

# MN METRO PREP MINUTES APRIL 13, 2017 MEETING

- ✚ Meeting was called to order by Timi Bailey
- ✚ Approval of meeting minutes from February 16<sup>th</sup>, 2017 meeting
- ✚ Approval of April 13th, 2017 agenda  
(Added discussion on Hennepin County Examiner of Titles Approval List)
- ✚ Introductions
- ✚ Guest Speaker – Wayne Anderson, Ramsey County Examiner of Titles, since 2005  
Website for Ramsey County Examiner of Titles:

<https://www.ramseycounty.us/residents/property-home/records/examiner-titles>

The website provides the phone number for the Examiner's office as well as a Contact Form to submit questions and request the Examiner's office to contact you.

Documents that need to be submitted for approval by the Examiner of Titles:

1. Trust documents
2. Probate documents
3. Divorce

To request deletions from a Certificate of Title

The website contains a Blue Box for requesting deletions from a Certificate

## Examiner of Titles

The Examiner of Titles and deputy examiners are attorneys appointed by district court judges to perform the judicial, administrative and legal adviser duties, pursuant to Minnesota Statutes 508, specified in the Minnesota Land Registration Act, also known as the [Torrens Act](#). Our duties include:

- Assisting the district court by examining titles.
- Issuing reports and conducting hearings in court cases involving the registration of land titles and in court cases involving problems or disputes with land which has been previously registered.
- Acting as legal adviser to the [Registrar of Titles](#), who is responsible for recording title documents (e.g. deeds, mortgages, liens) submitted to the Registrar and for issuing Certificates of Title.
- Issuing certain directives and certifications to the Registrar of Titles regarding Torrens title matters.

### Location

The Examiner of Titles office is located in suite 170 of the [Plato building](#).

### Corporate trust instructions for 2016

The new Uniform Trust Code went into effect on January 1, 2016. A number of changes significant to real estate transactions were made. [Read more about these changes](#) (PDF).

### Deletion table

Describes when items will be dropped from certificates of title. [Copy of the deletion table](#) (PDF).

[Request deletion of recitals or memorials](#)



### Contact Us

Examiner of Titles  
[651-266-2886](tel:651-266-2886)  
[Contact form](#)

Written request needed to delete items from a Certificate of Title. Sometimes an email can be interpreted as a written request.

Website contains a listing of deletions from Certificates of Title. Indicates if items will be dropped by the Registrar or if a Directive is required, if so a link is provided to request a Directive.

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Photo copies of documents are not sufficient for Examiner approvals.

Normally the approval process is 2 business days. If a closing is taking place prior to that time frame, inform the Examiner's office and they will attempt to accommodate.

(Wayne did indicate that he would have the Affidavit of Identity put on to the website)

To correct the misspelling of names, Ramsey county has an Affidavit of Identity they would prefer be used. Need to request an Examiner's Directive to correct the names. The Affidavit along with the Directive, cost is \$146.00.

Reviewed reasons documents are rejected by Examiner of Titles:

PROBATE: 25% to 30% are rejected

1. Distribution Service – Affidavit of Service or Waiver need 70 days if the Affidavit is being used.
2. Contradictions in transfer where there is a specific devise in will.
3. Transfer cannot say Homestead. To determine if property is Homestead or Non-Homestead requires a Court Order.
4. Will only refers to Homestead. (Can contact Examiner of Titles office to possibly look at the probate file)
5. Legal description does not match the Certificate of Title.
6. Letters to new. Informal probate cannot sign until 30 days after issuance.
7. Notary issues.
8. Pre-deceased owner still in title. The Affidavit of Survivorship should accompany the probate documents being submitted for approval.
9. Missing spousal consent or no marital status showing.

TRUSTS:

1. Paragraph 3 of the Affidavit of Trustee is filled out incorrectly.
  - 1<sup>st</sup> Blank = Name of Trustee(s) signing deed
  - 2<sup>nd</sup> Blank = Grantee(s) name, must match deed
  - 3<sup>rd</sup> Blank = Dated date of the deed
2. Notary issues – jurisdiction is wrong. MN notaries are state wide, must fill in the county.
3. Old forms used for Certificate of Trust and Affidavit of Trustee, must use current forms.
4. Trust name incorrect.

