



RINKE NOONAN

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*attorneys at law*

Firmly Committed.



## Torrens Basics

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Todd County Registrar of Titles and Country Recorder

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Sherburne, Mille Lacs, Roseau, Kittson and Marshall County Examiner of Titles

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## Torrens Property



Firmly Committed.



How did you get appointed as Examiner  
of Titles?

508.12

Firmly Committed.

Firmly Committed.



Does the Examiner need to reside or practice law in the County?

508.12

Firmly Committed.

Firmly Committed.



What is the job of the Examiner of Titles?

508.13

Firmly Committed.

Firmly Committed.



Is the Registrar of Titles involved in the appointment of the Examiner of Titles?

508.13

How does the Examiner work with the Registrar of Titles?

Firmly Committed.

Firmly Committed.



How are the Examiner's fees determined?

508.12

Firmly Committed.

Firmly Committed.





STATE OF MINNESOTA  
COUNTY OF SHERBURNE

STATE OF MINNESOTA  
COUNTY OF SHERBURNE  
**FILED**  
JAN 16 2015

SS. Civil Division - Torrens  
DISTRICT COURT  
TENTH JUDICIAL DISTRICT

In the Matter of Establishing the  
fees of the Sherburne County

PATRICIA A. KUKA  
COURT ADMINISTRATOR  
By *Patricia A. Kuka* Deputy

**ORDER**

Examiner of Titles

The Matter of the Establishment of Fees for the Examiner of Titles, pursuant to Minnesota Statutes Section 508.12, came on before the Judges of the Sherburne County District Court for consideration. At the request of the Examiner, and after review, the Court makes the following Order:

1. That the Examiner shall be paid at an hourly rate of \$200.00 per hour.
2. Notwithstanding the hourly rate and subject to review by this Court, the Examiner may establish a schedule of set fees for matters that regularly are brought to the Examiner.
3. The Examiner shall be paid \$300.00 per month from Sherburne County for services as advisor to the registrar.

Dated: *January 16*, 2015

*Shirley Hanley*  
\_\_\_\_\_  
Judge of the District Court



**SHERBURNE COUNTY EXAMINER OF TITLES  
FEE SCHEDULE  
January 1, 2015**

The Sherburne County District Court has established the following fee schedule for Sherburne County Examiner of Titles:

1. The hourly rate is \$200.00 per hour.
2. The following fee schedule will apply for matters that regularly come before the Examiner, which are not contested, do not require a Court appearance by the Examiner, and, which in the opinion of the Examiner, do not present extraordinary or unusual problems:
  - a. Examiner's Certifications and Directives  
(minimum fee) - \$170.00
  - b. Proceedings Subsequent After Mortgage  
Foreclosure, Contract for Deed Cancellation  
or Other Lien Foreclosures (Not Contested) - \$700.00
3. Filing fees, copies and other out-of-pocket costs are in addition to these fees.
4. For Applicants to Register Title and Petitioners in a Proceedings Subsequent, please send the Application or Petition to me for approval along with a \$384.00 check payable to the Rinke-Noonan Trust Account. This will pay for the Sherburne County District Court (\$322.00) filing fee and (\$16.00) fee for the certified copy, and (\$46.00) fee for the Sherburne County Recorder/Register of Titles. Alternatively, you may send a \$338.00 check payable to Sherburne County District Court Administrator (\$322.00 filing fee and \$16.00 certified copy) and a \$46.00 check payable to the Sherburne County Registrar of Titles/Recorder.
5. These fees are subject to change at any time. See: [www.rinkenoonan.com](http://www.rinkenoonan.com) and click on the Examiner of Titles page for more information.

David J. Meyers  
Sherburne County Examiner of Titles  
Rinke Noonan  
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P.O. Box 1497  
St. Cloud, MN 56302  
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Email: [dmeyers@rinkenoonan.com](mailto:dmeyers@rinkenoonan.com)

[16602-0060/1939714/1]

Firmly Committed.



How is the Application to Register Property handled in your county?

508.03, 508.06, 508.07

Firmly Committed.

Firmly Committed.



82 Co. Atlas  
NE 1/4 Section 21, Township 30, Range 22  
Last Certification Date: September 15, 2014 @ 7:00am  
PIN No.  
App. Doc. No.: 4355652 of RCR  
Last Doc. No.: 4512171 of RCR

Atty: Sarah Edstrom Smith (612) 977-8400

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

In the Matter of the Application of

COURT FILE NO. 62-CV-15-2058

700 Transfer Road Trust,  
a Minnesota grantor trust

REPORT OF EXAMINER

To Register Title to Certain Land.

TO THE HONORABLE JUDGES OF THE DISTRICT COURT:

Pursuant to Minnesota Statutes 508.13, as amended, the undersigned Examiner of Titles has examined into the title of the applicant(s) in and to the land described in the application, and into the truth of all matters set forth therein, and whether or not the land is occupied, and, if occupied, the nature thereof, and by what right the occupation is held, and also whether or not any judgments against applicant(s) or those through whom applicant(s) claim title, exist, which may be a lien upon the land described in the application, and to search all public records, and fully investigate all facts pertaining to the title which have been brought to my notice, and to make a report in writing to the Court of the substance of the proof and file a report thereon, including a certificate of opinion upon the title;

I, said Examiner of Titles, having examined the records indicated on all the abstracts filed herein, do now report as follows:

1. At the time of the filing of the application herein, the said applicant(s),

700 Transfer Road Trust,

is the owner in fee simple, except as hereinafter set forth, of all the certain lands in the County of Ramsey and State of Minnesota described in said application and as follows:

**Parcel 1:**

That part of the Northwest Quarter of the Northeast Quarter of Section 21, Township 30, Range 22, which lies north of the north line of the south 10 acres of said Northwest Quarter of the Northeast Quarter and which lies south of the south line of the north 30 acres of said Northwest Quarter of the Northeast Quarter and which lies easterly of the easterly right-of-way line of Interstate Highway No. 35E.

