

## **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' 508.69
- \* Religious Corporation Documents
- \* Power of Attorney's and Affidavit by Attorney-in-fact

### **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
- \* To drop old documents which have expired by their terms or are outlawed by statute 508.71, Subd. 3.
- \* After foreclosure by action 508.58, Subd. 2
- \* Plat corrections (RLS)
- \* 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.
- \* Transfers, Affidavits of Survivorship, etc., related to Minnesota Statute 256.15, 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

### **Proceedings Subsequent (District Court Action)**

- \*After cancellation of Contract for Deed
- \*After mortgage foreclosure by advertisement 508.58, Subd. 1.
- \*Tax title less than 10 years old 508.67, Subd. 1.
- \*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 boundaries 508.67, Subd. 1.
- \* 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
- \* Lost deed or other instrument
- \* 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 when 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
- \* MERS (Mortgage Electronic Registration Systems Inc.)
- \* 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