Website contains a link to a memo regarding Corporate Trusts

DIVORCE:

1. No reference to the property in Decree.
2. Errors in the legal description.
3. Discrepancy between Divorce Decree and Summary Real Estate Disposition. When both documents exist, the Summary Real Estate Disposition rules.
4. Will reject a Divorce Decree if a Summary Real Estate Disposition exists. 518.191 subd 3
5. Name issues. Hopefully the findings include other names for the parties.

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## FEES:

\$146.00 for a Directive  
\$100.00 for an Approval  
\$25.00 for each additional certificate

## + Unfinished/Ongoing Business:

### + ERERC

No Update

### + MN BAR

No Update

### + MLTA

Discussed the MLTA Spring Education Seminar that took place on April 3<sup>rd</sup>.

Handed out copies of the list of Document Approvals from the Hennepin County Examiner of Titles which was provided at the seminar. Darlene asked if other counties could inquire for a similar document so that we could provide this information to the title companies.

(Ramsey County provides their document on the website)

### + MCRA

Working on

Statute regarding original signatures on documents.

Multi-County mortgages over \$10,000,000.00, distribution to other counties done by the Minnesota Department of Revenue.

### + MACO

Threshold for Certificate of Real Estate Value \$3,000.00

### + PRIA

Working on new information products.

Carolyn Adelman would appreciate feedback or ideas on areas that PRIA could provide help with.

## ▪ New Business:

### ▪ County Volumes

#### ○ Anoka County

E-Recording 68% Abstract / 48% Torrens

2017 versus 2016 Up 7.5%

Return of Abstract documents – 5 days

Return of Torrens documents – 8 days

#### ○ Carver County

E-Recording 50%

1<sup>st</sup> Quarter 2017 versus 2016 Up 9%

March 2017 versus 2016 Up 3%

Turn-time on E-Record documents 2-3 days

Turn-time on paper documents 5-6 days

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- Hennepin County
  - E-Recording 64%
  - 1<sup>st</sup> Quarter 2017 versus 2016 Same
  - March 2017 versus 2016 Down 1%
  - Turn-time on E-Record documents 1 day
  - Turn-time on paper documents 5 days
- Ramsey County
  - E-Recording 61% (64% Abstract / 50% Torrens)
  - 1<sup>st</sup> Quarter 2017 versus 2016 Up 12%
  - March 2017 versus 2016 Down 1%
  - Turn-time less than 5 days
- Washington County
  - E-Recording 66%
  - 1<sup>st</sup> Quarter 2017 versus 2016 Up 12%
  - Slow March
  - Turn-time on E-Record documents 1 day
  - Turn-time on paper documents 2-3 days
- County Technology Updates
  - Anoka County
    - Will be moving to Tyler Technology – not installed in any other counties in MN.
  - Carver County
    - Credit card integration instead of having funds on hand.
    - Requiring Sub-surface Sewage at point of sale
    - Working on collecting bids for scanning tract books and documents
  - Hennepin County
    - Eliminating Escrow Accounts for recording by end of 2017.
    - Launched inter-county recording – for electronically filing Medical Assistance Liens
    - In the Future hoping to include:
      - Hospital Liens
      - Tax Liens
    - End of April – having a demo on using an OCR feature for indexing, which would automatically populate from images with a plan of going live in the summer.
  - Ramsey County
    - Updates to Recordersease – internal items
    - When recorder receives a packet of documents to record, say containing 3 documents.
    - Documents 1 and 2 are recorded. Documents will not be seen by customer until all documents in the packet have been recorded.

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- Washington County
  - Updates to Recorder's to 5.1 – internal items
  - When recorder receives a packet of documents to record, say containing 3 documents. Documents 1 and 2 are recorded. Documents will not be seen by customer until all documents in the packet have been recorded.
  
- Title Companies
  - Business is up, orders are on the increase
  
- Next Meeting
  - JUNE 29<sup>th</sup>, 2017
  - Anoka County Government Center