Firmly Committed.

That part of Lot 3, Block 1, White Bear Gateway Business Park, lying westerly of the following described line:

Parcel 2:

Commencing at the southwest corner of said Lot 3; thence East along the south line thereof 280 feet to the point of beginning of the line to be described; thence Northerly to a point on the north line of said Lot 3 distant 220 feet from the northwest corner thereof and said line there terminating.

2. At paragraph E of the application the applicant states that the property is currently occupied by Blackhawk Engagement Solutions (MD), Inc. *(I assume there will be evidence at the hearing to support a finding of fact in the Order and Decree of Registration to that affect)*

3. The mortgages on said land are as follows and should be shown in the "subject to" clause on page 3 of the printed form of the Order and Decree of Registration: NONE.

4. I note the following defects, encumbrances and irregularities:

a) At paragraph F(1) of the Application, applicant identifies the interest of the State of Minnesota pursuant to Final Certificate recorded July 10, 1973, as Doc. No. 1859777 of Ramsey County Records. I recommend the State of Minnesota as a defendant herein. *I further recommend that the subject to clause of the Order and Decree of Registration to be entered herein include the following statement:*

"Subject to rights acquired by the State of Minnesota as shown in Doc. No. 1859777 of Ramsey County Records, for trunk highway purposes taken for Interstate Highway 35E including the rights of access to said highway from the land."

b) At paragraph F(2) of the Application, applicant identifies the rights of the State of Minnesota pursuant to a deed recorded December 16, 1964, as Doc. No. 1637282 of Ramsey County Records. I recommend the State of Minnesota as a defendant herein. *I further recommend that the subject to clause of the Order and Decree of Registration to be entered herein include the following statement:*



“Subject to a limitation of access rights as shown in Doc. No. 1637282 of Ramsey County Records.”

e) At paragraph F(3) of the Application, applicant identifies the interests of the State of Minnesota pursuant to a deed recorded June 14, 1965, as Doc. No. 1649631 of Ramsey County Records. I recommend the State of Minnesota as a defendant herein. *I further recommend that the subject to clause of the Order and Decree of Registration to be entered herein include the*

*following statement:*

“Subject to limitations of access rights as shown in Doc. No. 1649631 of Ramsey County Records.”

d) At paragraph F(4) of the Application, applicant identifies the interest of Robert Owen International, LLC pursuant to a Declaration of Easements and Covenants recorded June 20, 2014 as Doc. No. 4512168 of Ramsey County Records. I recommend Robert Owen International, LLC as a defendant herein. *I further recommend that the subject to clause of the Order and Decree of Registration to be entered herein include the following statement:*

“Subject to Declaration of Easements and Covenants recorded June 20, 2014, as Doc. No. 4512168 of Ramsey County Records.”

e) At paragraph F(5) of the Application, applicant identifies the interest of Robert Owen International, LLC and Arcola Enterprises, LLC pursuant to an Easement Declaration and Agreement dated March 17, 2000, recorded April 3, 2000, as Doc. No. 3315771 of Ramsey County Records. I recommend Robert Owen International, LLC and Arcola Enterprises, LLC as defendants herein. *I further recommend that the subject to clause of the Order and Decree of Registration to be entered herein include the following statement:*

“Subject to an Easement Declaration and Agreement dated March 17, 2000, recorded April 3, 2000, as Doc. No. 3315771 of Ramsey County Records.”

Firmly Committed.



f) The most significant title defect effecting the property to be registered is a gap in the record fee title caused by the method by which the underlying property was subdivided. The Northwest Quarter of the Northeast Quarter of Section 21, Township 30, Range 22 was subdivided by conveying the north 30 acres and the south 10 acres. Use of these descriptions resulted in a gap between the two parcels. The last record owners of the entire Quarter-Quarter were John E. Blomquist, Della C. Blomquist, Albert B. Johnson and Maude B. Johnson. Required title pursuant to documents recorded in Ramsey County Records in 1932 and 1933 as Doc. Nos. 835737, 835738, 835826, and 846062. To the extent applicant does not have good record title to the subject property, *(I assume there will be evidence at the hearing to establish title thereto by Adverse Possession)* For determination of this issue I recommend John E. Blomquist, Della C. Blomquist, Albert B. Johnson and Maude B. Johnson as defendants herein.

g) At paragraph G(2) of the Application, applicant identifies the interests of Ted Glasrud Associates MN, LLC and Robert Owen International, LLC pursuant to a Declaration of Easements and Covenants, dated March 22, 1995, recorded April 20, 1995, as Doc. No. 2864440; as amended by Doc. No. 4059300. *Applicant requests and this Examiner recommends that the legal description in the Declaration of Easements and Covenants be reformed to include the portion of property included in the gap referenced in the paragraph above.* For determination of this issue I recommend Ted Glasrud Associates MN, LLC and Robert Owen International, LLC as defendants herein. *I further recommend that the subject to clause of the Order and Decree of Registration to be entered herein include the following statement:*

“Subject to a Declaration of Easements and Covenants dated March 22, 1995, recorded April 20, 1995, as Doc. No. 2864440 as amended by document dated September 18, 2007, recorded October 9, 2007, as Doc. No. 4059300 of Ramsey County Records and reformed pursuant to court file 62-CV-15-2058 as shown in Doc. No. \_\_\_\_\_.” (Insert Doc. No. of Order and Decree of Registration).



h) At paragraph G(3) of the Application, applicant identifies the interests of Robert Owen International, LLC pursuant to Declaration of Parking Easement recorded as Doc. No. 4069607. The legal description in said easement includes a portion of the property being registered herein included within the gap parcel referenced in paragraph 4(f) above. *Accordingly the legal description in said easement should be reformed to include the portion of property included in the gap referenced in the paragraph above.* I recommend **Robert Owen International, LLC** as a defendant herein. *I further recommend that the subject to clause of the Order and Decree of Registration to be entered herein include the following statement:*

“Subject to terms, conditions and obligations as contained in the Declaration of Parking Easement dated September 4, 2004, recorded December 10, 2007, as Doc. No. 4069507 of Ramsey County Records, as reformed in court file 62-CV-15-2058, as shown in Doc. No. \_\_\_\_\_.” (Insert Doc. No. of Order and Decree of Registration).

