

HENNEPIN COUNTY

MINNESOTA

Document Type	Registrar will drop when a new "CoT" is entered ¹ if:	Examiner's Directive required if:	Applicable Authority, Statute, Caselaw
Additional amount affidavit after foreclosure or affidavit of costs	New CoT is issued free of foreclosure documents		Minn. Stat. § 580.17
Agreement, with a specified termination date or termination events		Document has expired by its terms or by written instrument satisfactory to the examiner	Minn. Stat. § 508.71, Subd. 3 (3)
Agricultural preserve	Notice of expiration has been filed and expiration date has passed		Minn. Stat. §§ 40A.11, Subd. 4 and 473H.08
Assignment of leases and rents ("ALR")	Mortgage to which ALR is tied is satisfied, released or has expired	ALR not readily tied to a satisfied, released or expired mortgage	Minn. Stat. § 559.17, Subd. 3

¹ A new certificate of title is entered when a deed from a fee owner is filed, or if an owner requests an exchange certificate and pays the exchange certificate fee, or pursuant to court order or Examiner's Directive. Minn. Stat. §§ 508.421 and 508.82.

Hennepin County Examiner of Titles
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Association lien	Satisfaction or release of property filed	More than 3 years after filing of notice of lien	Minn. Stat. §§ 515A.3-115(d) and 515B.3-116(d)
Attorney's lien	More than 1 year after filing unless notice of lis pendens filed or lien extended by agreement		Minn. Stat. § 481.13, Subd. 3
Bankruptcy documents	<p>Directed to drop by court order; or bankruptcy debtor is conveying interest and bankruptcy document evidences property was properly scheduled and is abandoned or exempt</p> <p><i>Note: Examiner approval or advice usually necessary due to complexity of bankruptcy law</i></p>		
Certificate of completion for condo unit	New CoT issued other than to transferee of special declarant rights		Minn. Stat. § 515A.2-101(c)
Certificate and request for notice of mortgage foreclosure under Minn. Stat. §§ 580.032 or 582.032 or both	<p>Requesting party no longer has record interest in CoT</p> <p><i>Exception: request for notice made by a CIC association will be carried if it refers to lien created by CIC declaration solely or in addition to a specific lien of record</i></p>		Minn. Stat. §§ 580.032, Subd. 4; 582.032, Subd. 3; and 508.421, Subd. 1a

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Claim of unregistered interest by non-governmental agency	<p>More than 10 years after filing unless petition, notice of lis pendens, or a new statement realleging the facts has been filed within the 10 years</p> <p>More than 90 days after filing a demand for discharge with attached affidavit of mailing, unless petition to adjudicate has been filed</p>		Minn. Stat. § 508.70, Subds. 2 and 4
Claim by governmental agency filed on or after 8/1/97	Same as above		Minn. Stat. § 508.70 Subds. 3 and 4
Claim by governmental agency filed before 8/1/97	More than 90 days after filing a demand for discharge with attached affidavit of mailing, unless petition to adjudicate has been filed		Minn. Stat. § 282.01, Subd. 1d(d)
Conditional use deed reversionary rights; tax forfeited lands conveyed for public purpose		<p>Use restrictions and reverter are nullified the later of January 1, 2015, or 30 years from deed acknowledgment date; see statute for exceptions</p> <p>Hennepin County policy is to require a directive</p>	

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Conditional use permit ("CUP")		City releases and fee owners submit affidavit requesting deletion stating that there is no party in possession of the property under an unrecorded deed or contract for deed	Minn. Stat. §§ 394.301 and 462.3595
Conservation restriction		Upon release by holder of restriction or dominant interest to the holder of the fee title or the servient estate	Minn. Stat. § 84.65, Subd. 3
Contract for deed	Deed from vendors to vendees filed or vendee voluntarily releases its interest by instrument of record	The notice of cancellation with proof of service and seller's affidavit of noncompliance have been of record on the certificate of title for at least 5 years and a request is received from owner or other person in interest	Minn. Stat. § 508.58, Subd. 5
Correction document	New CoT issued		Minn. Stat. § 508.71, Subd. 1a
Covenants, conditions and restrictions		More than 30 years after date of instrument creating them (but see exceptions in statute)	Minn. Stat. § 500.20, Subd. 2a
CPT directive		Requires court order to drop	Minn. Stat. § 508A.85, Subd. 4
Drainage lien	Auditor's certificate of payment filed		Minn. Stat. § 103E.621

