

**FROM: Zenas Baer, Examiner of Titles, Clay County, Minnesota**

**DATE: September 2025**

The following is intended to assist with the administration of the Torrens system. Please contact me if you have any questions.

**I. Examiner's Approval and Certification Prior to Recording is Need for all Title Transfers, Easements, Platting, etc., Which Involve any of the Following:**

- Trust documents 508.62 (Only for Title Transfer: Not for Mortgages or Other Liens)
- Probate documents (PR's Deed or Decree ) 508.69
- Guardian or Conservator's Documents 508.69
- Religious Corporation Documents (excluding non-profit corporation)
- POA's and Affidavit by Attorney-in-Fact

**II. Examiner's Directives:**

- To alter names, marital status, state of incorporation, etc. 508.71, Subd. 3
- To transfer the certificate to the 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 the vacation of a street or alley - to add the accruing portion to the certificate 508.73, Subd. 2
- Condo documents - CIC's type condos 508.351
- To drop old documents which have expired by their terms or are prohibited 508.71, Subd. 3 (for Covenants and Restrictions 500.20, Subd. 2A)
- After mortgage foreclosure by action 508.58, Subd. 2
- 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

- To drop documents related to the Cancellation of a Contract for Deed where the Notice of Cancellation has been of record for five (5) years, 508.58, Subd. 5
- Document has expired by its terms or by written instrument satisfactory to Examiner 507.71, Subd. 3(3)
- Association Lien more than 3 years after filing 505A.3-115(d) and 515B.3-116(d)
- Expired Notice of Adverse Claim 508.70

**III. Proceedings Subsequent (District Court Action):**

- After cancellation of Contract for Deed, if the Notice of Cancellation has been of record less than five (5) years
- After mortgage foreclosure by advertisement 508.58, Subd. 1
- Tax title less than 10 years old 508.67, Subd. 2
- Owner redemption from Mortgage or other Lien Foreclosure Sale●To transfer title to a buyer under a Contract for Deed where the contract is paid off, but no deed forthcoming
- To determine or adjust boundaries 508.671
- To determine adverse claims

**IV. Items You May Wish to Discuss with the Registrar:**

- 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 AKA's as grantors or grantees
- Affidavit of Merger, Easement and subsequent property acquired by the same owner
- 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
- To drop easements or restrictions which may appear on the Certificate of Title, but do not affect the title shown on the Certificate
- Assignment of Rents and Leases NOT tied to Mortgage that has been satisfied, released or expired
- Expired Conditional Use Permit, Interim Use Permit or Variance (may require local governmental approval)
- Expired Lease
- To reform the certificate of title or documents (to remove or add anything not specified under directive statutes)
- After a named corporation is dissolved and three years have passed or dissolution of any other entity shown as the registered owner
- After Mechanic's Lien or judgment foreclosures
- Lost deed or other instrument where only a copy is available
- Any other change to the Certificate the Registrar doesn't feel comfortable in directing without Examiner approval or Court Hearing.

**V. How to get one:**

- Email a copy of the Deed and related documents to Zenas Baer and his Legal Technician, Judy Aarsvold
- Send a \$300.00 check for the Examiner's fee to Zenas Baer Law Office, P.O. Box 249, Hawley, MN 56549. We will provide an invoice if needed.
- We prefer that you not mail original documents to us. If email or fax is not possible, please call Judy for instructions
- The cost for a Certification or Directive is usually \$300.00. The cost may be more for complex matters. The \$300.00 fee does not include any filing fees that may be necessary for an original registration or proceeding subsequent.

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