At Entry No. 230 of the Abstract of Title on file herein is a Declaration of Easements and Covenants dated June 18, 2014, recorded June 20, 2014, as Doc. No. 4512168 of Ramsey County Records. *I recommend that the subject to clause of the Order and Decree of Registration to be*

i)  
*entered herein include the following statement:*

“Subject to a Declaration of Easements and Covenants dated June 18, 2014, recorded June 20, 2014, as Doc. No. 4512168 of Ramsey County Records.”

j) Based on the gap issued referenced previously I would normally recommend that the property owner adjoining to the north be named as a defendant herein. However, the adjoining owner did Quit Claim the gap parcel to the applicant so need not be named as a defendant.

This paragraph is not included as an objection to title but merely for completeness of this Report.





5. The parties defendant in said cause should be:

State of Minnesota – paragraphs 4(a), (b) and (c)

Robert Owen International, LLC – paragraphs 4(d), (e), (g) and (h)

Arcola Enterprises, L.L.C – paragraph 4(e)

John E. Blomquist – paragraph 4(f)

Della C. Blomquist – paragraph 4(f)

Albert B. Johnson – paragraph 4(f)

Maude B. Johnson – paragraph 4(f)

Ted Glasrud Associates MN, LLC – paragraph 4(g)

"and all other persons or parties unknown claiming any right, title, estate, lien or interest in the real estate described in the application or amendments herein".

**NOTE: As required by Minnesota Statutes, Section 508.16 and Rule 4.03(d) of the Rules of Civil Procedure, the State of Minnesota should be served by delivering a copy of the Summons to the Attorney General, a Deputy Attorney General or an Assistant Attorney General.**

6. All the material allegations contained in the said application are substantially true as herein stated except as hereinabove found, and that the applicant is entitled to the relief prayed for upon correcting the irregularities and defects above named.

Respectfully submitted this 17<sup>th</sup> day of July, 2015.

WAYNE D. ANDERSON, EXAMINER OF TITLES

By Wayne D. Anderson  
Wayne D. Anderson



Why register title?

Firmly Committed.

Firmly Committed.



What are some tips to keep down the cost of registration?

Is it more economical for your client to pay you or the Examiner if you have limited Torrens experience.

Firmly Committed.

Firmly Committed.



How are Proceedings Subsequent  
handled in your county?

Firmly Committed.

Firmly Committed.

Atty: Christina M. Snow (651) 209-3300

✓ Paid E.T. No. 7521

IN PROCEEDINGS SUBSEQUENT TO INITIAL REGISTRATION OF LAND

STATE OF MINNESOTA  
COUNTY OF RAMSEY

DISTRICT COURT  
SECOND JUDICIAL DISTRICT

In the Matter of the Petition of

**FILE NO. P.S. 62-CV-15-5179**

Deutsche Bank Trust Company Americas, as trustee,  
for Residential Accredited Loans, Inc., Mortgage Asset-  
Backed Pass-Through Certificates, Series 2007-QS10,

**REPORT OF EXAMINER**

for a New Certificate of Title  
After Mortgage Foreclosure Sale.

*TO THE HONORABLE JUDGES OF THE DISTRICT COURT OF RAMSEY COUNTY:*

Pursuant to Minnesota Statutes 508.13, as amended, your Examiner has investigated the  
matters and facts set forth in the Petition and finds and reports as follows:

1.

There is outstanding in the office of the Registrar of Titles of Ramsey County Certificate of  
Title No. 566583 in favor of Christopher LeBlanc and Angela LeBlanc, for land legally described  
as:

**Lot 13, Block 1, Governor Johnson Addition**

with recitals and memorials shown thereon.

2.

The amount claimed to be due and owing on the mortgage recorded as Doc. No. 2011779 as  
of the date of the notice of foreclosure sale was more than 2/3 of the principal amount secured by  
the mortgage; and the mortgaged lands did not exceed ten acres in size.





3.

More than six months and seven days have elapsed since the date of the mortgage foreclosure sale, there has been no redemption therefrom and the statutory period of time for redemption has expired.

4.

*(I assume there will be evidence at the hearing to support a finding of fact that)*

Christopher LeBlanc and Angela LeBlanc were not in the military service of the United States at the time of the mortgage foreclosure sale, nor for one year prior thereto, nor at any time through the end of the redemption period.

5.

*(I assume there will be evidence at the hearing to support a finding of fact that)*

Christopher LeBlanc and Angela LeBlanc were not the subject of a bankruptcy proceeding from the time the foreclosure proceeding commenced through July 23, 2015, the date on which their right to redeem from said foreclosure sale expired.

6.

*(I assume there will be evidence at the hearing to support a finding of fact that)* neither

petitioner nor attorney for petitioner is aware of any challenge to the validity of the foreclosure of said mortgage recorded as Doc. No. 2011779.

7.

*(I assume there will be evidence at the hearing to support findings of fact regarding)* which of the following: sections 580.021, 580.04, 580.041, 580.042, 582.039, 582.041, or 582.042, apply to the subject foreclosure proceedings.

Firmly Committed.



If any or all of those sections apply, *(I assume there will be evidence at the hearing to support the following findings of fact)* that all requirements of said sections have been complied with.