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Easement when benefitted and burdened land are both registered land and are now in common ownership		Request received from owner, joined in by all parties with an interest and affidavit from owner stating that the easement has terminated by merger, and that there are no parties in occupation of the land pursuant to an unrecorded deed or contract for deed from the record owner	
Eminent domain notice of pendency		Upon filing of notice of abandonment by petitioner Or examiner certifies final certificate or quick take order to transfer title	Minn. Stat. §§ 508.73 and 117.065
Federal tax lien	Discharge, release of property, or certificate of non-attachment filed by IRS	More than 10 years and 30 days from date of assessment and lien has not been refiled	26 U.S.C. §§ 6323 and 6325
Fixture financing statement, UCC	<ul style="list-style-type: none"> • More than 5 years after date of filing unless CoT evidences bankruptcy of owner • If bankruptcy of owner, then more than 5 years and 60 days • Continuation statement extends time 5 years from termination date of initial financing statement 		Minn. Stat. § 336.9-515

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Foreclosure by action		Foreclosure was legally sufficient	Minn. Stat. § 508.58, Subd. 2
Foreclosure by advertisement		Requires court order from proceeding subsequent action to drop	Minn. Stat. § 508.58, Subd. 1
Hardship assistance tax deferral		Upon the death of the owner, the sale, transfer, or subdivision of the property or any part thereof, if the property should lose its homestead status for any reason, or if for any reason the taxing authority determines that there is no longer a hardship	Minn. Stat. §§ 435.193-.195
Judgment for money <ul style="list-style-type: none"> • State court judgments • Federal court judgments not in favor of U.S. 	More than 10 years after date of entry of judgment by District Court, unless renewal filed on CoT, land is released, or certified copy of satisfaction from court file is filed	A judgment is against a deceased joint tenant or life tenant, unless the lien attached prior to the filing of the instrument that created the joint tenancy or life estate	Minn. Stat. §§ 541.04 and 508.63 <i>Application of Gau</i> , 230 Minn. 235, 41 N.W.2d 444 (1950)
Federal court judgments in favor of U.S. ----- <i>(If judgment arose from a marital lien, see marital lien, below)</i>	See above as to release or satisfaction	More than 20 years after filing of abstract of judgment, unless renewed	28 U.S.C. §3201

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Lease		Lease term and all options to renew have expired	Minn. Stat. § 508.71, Subd. 3 (3)
Lis pendens, notice of ("NLP")	<p>More than 10 years after filing unless another NLP has been filed in same action within the 10 years</p> <p><i>(Registrar will not drop a NLP for a mechanic's lien upon the filing of a discharge if there are other mechanic's liens on the CoT unless they had expired at the time the NLP was filed. The liens and discharge carry until all are discharged or satisfied)</i></p>	Within 10 years of filing, if court action has been dismissed or otherwise finally resolved and case closed	Minn. Stat. §§ 557.021 and 508.66
Manufactured home park notice of sale	Upon filing of affidavit of compliance		Minn. Stat. § 327C.095, Subd. 11
Marital lien	Satisfaction or release of property filed	More than 15 years from the maturity of the whole of the debt unless judgment provides a different means of enforcement	<i>Bakken v. Helgeson</i> , 785 N.W.2d 791 (Minn. App. 2010)
Mechanic's lien	More than 1 year after date of last work unless notice of lis pendens filed before the expiration of the year in which the lien could be asserted, or release of land or satisfaction is filed		Minn. Stat. § 514.12, Subd. 3

