * Guardian or Conservator's Documents 508.69
- * Religious Corporation Documents (excluding non-profit corporation)
- * Power of Attorney's and Affidavit by Attorney-in-fact
- * Where the Divorce Decree or Summary Real Estate Disposition Judgment is being used to transfer title 508.59
- * Clearance Certificates – Transfer on Death Deed (TODD) 507.071, Subd 23.

Examiner's Directive

- * To alter names, marital status, state of incorporation, etc. 508.71, Subd. 3.
- * To transfer certificate to purchaser of tax title (if 10 years since filing of Auditor's Certificate of Forfeiture, sale or State Assignment Certification) 508.67, Subd. 2.
- * After vacation of street or alley – to add accruing portion to the certificate 508.73, Subd. 2.
- * Condominium documents – CIC 's type condos 508.351
- * To drop old documents which have expired by their terms or are prohibited by statute 508.71, Subd. 3.
- * After mortgage foreclosure by action 508.58, Subd. 2.
- * Plat or corrections (RLS) – may require Proceedings Subsequent
- * Where the Divorce Decree or Summary Real Estate Disposition Judgment is being used to transfer title 508.59
- * After eminent domain proceedings 508.73
- * To drop racial restrictions 508.71, Subd. 3.
- * Transfer, Affidavits of Survivorship, etc., related to Minnesota Statute 256B.15 or 514.980 – 514 – 514.985 (Medical Assistance Liens)
- * To drop easements or restrictions which may appear on the Certificate of Title, but do not affect the title shown on the Certificate
- * To transfer after repurchase of Auditor's Tax Sale
- * To drop documents related to cancellation of a Contract for Deed where the Notice of Cancellation has been of record for 5 years 508.58, Subd. 5.
- *Foreclosure of Timeshare interest 508.58, Subd. 3-4.

Proceedings Subsequent (District Court Action)

- *After cancellation of Contract for Deed , if the Notice of Cancellation has been of record less than 5 years 508.58, Subd. 5
- *After mortgage foreclosure by advertisement 508.58, Subd. 1.
- *Tax title less than 10 years old 508.67, Subd. 2.
- *To reform the certificate of title or documents (to remove or add anything not specified under directive statutes)
- *To transfer title to buyer under Contract for Deed where contract is paid off, but no deed forthcoming
- *To determine or adjust (only if RLS is not available) boundaries 508.671
- * After Mechanic's Lien or judgment foreclosures
- * After a named corporation is dissolved and three years have passed or dissolution of any other entity shown as the registered owner
- * To determine adverse claims
- * Any other change to the Certificate the Examiner doesn't feel comfortable In directing without a Court Hearing
- * Lost deed or other instrument where only a copy is available

Items You May Wish to Discuss With the Examiner

- * Foreign notaries
- * Blanket or not well-defined easements
- * X by his/her mark
- * Appointment of corporate agent to sign documents
- * Whether to continue Divorce Decree on new Certificate (if lien)
- * Dropping old judgments, Federal Tax Liens, Mechanic's Liens
- * Items expiring by their own terms (lease, options to purchase, etc.)
- * Foreign decrees
- * Alterations to documents
- * Date only on acknowledgment
- * Use of A.K.A.'s as grantors or grantees
- * Affidavit of Merger, Easement and subsequent property acquired by the same owner
- * Owner redemption from Mortgage or other Lien Foreclosure Sale
- * Registrar's correction document for clerical errors – only if it may adversely affect the interest of a party (See: 508.71(1a))
- * Appeal to Examiner from Registrar's rejection (See: 508.321)
- * Notices of Adverse Claim
- * Registered Land Surveys
- * Lot or Parcel Splits