8.

*(I assume there will be evidence at the hearing to support a finding of fact as to the mailing address of the Petitioner for taxation purposes).*

9.

Notice of this proceeding should be given to **Christopher LeBlanc and Angela LeBlanc** [registered owners], U.S. Bank National Association ND [Doc. No. 2011780] and to all **occupants of the subject property**, said notice to be by service upon them of an Order to Show Cause returnable before this court at 2:00 o'clock P.M. of a Wednesday to be therein designated.

*(The matter of occupancy or lack of it should be covered by evidence at the hearing and a finding of fact)*

I therefore recommend, upon return of said Order to Show Cause and upon due proof of the foregoing matters at the hearing herein, no objection to the contrary then appearing, that this court enter an order as follows:

Firmly Committed.



***NOW THEREFORE, IT IS ORDERED,*** that the Registrar of Titles of Ramsey County, upon the filing of a certified copy of this Order, Court File No. 62-CV-15-5179, cancel Certificate of Title No. 566583 and enter a new certificate for the land therein described in favor of Deutsche Bank Trust Company Americas, as trustee, for Residential Accredit Loans, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2007-QS10, free of all the memorials now appearing on said cancelled certificate up to and including Doc. No. 2522141 and free of the memorial of this Order except the Registrar of Titles shall carry forward the memorial of Doc. No. 2516629.

Respectfully submitted this 4 day of September 2015.

WAYNE D. ANDERSON, EXAMINER OF TITLES

By

Nathan A. Bissonette, Deputy

NAB/ajv

Firmly Committed.





What is the difference between an Examiner's Directive and an Examiner's Certification?

When are they required?

Firmly Committed.

Firmly Committed.



Page \_\_\_\_\_ Of \_\_\_\_\_  
**APPROVED FOR FILING**

By \_\_\_\_\_  
**DATED:** \_\_\_\_\_

**Robert L. Russell, Examiner of Titles**

Firmly Committed.

Firmly Committed.



## CERTIFICATION

I hereby certify that this instrument is legally sufficient for issuance  
of a new Certificate of Title to \_\_\_\_\_

\_\_\_\_\_

for land described in Certificate of Title Number \_\_\_\_\_

David J. Meyers, Sherburne County Examiner of Titles

Date \_\_\_\_\_

Subject to:

Firmly Committed.

Firmly Committed.



## DIRECTIVE

I hereby direct the Sherburne County Registrar of Titles to issue a new Certificate of Title to the Grantee(s) stated on the attached Deed for land described in Certificate of Title No. \_\_\_\_\_.

David J. Meyers, Sherburne County Examiner of Titles

Date \_\_\_\_\_

Subject to:

Firmly Committed.

## SELLNOW LAW OFFICE, P.A.

Attorney at Law  
Thomas H. Sellnow\*

Associate  
Jason R. Sellnow

Legal Assistants  
Tamera Byland  
Beth Nelson

\*Real Property Law Specialist  
Certified by the Real Property  
Section of the Minnesota  
State Bar Association

September 19, 2014

Cheryl Perish  
Registrar of Titles  
Todd County Recorder's Office  
215 1<sup>st</sup> Ave. S  
Suite 203  
Long Prairie, MN 56347

RE: Certificate of Title No. 573  
Our File No. 14-2165

Dear Ms. Perish:

The applicant has requested a certification of examiner in accordance with the provisions of Minn. Stat. § 508.62.

I have reviewed the Certificate of Title together with the various memorials. I have also reviewed the following Quit Claim Deed:

- Quit Claim Deed recorded as Instrument No. 4272 from Kenneth G. Pung and Mary R. Pung, husband and wife to Kenneth G. Pung and Mary R. Pung, as Trustees of The Kenneth G. Pung and Mary R. Pung Revocable Trust dated January 22, 2003. The property conveys the real property described in Certificate of Title No. 573.

The following documents have been submitted for review:

- Affidavit of Trustee of Kenneth G. Pung and Mary R. Pung attached to a Certificate of Trust of Kenneth G. Pung and Mary R. Pung;
- Trustee's Deed from Kenneth G. Pung and Mary R. Pung as Trustees of the Kenneth G. Pung and Mary R. Pung Revocable Trust to Stewart Tschida and Amy Tschida as joint tenants; and
- Mortgage from Amy and Stewart Tschida, wife and husband to Liberty Savings Bank in the amount of \$185,000.00.

I note the following irregularities with respect to the enclosed documents:

- The grantor on the Trustee's Deed reads as follows:  
Kenneth G. Pung and Mary R. Pung, as Trustee of the Kenneth G. Pung and Mary R. Trust.

229 Central Avenue, Long Prairie, MN 56347 (320) 732-1919 (320) 732-1922 (FAX)  
Staples (218) 894-4618



Cheryl Perish Letter  
Page 2  
September 19, 2014

The undersigned would recommend that grantor's name read as follows:

Kenneth G. Pung and Mary R. Pung, as Trustees of the Kenneth G. Pung and Mary R. Pung Revocable Trust dated January 22, 2003.

The Affidavit of Trustee and Certificate of Trust are both consistent with the Quit Claim Deed recorded as Instrument No. 4272. Accordingly, the undersigned does not require that the enclosed Trustee Deed be rejected.

From the review of the documents submitted, the undersigned finds the trust is not subject to court supervision. The Affidavit of Trustee is authorized by Minn. Stat. § 501B.57 and the Certificate of Trust is as authorized by Minn. Stat. § 501B.56. Note the Certificate of Trust and Affidavit of Trustee may be recorded as one document and should be memorialized upon the Certificate of Title. The Trustee's Deed submitted runs from Kenneth G. Pung and Mary R. Pung, as Trustee of the Kenneth G. Pung and Mary R. Pung Revocable Trust to Stewart Tschida and Amy Tschida as joint tenants.

