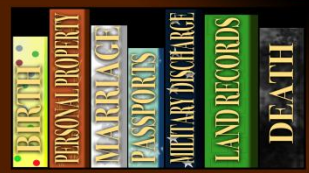


COUNTY RECORDER



THE RECORDER

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Contents:

UCCs
Torrens Certs
RRV PREP
MRT Law Change
Notary Renewal
Well Disclosure

The Recorder

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UCCs (Uniform Commercial Code)

The Minnesota Secretary of State's Office made some big changes relating to UCCs and the County Satellite agreement with County Recorders. Due to these changes and a decrease in UCCs filed at a local level, the Clay County Recorder's Office will no longer file or search UCCs as of **December 31, 2011**. We will continue to record UCCs attached to real estate and we will continue to process Tax Liens and Tax Lien searches. It appears over half of the 87 counties will no longer act as satellites for the Secretary of State's Office.

So far, it appears our neighbors, **Becker and Norman County Recorder Offices will continue to file and search UCCs**. If you prefer to file or search using paper documents and prefer to keep the fees at a local level please contact Becker or Norman County.

TORRENS CERTIFICATES

The Clay County Recorder's Office has a new Torrens management program. If you work with Torrens certificates you will notice a change in format.

RED RIVER VALLEY PREP MEETING

RRV PREP (Property Records Education Partners) Chapter was formed in 2006 under the Property Records Industry Association (PRIA). We meet three times a year to offer education and discussion on topics that relate to the local private and public real estate industry. Our goal is to network and share information to make our processes more helpful and efficient to everyone involved. Anyone is welcome to attend. Information such as agendas and minutes are only distributed by email. No dues are collected so we work to keep costs down. The meetings are usually at the Moorhead City Chamber above the Moorhead Center Mall lobby area. This is a comfortable location for a large group and great technology is available for presentations.

The next meeting is **November 9, 2011, at 1:30 pm, Moorhead City Chamber**. Our topics are **MERS/Robo Signers and Transfer on Death Deeds in MN and now in ND**. Please come and get on our email list so you can be made aware of future meetings and receive minutes. If you can't attend but would like to get on the email list, send an email to rvvprep@co.clay.mn.us

2011 Mortgage Registry Tax Law Change

Minnesota Statute 287.05, Subd. 2, was amended to clarify that an existing mortgage is taxable to the extent that it is modified to secure new funds advanced to the debtor, on which the tax has not been paid even though the new outstanding amount of debt does not exceed the amount previously secured by the mortgage. This does not apply to line-of-credit mortgages for which there is an existing allowance in statute. Effective June 1, 2011.

Example

2009: A mortgage is recorded securing a non-revolving \$ 1,000,000 Note. This not a line-of-credit loan.

2011: When the existing indebtedness is \$600,000, the lender provides the borrower with an additional \$300,000 and modified the mortgage accordingly. Mortgage Registry Tax (MRT) is due on \$300,000 of new debt.

If you e-record the MRT is calculated for you and rejection can be avoided.

The Clay County website also includes an online [MRT calculator](#).

Notary Renewal Filing Period Began August 1

Notary commissions are valid for five years and expire on January 31, of the fifth year. Prior to their commission's expiration, notaries must file to renew their commission. As of this year, notaries have a six-month window starting August 1, in which they can file their renewals.

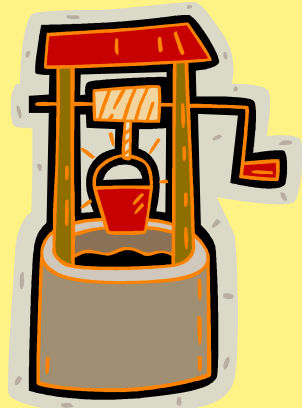
You now have the option of filing either online or by mail. Please visit the Minnesota Secretary of State website at: <https://notary.sos.state.mn.us> for instructions and forms. There is a \$120 renewal filing fee that can be paid online using a credit card (Visa or Master card) or e-check.

Once renewals are approved, commission certificates are available online for immediate printing. Commission certificates will include additional instructions on registering with the notary's county of residence. The county of residence will charge a \$20 fee due upon registration.

Well Disclosure Certificates

2011 Legislation increased the Well Disclosure Certificate fee from \$45 to \$50 effective 7/21/2011. Using the MN Department of Health [e-Well](#) Disclosure Certificate process is fast and easy. You know immediately if the certificate is acceptable and successful. You can also [search](#) to determine if a certificate has been filed in the past.

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HAPPY HALLOWEEN