



**MELCHERT HUBERT SJODIN**  
ATTORNEYS AT LAW



**Racheal M. Holland,**  
**Co-Managing**  
**Partner**

[rmholland@mhslaw.com](mailto:rmholland@mhslaw.com)  
(952) 442-7767

Throughout her entire career, Racheal has handled matters both in and out of the courtroom, from simple to highly complex transactions and disputes. She is admitted to practice in all state courts of Minnesota, the Minnesota Federal District Court and South Dakota District Courts.

Racheal has spent her career working on a variety of real estate matters including commercial and residential sales, leases, title examination, actions to clear title, Torrens matters and construction related disputes. She counsels her clients on the business and legal aspects of the purchase and sale of property and works effectively with developers, cities, and other governmental subdivisions throughout the development process.

Racheal has represented business entities of all types, including banks, other financial institutions, real estate developers, construction contractors, manufacturers, information technology firms, hair salons and other service based start-ups. She helps her clients anticipate potential conflicts and reduce the risk of contested legal claims. Racheal's clients appreciate her cooperative and creative approach to working with multiple parties and competing interests.

Racheal prides herself on getting things done effectively and efficiently without making solutions more complex or expensive than they truly need to be. She encourages her clients to ask questions so they understand not only the law, but also the process. When litigation is necessary, Racheal ensures her clients understand both the benefits and the potential costs of going to court, so they can best decide how to proceed.

### ***Real Estate Transactions and Litigation***

Racheal has many years of experience working on real estate matters inclusive of complex purchases and sales of property for commercial or residential development, to drafting simple purchase agreements for individuals selling their home without a realtor. She also assists clients in remedying title defects such as the removal of liens or other encumbrances filed against property, initiation of or defense against partition actions, and boundary disputes. Racheal works with a variety farmers and landowners on driveway easements, drain tile easements and working through the regulatory process to obtain land use permits and approvals from various governmental entities. She was appointed the Examiner of Titles for McLeod County, Minnesota effective June 1, 2015 and regularly works with other attorneys and title companies in reference to Certifications, Directives and Proceedings

#### **Waconia Office**

Main Street Exchange Building  
121 Main Street West, Suite 200  
Waconia, Minnesota 55387  
Phone: 952.442.7700

#### **Chaska Office**

102 5th Street West  
Chaska, MN 55318  
Phone: 952.442.7700

#### **Hutchinson Office**

22 Main Street North  
Hutchinson, MN 55350  
Phone: 320.587.2046

Subsequent necessary for the transfer of Torrens Property or memorialization of documents on Certificates of Title.

Multi-use and multi-unit housing are also areas where Racheal has experience. Her work with commercial, residential and mixed used common interest communities (CICs) includes drafting of declarations and other governing documents for condominiums and planned communities, as well as documents associated with the homeowners' associations that govern CICs. Racheal regularly advises homeowners' associations on dealing with issues affecting their individual CIC or property owners within their CIC, including advising, drafting, and if necessary, foreclosing association liens.

Racheal's work in real estate also includes:

- Drafting deeds, contracts for deed, easements, purchase agreements, mortgages and leases.
- Drafting and negotiating construction contracts and construction litigation.
- Mechanic's liens and mortgage foreclosures.
- Boundary disputes, adverse possession claims and drainage issues.
- Quiet title actions.
- Contract for Deed cancellations.
- Title insurance and title clearance.
- Advising developers and homeowners' associations on the intricacies of the Minnesota Common Interest Community Act.

### ***Business and Corporate Law***

Racheal assists the owners and management of both new business start-ups and established businesses, in reaching their goals and maximizing their chances of success, as well as by reducing the risk of future legal problems. Her work in this area includes:

- Initial business formation, as well as changes to and reorganization of business organizations including corporations and limited liability companies.
- Shareholder and member control agreements.
- Mergers, acquisitions, and asset purchases and sales.
- Buy-Sell Agreements.

### ***Banking and Financial Institutions***

Racheal has worked with many banks and other financial institutions throughout her career. She assists her clients with loan documentation for construction financing, real estate development, contracting and manufacturing. Her work in general commercial lending involves revolving and operating lines of credit for manufacturers, automotive and equipment dealers and distributors, and equipment financing. She also represents clients in matters involving creditor's remedies, primarily representing commercial lenders in state and federal court.

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## ***Probate and Trust Litigation***

Racheal is experienced with dealing with families in a time of crisis. Racheal works closely with Melchert Hubert Sjodin's estate planning and probate attorneys and assists them when matters become contested or controversial. She represents trustees and personal representatives with administering a trust or estate when heirs or beneficiaries contest such administration, and also has represented heirs and beneficiaries in matters relating to undue influence or lack of capacity.

### **Practice Areas**

- General Civil Litigation
- Commercial Law
- Banking and Financial Institutions
- Business & Corporate Law
- Litigation and Dispute Resolution
- Real Estate

### **Education**

- J.D., William Mitchell College of Law (2003)
- B.S., Environmental Studies, with an emphasis in Resources and Environmental Protection, University of Minnesota (1999)

### **Admissions**

- State Court: Minnesota; South Dakota
- United States District Court: Minnesota (2005)
- United States Court of Appeals for the Eighth Circuit: (2011)

### **Professional Activities**

- Minnesota Examiner of Titles Association, Chair
- Examiner of Titles, McLeod County, Minnesota
- Deputy Examiner of Titles, Carver County, Minnesota
- Board Member, The Community Foundation for Carver County
- Past President, Eighth District Bar Association
- Past Ethics Investigator, Eighth District Ethics Committee, under the direction of the Office of Lawyers Professional Responsibility
- Former Assistant Director, Athletic Compliance, University of Minnesota

### **Community Involvement**

- Coach for children's athletic activities
- Sunday school teacher
- Emanuel Lutheran School PTL President

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