Upon submission of the proper fees for recording, I certify that the registrar may issue a new Certificate of Title with the following memorials:

- Document No. T 1741 - Quit Claim Deed;
- Document No. T 1742 - Quit Claim Deed;
- Document No. T 1757 - Statement Severed Mineral Rights;
- Document No. T 1768 - Statement Severed Mineral Rights;
- Document No. T 3560 - Variance;
- Document No. T 4186 - Vacation;
- Document No. T 4228 - Amend Articles of Inc.;
- Document No. T 4229 - Certificate of Conversion;
- Document No. T 4230 - Merger;
- Document No. T 4451 - Variance;
- Document No. T 5545 - Statement Severed Mineral Rights; and
- Document No. T 5559 - Statement Severed Mineral Int.

The Certificate of Trust shall be memorialized upon the Certificate of Title in accordance with the provisions of Minn. Stat. § 508.62. The Certificate of Title shall issue in the names of Stewart Tschida and Amy Tschida, husband and wife. The mortgage in favor of Liberty Savings Bank shall be memorialized upon the Certificate of Title.

Please contact the undersigned if you have questions or concerns.

Yours very truly,

SELLNOW LAW OFFICE, P.A.

By:  
Thomas H. Sellnow

THS:tb

Enclosures (as stated)

[00004-0678;2134171;1]

cc: Home Town Title enc.)





ET. NO.

STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE OF EXAMINER OF TITLES

CERTIFICATE(S) OF TITLE NO(S). \_\_\_\_\_

Pursuant to the provisions of Chapter 508 of Minnesota Statutes, **and upon the prior recording of the following:**

- Certified copy of \_\_\_\_\_ County Power of Attorney recorded as Doc. No.
- Certificate of Trust
- Affidavit of Trustee

I certify that the attached document with the Examiner of Titles Seal affixed thereon, is executed in accordance with a power evidenced in said documents when accepted for filing.

WAYNE D. ANDERSON, EXAMINER OF TITLES

By \_\_\_\_\_  
Nathan A. Bissonette, Deputy

DATED: \_\_\_\_\_

Firmly Committed.

Firmly Committed.



Must the Examiner review the original, signed document in order to issue a Directive or a Certification?

Firmly Committed.

Firmly Committed.





## Advanced Torrens

Is a Directive required for a Power of Attorney in Torrens?

Firmly Committed.

Firmly Committed.



What if the husband is the registered owner on the Certificate of Title, may his wife join the Deed or Mortgage with a Power of Attorney?

Would a Directive be required?

Firmly Committed.

Firmly Committed.



The Certificate of Title is in the name of Alice, the registered owner. Deed comes in with two grantors and proper signatures, etc.: Alice, single and I.M. Stranger, single. I.M. Stranger appears nowhere on the Certificate of Title. Is the Deed acceptable for Transfer?

Firmly Committed.

Firmly Committed.



Is the answer different for a Mortgage  
joined by a non-registered owner?

Firmly Committed.

Firmly Committed.



Mortgage covers both Torrens and Abstract property. Mortgage Satisfaction is filed only in Abstract. How do you get the Torrens Mortgage satisfied?

Firmly Committed.

Firmly Committed.



Same facts, except the Mortgage Satisfaction only recites the document number from Abstract. How do you get the Torrens Mortgage Satisfied?

Firmly Committed.

Firmly Committed.



When may a Survey be memorialized on the Certificate of Title? How is that to be done?

Firmly Committed.

Firmly Committed.



What evidence of title should be required by the Examiner in the original Application to Register Title?

Firmly Committed.

Firmly Committed.





## **GENERAL RULES OF PRACTICE FOR THE DISTRICT COURTS**

### **Rule 203. Abstracts of Title**

The abstract when filed shall show the record of the patent or other conveyance from the United States, the record of the certified copy of the application, and shall include searches as to all state and federal judgments, federal and state tax liens, real estate taxes and tax and special assessment sales. The abstract shall also contain bankruptcy searched in the office of the County Recorder in the county in which the land is located. Additional bankruptcy searches in the office of the clerk of federal district court shall be required only in examination of title to lands in Hennepin, Ramsey and St. Louis counties.

*Firmly Committed.*



What is a Condition of Registrar? When is it required or used?

Firmly Committed.

Firmly Committed.



Todd County  
Registrar of Titles  
Condition of Register

Certificate of Title No. 407

The attached is a true and correct condition of the  
Register for the above certificate on file  
and of record in my office as of  
this 24th day of April 2015.

Cheryl Perish  
Todd County Registrar of Titles

By: Cheryl Perish  
Chief Deputy / Deputy

(Please note a raised seal of this office has been applied to the pages attached hereunto & become part of this certification.)



Firmly Committed.

File No. 407

# Certificate of Title

Transfer from No. 355 Originally

Registered on the 29th day of March 1976 at 10:00 A.M.  
Volume Three page 53

## REGISTRATION

State of Minnesota } SS This is to certify that James A Juelke & Jani E Juelke,  
County of Todd } husband and wife, as Joint Tenants  
of RR 3 Box 234 A

of the City of Sauk Centre  
County of Todd and State of Minnesota  
are now the owners of an estate, to wit: Fee Simple

of and in the following described land situated in the County of Todd and State of Minnesota, to wit:  
Lot One (1) Block Two (2) Birch Terrace Addition Plat #2, Todd County, Minnesota except that part of Lot 1 Block 2 Birch Terrace Addition Plat #2 described as follows: Beginning at the Northeast corner of said Lot 1 Block 2 Birch Terrace Addition Plat #2; thence southwesterly along the north line of said lot to its point of intersection with the shoreline of Long Lake; thence south on the shoreline of Long Lake also being the westerly line of said Lot 1 Block 2 a distance of 15 feet; thence in a northeasterly direction on a line 15 feet southeasterly of and parallel to the north line of said lot to its point of intersection with the east line of said Lot 1 Block 2; thence in a northwesterly direction along the east line of said Lot 1 Block 2 to the point of beginning, also being described as the northerly 15 feet of Lot 1 Block 2 Birch Terrace Addition Plat #2 which property is being attached to the existing lot located easterly of the above described property and described as Lot 7 Block 3 Birch Terrace Addition Plat #2 which property from this point forward shall be attached to said Lot 7 and it is further provided that in the future when either the above exception or said Lot 7 are sold that they will be sold as one parcel of real estate.