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Medical assistance lien	More than 10 years from the date of filing if additional 10-year renewal has not been filed, or satisfaction or release of lien is filed	An affidavit of survivorship or affidavit regarding homestead is submitted	Minn Stat §§ 514.980-514.985; Minn. Stat. § 256B.15, Subd. 1(6), Subd. 7
Medical assistance notice of potential claim	Lien or notice of claim filed more than 1 year after recipient's death, or release filed by claimant; or More than 20 years from the date of filing or from the date of the medical assistance recipient's death, whichever is later	An affidavit of survivorship or affidavit regarding homestead is submitted	Minn. Stat. § 256B.15, Subd. 1(6), Subd. 1(f), Subd. 7
Mortgages	Release or satisfaction, a certificate of satisfaction, or a certificate of satisfaction by assignee filed	More than 15 years after maturity date, or if maturity date is not ascertainable, more than 15 years after date of mortgage Directive NOT available for mortgage held of record by US or agency or instrumentality of U.S. (e.g. Fannie Mae, Freddie Mac, FHFA, SBA), unless federal code provides a limitation period	Minn. Stat. §§ 507.401, Subd. 2; 507.403; and 541.03 Title Standard No. 25
Non-consensual lien <i>(Note that registrar has no duty to accept unless accompanied by court order allowing filing, affidavit of personal service or service by certified mail and claimant's mailing address)</i>		Lien was not accompanied by specific court order authorizing the filing or authorized by specific statute	Minn. Stat. §§ 270C.26 and 514.99

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Notice of adverse claim by governmental agency filed before 8/1/97		Case by case determination	Minn. Stat. § 508.70, Subd. 3
Notice of lis pendens <i>(See Lis pendens)</i>			
Notice of pendency of mortgage foreclosure	Mortgage satisfied or otherwise terminated		Minn. Stat. §§ 508.57 and 580.032, Subd. 3
Old age assistance lien	New CoT is issued		Minn. Stat. § 256.26 repealed by 1973 Minn. Laws Ch. 78, § 2
Option agreement		Term of option has expired	Minn. Stat. § 508.71, Subd. 3 (3)
Order of commissioner of natural resources regarding work in public waters or wetlands		Order is rescinded	Minn. Stat. §§ 103G.251 and 103G.2372
Personal property tax lien		More than 10 years after date of filing unless renewal has been filed	Minn. Stat. § 277.20, Subd. 4
Petition in proceeding subsequent		Proceeding has terminated (Examiner will review file and make determination)	
Private transfer fee		Filed or entered into on or after May 20, 2010 (void) or If prior to that date, see § 513.76	Minn. Stat. §§ 513.74 and 513.76

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Purchase agreement	<ul style="list-style-type: none"> • Deed to buyers in purchase agreement, or • Deed from buyers to fee owner/seller, or • Cancellation agreement signed and acknowledged by all parties to agreement 		
Racial/religious restrictive covenants		These are void by statute and if requested by the owner or another person in interest, the examiner will issue an examiner's directive and will instruct the Registrar to waive the recording fee.	Minn. Stat. §§ 508.71, Subd. 3, and 507.18
Recital of tax sale for unpaid real estate taxes	New CoT issued		Minn. Stat. § 508.25
Request for notice of mortgage foreclosure <i>(See Certificate and request for notice of mortgage foreclosure)</i>			
Special assessment tax deferral for seniors, disabled or military personnel		Sale or transfer of the property or any part thereof	Minn. Stat. §§ 435.193-.195
State tax lien	Release of land or satisfaction is filed	More than 10 years after date of filing unless renewal has been filed	Minn. Stat. § 270C.63, Subd. 9

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Tax assessment agreement Minimum assessment agreement under Ch. 469 Special assessment agreement under Ch. 429	Acknowledged release is filed by city	Upon filing of mutual consent to terminate approved by governing body of the municipality	Minn. Stat. Ch. 469 and 429 Minn. Stat. § 469.177, Subd. 8
Time share interest, cancellation of contract for conveyance		Contract has been terminated	Minn. Stat. Ch. 559, and § 508.58, Subd. 3
Transfer on death deed ("TODD")	<ul style="list-style-type: none"> • Grantor/owner conveys property and retains no fee interest • Grantor/owner files a revocation • Grantor/owner death certificate, affidavit of ID & survivorship and clearance certificate filed; but Registrar will only issue new CoT upon examiner approval 		Minn. Stat. §§ 508.52; 507.071, Subd. 10(b); §507.071, Subd. 10(a); §507.071 Subds. 20 and 23
Underground storage tank affidavit		Removal affidavit filed	Minn. Stat. § 116.48, Subds. 6 and 7
Well sealing lien	Satisfaction is filed by Commissioner or Board of Water and Soil Resources		Minn. Stat. § 1031.341
Wetland preservation area	Notice of expiration filed and expiration date passed		Minn. Stat. § 103F.613