

**ON YOUR DOCUMENTS AND ALL CORRESPONDENCE TO
THE EXAMINER OF TITLES, PLEASE INCLUDE THE
FOLLOWING:**

- 1) THE COUNTY IN WHICH THE PROPERTY IS LOCATED;**
- 2) THE CERTIFICATE OF TITLE NUMBER.**

Fee Schedule for Carver, McLeod, and Sibley Counties:

(last revised July 22, 2024)

- The First Judicial District has established the maximum hourly rate of the Examiners of Titles in the First Judicial District Counties of Carver, Dakota, Goodhue, Le Sueur, McLeod, Scott and Sibley at \$250.00 per hour.
- The following fee schedule applies for matters that regularly come before the Examiner, which are not contested, do not require a Court appearance by the Examiner, do not contain errors, and, which in the opinion of the Examiner, do not present extraordinary or unusual problems:
 - a. Examiner's Certifications and Directives - minimum fee \$200.00
 - b. Proceedings Subsequent After Mortgage Foreclosure, Contract for Deed Cancellation, or Other Lien Foreclosures (When Not Contested) - average fee \$1,000.00, billed hourly
 - c. Other types of Proceedings Subsequent, contested Proceedings Subsequent, and Applications to Register Title will exceed the estimate above at subpart (b), and will be charged at the hourly rate
- Filing fees, recording fees, copies, postage and other out-of-pocket costs are in addition to these fees.
- All Examiner fees should be made payable to MHS, directed to the attention of Jackie Schoenbauer, and sent to the Waconia address below.

Racheal M. Holland
Examiner of Titles
Melchert Hubert Sjodin, PLLP
121 West Main Street, Suite 200
Waconia, MN 55387
Phone: (952) 442-7767
Email: rholland@mhslaw.com

Jackie Schoenbauer
Paralegal
Melchert Hubert Sjodin, PLLP
121 West Main Street, Suite 200
Waconia, MN 55387
Phone: (952) 442-7794
Email: jschoenbauer@mhslaw.com

Application to Register Title (District Court Action)

Initial registration under Minnesota Statutes Chapter 508 is suitable for any property and includes the option of having judicial landmarks placed to determine the location of boundary lines. To register a boundary, a survey is required.

- The initial registration proceeding is initiated by the e-filing of an Application with the District Court. The Application must be in the form and contain the information required by Minn. Stat. §§508.05 and 508.06.
- The best practice is to prepare the Application and forward the draft Application to the Examiner for approval prior to e-filing. The Application may then be e-filed by the Applicant's attorney.
- PLEASE NOTE, THE DISTRICT COURT DOES NOT INFORM THE EXAMINER OF ANY FILINGS OF TORRENS APPLICATIONS OR PETITIONS - YOU MUST INFORM THE EXAMINER!!!
- The Applicant must also e-file an Abstract of Title. The Abstract should be certified to the legal description shown in the Application. Once the Application is e-filed in District Court, and a certified copy of the Application is filed in the office of the County Recorder, the Abstract should be continued to show the filing of the Application. The Abstract must be e-filed into the court file (Minn. Stat. §508.11 and Minn. Gen. R. Prac. 14.01 (b)(1)), and a paper version of the Abstract should be delivered to the Examiner as a working copy. A certificate of searches made in accordance with Minnesota Title Standard No. 82 must be included in the Abstract, or may be e-filed separately, as against the names of persons who have an interest or estate in the land being registered through the date of filing the Application.
- Applicant's attorney should e-file or forward to the Examiner any surveys of the property subject to the Application.
- After the Application and Abstract have been e-filed, the Examiner will conduct an examination and issue a Report. The Report will include the Examiner's opinion on title, the names of parties to be made defendants, and recommended evidence and findings to establish title in the Applicant. The Report is e-filed in the court file and e-served on the Applicant's attorney (Minn. Stat. §508.13; Minn. Gen. R. Prac. 205).
- Applicant's attorney will then e-file the Petition and Order for Summons.
- Upon approval of the Petition and Order for Summons by the Examiner, the Court Administrator will issue a Land Title Summons, which must be published and served on

the defendants. The procedures for issuance of a Summons in a registration proceeding are governed by Minn. Stat. §§508.15 and 508.16, and are different from typical civil proceedings.

- A Hearing is held, after which the Court will likely issue its Order and Decree of Registration.
- A certified copy of the Order and Decree of Registration is filed with the Registrar of Titles who issues a Certificate of Title.

Fees

- The Applicant/Petitioner will be responsible for the payment of the Examiner's hourly rate, which rate for the 1st Judicial District Examiners is \$250.00 per hour.