Subject to the encumbrances, liens and interests noted by the marginal endorsement or endorsed hereon, and subject to the following rights or encumbrances subsisting, as provided in M. S. Statutes 509.35 normally:

1. Same, claims, or rights arising or existing under the laws or the constitution of the United States, which this state cannot require to appear of record, real property
  2. The lien of any lien or special assessment for which the land has not been sold at the date of the certificate of title
  3. Any lien for or based on or accruing thereon within three years when there is actual occupation of the premises thereon
  4. All rights or public highways upon the land
  5. Such rights of appeal, or right to appear and contest the application, as is allowed by this chapter
  6. The rights of any person in possession under deed or contract for deed from the owner of the certificate of title
  7. Any outstanding mechanic lien rights which may exist under sections 514.01 to 514.17.
- That the said James A Juelke and Jani E Juelke are of the age of 52 & 51 years  
are married to each other and under no disability.



In Witness Whereof, I have hereunto subscribed my name and affixed the seal of my office, this 15th day of December 1972

Cheryl Demist  
REGISTRAR OF TITLES  
By \_\_\_\_\_ DEPUTY

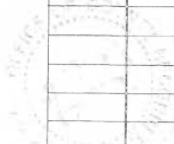


**MEMORIAL**

*Of Estates, Estates of Deceased or the Land described in the Certificate of Title hereto attached.*



DOCUMENT NUMBER	KIND OF INSTRUMENT	DATE OF REGISTRATION				DATE OF INSTRUMENT	AMOUNT	RUNNING IN FAVOR OF	SIGNATURE OF REGISTRAR
		MONTH	DAY	YEAR	HOUR AM. P.M.				
264	Plat Correction	March	20	1978	8	Dec 23 1977		Public	<i>Cheryl Peris</i>
1605	Mortgage	July	13	1987	10	May 22 1987	\$2,938.00	Independent Mortgage Services Inc	<i>Cheryl Peris</i>
1600	Assn Mtg	July	13	1987	10	July 13 1987	Assn #1605	to Naval Federal Savings & Loan Assn	<i>Cheryl Peris</i>
2059	Mortgage	March	5	1992	2	Feb 25 1992	\$5,000.00	First State Bank of Sauk Centre	<i>Cheryl Peris</i>
3107	Assn Mtg	July	19	1993	4	Dec 31 1991	Assn #1605	to Midland Mortgage Co	<i>Cheryl Peris</i>
3108	Sat Mtg	July	19	1993	4	Apr 22 1993		Satisfies #1605	<i>Cheryl Peris</i>
3302	Mortgage	Aug.	21	1995	4	Aug 1 1995	\$5,000.00	First State Bank of Sauk Centre	<i>Cheryl Peris</i>
3489	Sat Mtg	Mar.	24	1997	10	Mar 18 1997		Satisfies #3301	<i>Cheryl Peris</i>
3879	Sat Mtg	Feb.	22	2000	4	Feb 17 2000		Sats #2059	<i>Cheryl Peris</i>
4868	Mortgage	May	20	2008	3	May 7, 2008	\$5,000.00	Central Minnesota Federal Credit	<i>Lynda W. Stewart</i>
4945	Sat. Mtg.	March	5	2009	3	Feb. 25 2009		Satisfies #4868	<i>Lynda W. Stewart</i>
4966	Mortgage	March	5	2009	3	Feb. 20, 2009	\$65,000.00	Central Minnesota Fed. Credit Union, Wells Fargo	<i>Lynda W. Stewart</i>
5270	Sat Mtg	Oct	10	2011	5	Sept 20 2011		Sats 4946	<i>Cheryl Peris</i>



Firmly Committed.



What is a Registered Property Abstract?  
When is it required or used?

Firmly Committed.

Firmly Committed.

## Home Town Abstract & Title, L.L.C.

221 Lake Street, So., P.O. Box 150 • Long Prairie, MN 56347 •  
Phone 320-732-9036 Fax 320-732-9038

### **Registered Property Abstract**

For that real estate property located in Todd County, Minnesota, legally described as:

Lot One (1) Block Two (2) Birch Terrace Addition Plat #2, Todd County, Minnesota except that part of Lot 1 Block 2 Birch Terrace Addition Plat #2 described as follows: Beginning at the Northeast corner of said Lot 1 Block 2 Birch Terrace Addition Plat #2; thence southwesterly along the north line of said lot to its point on intersection with the shoreline of Long Lake; thence south on the shoreline of Long Lake also being the westerly line of said Lot 1 Block 2 a distance of 15 feet; thence in a northeasterly direction on a line 15 feet southeasterly of and parallel to the north line of said lot to its point of intersection with the east line of said Lot 1 Block 2; thence in a northwesterly direction along the east line of said Lot 1 Block 2 to the point of beginning, also being described as the northerly 15 feet of Lot 1 Block 2 Birch Terrace Addition Plat #2 which property is being attached to the existing lot located easterly of the above described property and described as Lot 7 Block 3 Birch Terrace Addition Plat #2 which property from this point forward shall be attached to said Lot 7 and it is further provided that in the future when either the above exception or said Lot 7 are sold that they will be sold as one parcel of real estate.

