

Instructions: Next steps after an Interlocutory Order is signed

Attorney for Applicant/Petitioner:

- Obtain a copy of the filed Interlocutory Order from the District Court Clerk in the Examiner of Titles office. Give the Interlocutory Order and a copy of these instructions to the surveyor.

Surveyor:

- The Interlocutory Order specifies which boundaries to mark with judicial landmarks ("JLM").
- Judicial landmarks must be stone or iron, and marked "judicial landmark." Minn. Stat. § 559.25. To minimize the loss or destruction of judicial landmarks, Hennepin County strongly prefers the use of cast iron, 20 inch monuments, with a cast iron cap clearly marked "judicial landmark." The surveyor's license number does not have to appear on the JLM. Judicial landmarks may be offset to avoid placement in roads or water.
- Prepare a plat of survey (the "JLM survey").
 1. Show the legal description of the property as contained in the Interlocutory Order.
 2. Show the ties to well-known monuments and the bearings, distances, curves, etc. of all boundary lines.
 3. Show placed JLMs and their description by location, size, character and type.
 4. Show all other found or placed irons and monuments on or near the boundary lines, and any missing JLMs with reference to the court case number (previous case), with descriptions of the irons and monuments by location, size, character and type.
 5. Omit all other information which is not necessary to show the location of boundary line(s) as determined in the current court action; (such as encroachments, utilities, improvements within 5 feet of the boundaries, historical legal description and boundaries, ALTA certifications).
 6. Include a certification substantially in the form set out in the Interlocutory Order.

Contact

Examiner of Titles

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Attorney for Applicant/Petitioner:

- Before filing the JLM Survey, [email](#) it to the Examiner of Titles office for review and further instructions.
- When instructed to file the JLM Survey also e-file a current Affidavit, made by the Applicant(s), stating whether the Applicant (a) has sold, mortgaged or otherwise conveyed an interest in the premises; (b) is the subject of a judgment, tax lien, or bankruptcy proceeding; and (c) is married, single or involved in a divorce proceeding if the Applicant is a natural person.
- Typically, the Decree of Registration will be signed upon filing of the survey and Affidavit, and hearing is not necessary.
- For a proceeding subsequent, the examiner will notify you if anything additional is required before the examiner recommends entry of the Order.
- Consult the District Court Clerk in the Examiner of Titles office regarding fees for certified copies of the Decree and Plat of Survey, and filing fees charged by the County Recorder and Registrar of Titles. Minn. Stat. §508.671.

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