**Except easements of record, if any, and  
Except all minerals and mineral rights and any outstanding mechanic lien rights which may  
exist under Section 514.01 to 514.17;**

HOME TOWN ABSTRACT & TITLE, L.L.C. does hereby certify:

That **Certificate of Title No. 407**, the original certificate being filed in Todd County, Minnesota, is dated **March 29, 1976**, as **Volume 3, page 93**. That this report represents a true and accurate reflection of Current **Owners Duplicate Certificate**, as owned by **James A Juelke & Jami E Juelke**, husband and wife, as joint tenants of **RR3 Box 234A**, City of **Sauk Centre**, State of **Minnesota**, County of **Todd**, in fee simple, and are of legal age, and

That said property was purchased from **Allan J. Ogle and Helen K. Ogle, his wife**, by warranty deed dated **April 19, 1982**, filed **April 23, 1982**, as doc. #1229.

That the attached Exhibits, if any, are the correct copies of instruments as filed in the office of the Registrar of Titles, Todd County, Minnesota, which are reflected as recitals or unreleased memorials on said Certificate.

#### MORTGAGES: NONE

#### ADDITIONAL DOCUMENTS:

- Quit Claim Deed; Dated Dec. 9, 1992; Rec. Dec. 15, 1992 as Instrument No. 3054.
- Quit Claim Deed; Dated Dec. 9, 1992; Rec. Dec. 15, 1992 as Instrument No. 3055.
- Easement Agreement; Dated Oct. 19, 2007; Rec. Nov. 29, 2007 as Instrument No. 4827
- (Ref)** Quit Claim Deed; Dated April 18, 2000; Rec. June 9, 2000; as Instrument No. 3910.
- Correction to plat recorded as Instrument No. 964.

That there are no unreleased –  
**FEDERAL TAX LIENS** pursuant to M.S.A. 272.48 and acts amendatory thereto; **NONE**  
**STATE TAX LIENS** pursuant to M.S.A. 290.92 and 297.40 and acts amendatory thereto; **NONE**  
**BANKRUPTCY** proceedings pursuant to U.S. Code Annotated Rule 602; the Bankruptcy Reform Act of 1978 or M.S.A. 386.45 and acts amendatory thereto, Except as follows: **NONE**

FILED FOR RECORD in the office of the Registrar of Titles, said county and state against the following names:

James A Juelke; Jami E Juelke;

**JUDGMENTS**, as might be filed with the Todd County Court Administrator's Office in the above names; **NONE**

(Continued on Page 2)



Firmly Committed.



## Home Town Abstract & Title, L.L.C.

221 Lake Street, So., P.O. Box 150 • Long Prairie, MN 56347 •  
Phone 320-732-9036 Fax 320-732-9038

### ***Registered Property Abstract***

Continued:

FURTHER CERTIFIES:

THAT there are **no special assessments** in the office of the County Auditor, except as follows: **NONE**

THAT there are **no delinquent real estate taxes** in the office of the County Auditor, except as follows and except minerals: **NONE**

THAT the **CURRENT REAL ESTATE TAXES** in the office of the County Treasurer, **Payable in 2015** are as follows: except minerals: **HOMESTEAD**

Taxes due in **2015** for **Parcel No. 03-0072900** in the amount of **\$2,760.00** are **half paid**.

**NO CERTIFICATION** made as to taxes and assessments deferred under M.S.A. 723.111 (commonly called Green Acres).

**NO CERTIFICATION** made as to instruments filed as chattel instruments only or as to instruments recorded which are without land descriptions and/or not shown on the tract index in the office of the county Recorder.

**NO CERTIFICATION** made as to local, city or county ordinances, i.e., zoning, whether recorded or not.

Dated and Sealed at **Long Prairie, MN**, on **April 29, 2015**, at 7 o'clock A.M.

Seal

HOME TOWN ABSTRACT & TITLE, L.L.C.

By: \_\_\_\_\_  
Authorized Signature

This Abstract of title is a history of the record title of the property described therein and does not necessarily represent that the title is good and marketable."  
"LIABILITY IS LIMITED TO THE AMOUNT OF THE COST OF THIS REPORT"

File #15-356





Should an Application to Register Title be indexed against adjoining parcels when the applicant is not seeking to determine boundaries?

Firmly Committed.

Firmly Committed.



At the conclusion of a Registration Action, should the Order and Decree of Registration be filed in both Abstract and Torrens?

Firmly Committed.

Firmly Committed.



Can an Action to Determine Adverse Claims (Minn. Stat. 559.01) be used to correct a Torrens/Certificate of Title?

Firmly Committed.

Firmly Committed.



What is a Certificate of Possessory Title (CPT) under Minnesota Statutes Chapter 508A? When may it be used?

Firmly Committed.

Firmly Committed.



What documents should be included in the Examiner's Directive to issue CPT?

Firmly Committed.

Firmly Committed.

# TODD COUNTY BOARD OF COMMISSIONERS

## A RESOLUTION ESTABLISHING THE POSSESSORY TITLE METHOD OF REGISTERING PROPERTY IN TODD COUNTY

On a motion by Kircher and second by Blessing, the following was adopted by unanimous vote:  
**WHEREAS**, MS 508A.01 to 508A.85 provides an alternative to registration under chapter 508 and are intended for uncontested titles.

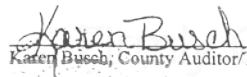
**WHEREAS**, this form of registration is to provide an initial voluntary procedure for registration of certain possessory estate in and with certainty under a certificate of possessory title (CPT) at reasonable cost and speed and without the necessity for the initial adjudication required by Chapter 508.

**WHEREAS**, the County Recorder & Registrar of Titles for Todd County, along with the Todd County Examiner of Titles see the benefit to the Todd County taxpayers of establishing this procedure and recommend to the Todd County Board of Commissioner to authorize this CPT process outlined in MS 508A in Todd County.

**THEREFORE BE IT RESOLVED**, the Todd County Board of Commissioners accept the recommendation of the County Recorder & Registrar of Titles, along with the Examiner of Titles and hereby authorize the possessory title to real estate process (CPT) in Todd County. Lands to be registered in accordance with the provisions and in the manner provided in MS 508A.01 to 508A.85 and amendments thereto.

STATE OF MINNESOTA }  
COUNTY OF TODD }

I, Karen Busch, Todd County Auditor/Treasurer, hereby certify that I have compared the foregoing copy of the resolution of the County Board of said County with the original record thereof on file in the Administration Office of Todd County in Long Prairie, Minnesota as stated in the minutes of the proceedings of said board at a meeting duly held on March 19, 2013, and that the same is a true and correct copy of said original record and of the whole thereof, and that said resolution was duly passed by said board at said meeting. Witness my hand and seal this 19<sup>th</sup> day of March, 2013.

  
\_\_\_\_\_  
Karen Busch, County Auditor/Treasurer



# Certificate of Possessory Title (CPT)

Certificate No: 9287.0

First Certificate of Possessory Title, pursuant to the Directive of the Examiner of Titles, County of Sherburne, and State of Minnesota, dated August 17, 2011.

## *State of Minnesota, County of Sherburne*

This is to certify that  
MARY BRIDGET DONAHUE BORGESON

Whose address is  
P.O. Box 633  
in the City of Excelsior  
State of Minnesota 55331

*Owner(s) of the following described land situated in the  
County of Sherburne and State of Minnesota*

That part of the Southeast Quarter of the Southwest Quarter of Section 33, Township 34, Range 27, Sherburne County, Minnesota, lying North of the South 1055 feet and lying West of the East 604 feet, both as measured at right angles, thereof; and lying East of a line described as: Beginning at the Southeast corner of the West 33 feet, as measured at right angles, of said Southeast Quarter of the Southwest Quarter; thence North along said East line of the West 33 feet for a distance of 100.67 feet; thence along a tangential curve concave to the Southeast, radius 533.88 feet, for a central angle of 39 degrees 54 minutes 34 seconds and length 371.88 feet, more or less, to intersect with and terminate said line at the North line of said Southeast Quarter of the Southwest Quarter, also being the South line of Tract H, Registered Land Survey No. 7, Sherburne County, Minnesota, at the mid-point thereof.

Subject to the encumbrances, liens and interest noted by the memorial underwritten or endorsed hereon; and subject to the following rights, or encumbrances subsisting, as provided in M.S. Section 508A.25 namely:

1. liens, claims, or rights arising or existing under the laws or Constitution of the United States, which this state cannot require to appear of record;
2. the lien of any real property tax or special assessment;
3. any lease for a period not exceeding three years when there is actual occupation of the premises under it;
4. all rights in public highways upon the land;
5. the rights of any person in possession under deed or contract for deed from the owner of the CPT;
6. any claims that may be made pursuant to section 508A.17 within five years from the date of the first CPT; and

7. Any outstanding mechanics lien rights which may exist under sections 514.01 to 514.17;

***In Witness Whereof,***

I have hereunto subscribed my name and affixed the seal of my office this 17th day of August, 2011

Michelle Ashe  
Registrar of Titles  
In and for the  
County of Sherburne  
State of Minnesota

A

By

---

\_\_\_\_\_

Firmly Committed.





## Memorials

Certificate No: 9287.0

Document #: A 266906  
Amount:  
Dated: 09/15/1992  
In favor of:

Instr: RESTRICTIVE COVENANTS  
Ref: A284750  
Filed: 09/17/1992 at 3:22 PM

**WHOM IT CONCERNS**

Comments:  
/s/ Holly Menke

Document #: T 40514  
Amount:  
Dated: 05/30/2007  
In favor of:

Instr: ROAD ORDER  
Ref: ALSO COVERS ABSTRACT LAND  
Filed: 06/19/2007 at 12:10 PM

**ORROCK TOWNSHIP**

Comments:  
/s/ Holly Menke

Document #: T 46180  
Amount:  
Dated: 08/15/2011  
In favor of:

Instr: DIR/CERT POSSESSORY TITLE  
Ref:  
Filed: 08/17/2011 at 10:06 AM

**BORGESON, MARY BRIDGET DONAHUE**

Comments:  
/s/ Holly Menke

\*\*\*\*\* End of Memorials \*\*\*\*\*

Firmly Committed.



## How is an error in a Certificate of Title made by the Registrar corrected?

Firmly Committed.

Firmly Committed.



**When can or should an Affidavit be memorialized on a Certificate (beyond affidavits of survivorship authorized by Minn. Stat. § 508.71, Subd. 5)?**

Firmly Committed.

Firmly Committed.



# Thank You!

Cheryl Perish

Todd County Registrar of Titles and Country Recorder  
[cheryl.perish@co.todd.mn.us](mailto:cheryl.perish@co.todd.mn.us)

Robert Russell

Russel Law Office, Otter Tail County Examiner of Titles  
[rrussell@prtcl.com](mailto:rrussell@prtcl.com)

Wayne Anderson

Ramsey County Examiner of Titles  
[Wayne.Anderson@CO.RAMSEY.MN.US](mailto:Wayne.Anderson@CO.RAMSEY.MN.US)

David J. Meyers

Sherburne, Mille Lacs, Roseau, Kittson and Marshall  
County Examiner of Titles  
[dmeyers@rinkenoonan.com](mailto:dmeyers@rinkenoonan.com)

For a copy of today's presentation visit:

[www.rinkenoonan.com](http://www.rinkenoonan.com)

Firmly Committed.