

Hennepin County Torrens

Removal of Documents from Certificates of Title

If the document cannot be dropped by the Registrar or removed by Examiner’s Directive, you may need to get a release or deed from the holder of the interest, or a court order in a proceeding subsequent.

To remove these from Certificates (“CT”):	Registrar will drop when a new “CT” is entered ¹ if:	Examiner’s Directive required if:
Additional amount affidavit after foreclosure, §580.17	New CT is issued free of foreclosure documents	
Agreement, with a specified termination date or termination events		Document has expired by its terms or by written instrument satisfactory to the examiner, §508.71, Subd. 3 (3).
Agricultural preserve	Notice of expiration has been filed and expiration date has passed, §§40A.11 and 473H.08	
Assignment of leases and rents (“ALR”)	Mortgage to which ALR is tied is satisfied, released or has expired, §559.17, Subd. 3	ALR not readily tied to mortgage
Association lien	Satisfaction or release of property filed	More than 3 years after filing of notice of lien, §§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, §481.13, Subd. 3	
Bankruptcy documents	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. <i>Note: Examiner approval or advice usually necessary due to complexity of bankruptcy law.</i>	
Certificate of completion for condo unit, §515A.2-101(c)	New CT issued, other than to transferee of special declarant rights	

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.

To remove these from Certificates (“CT”):	Registrar will drop when a new “CT” is entered¹ if:	Examiner’s Directive required if:
Certificate and request for notice of mortgage foreclosure under §580.032, §582.032 or both	<p>Requesting party no longer has record interest in certificate, §§580.032, Subd. 4, 582.032, Subd. 3, 508.421, Subd. 1a</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>	
<p>Claim of unregistered interest by non-governmental agency</p> <p>-----</p> <p>Claim by governmental agency filed on or after 8/1/97</p> <p>-----</p> <p>Claim by governmental agency filed before 8/1/97</p>	<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; §508.70, Subd. 2;</p> <p>More than 90 days after filing a demand for discharge with attached affidavit of mailing, unless petition to adjudicate has been filed, §508.70, Subd. 4.</p> <p>-----</p> <p>Same as above</p> <p>-----</p> <p>More than 90 days after filing a demand for discharge with attached affidavit of mailing, unless petition to adjudicate has been filed, §508.70 Subds. 3 and 4.</p>	
Conditional use deed reversionary rights, §282.01 tax forfeited lands conveyed for public purpose		Use restrictions and reverter are nullified the later of January 1, 2015 or 30 years from deed acknowledgment date per §282.01, Subd. 1d(d); see statute for exceptions. Hennepin County policy is to require a directive.

To remove these from Certificates (“CT”):	Registrar will drop when a new “CT” is entered¹ if:	Examiner’s Directive required if:
Conditional use permit, §§394.301 and 462.3595		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
Conservation restriction		Upon release by holder of restriction or dominant interest to the holder of the fee title or the servient estate, §84.65
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. §508.58, Subd. 5.
Correction document	New CT issued, §508.71, Subd. 1a	
Covenants, conditions and restrictions		More than 30 years after date of instrument creating them, §500.20, Subd. 2a, (but see exceptions in statute).
CPT directive		Requires court order to drop, §508A.85, Subd. 4
Drainage lien	Auditor’s certificate of payment filed, §103E.621	
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.

To remove these from Certificates (“CT”):	Registrar will drop when a new “CT” is entered¹ if:	Examiner’s Directive required if:
Eminent domain notice of pendency		Upon filing of notice of abandonment by petitioner, §117.065, or examiner certifies final certificate or quick take order to transfer title, §508.73.
Federal tax lien, 26 USC §6323	Discharge, release of property, or certificate of non-attachment filed by IRS, 26 USC §6325	More than 10 years and 30 days from date of assessment and lien has not been refiled
Fixture financing statement	More than 5 years after date of filing, §336.9-515; continuation statement extends time 5 years from termination date of initial financing statement.	
Hardship assistance tax deferral, §§435.193–.195		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
<p>Judgment for money</p> <ul style="list-style-type: none"> • State court judgments • Federal court judgments <p>not in favor of U.S.</p> <p>-----</p> <p>Federal court judgments in favor of the U.S.</p> <p>-----</p> <p><i>(If judgment arose from a marital lien, see marital lien, below.)</i></p>	<p>More than 10 years after date of entry of judgment by District Court, unless renewal filed on CT, §§541.04 and 508.63, land is released, or certified copy of satisfaction from court file is filed.</p> <p>-----</p> <p>See above as to release or satisfaction.</p>	<p>A judgment is against a deceased joint tenant or life tenant, unless the lien attached prior to the recording of the instrument that created the joint tenancy or life estate.</p> <p><i>Application of Gau</i>, 230 Minn 235, 41 NW2d 444 (1950).</p> <p>-----</p> <p>More than 20 years after filing of abstract of judgment, unless renewed, 28 USC §3201.</p>
Lease		Lease term and all options to renew have expired, §508.71, Subd. 3 (3).

To remove these from Certificates (“CT”):	Registrar will drop when a new “CT” is entered¹ if:	Examiner’s Directive required if:
Lis pendens, notice of <i>(Do not drop a NLP for a mechanic’s lien upon the filing of a discharge if there are other mechanic’s liens on the CT unless they had expired at the time the NLP was filed. Carry the liens and the discharge until all are discharged or satisfied.)</i>	More than 10 years after filing unless another NLP has been filed in same action within the 10 years, §§557.021 and 508.66	Within 10 years of filing, if court action has been dismissed or otherwise finally resolved and case closed.
Manufactured home park notice of sale	Upon filing of affidavit of compliance, §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 NW2d 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, §514.12, Subd. 3, or release of land or satisfaction is filed.	
Medical assistance lien or notice of claim	Lien or notice of claim filed more than 1 year after recipient’s death or release filed by claimant, §256B.15	An affidavit of survivorship or affidavit regarding homestead is submitted.

To remove these from Certificates (“CT”):	Registrar will drop when a new “CT” is entered¹ if:	Examiner’s Directive required if:
Mortgages ----- After foreclosure by action	Upon the filing of a release or satisfaction, a certificate of satisfaction under §507.401, or a certificate of satisfaction by assignee, §507.403	More than 15 years after maturity date, or if maturity date is not ascertainable, more than 15 years after date of mortgage; §541.03. 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. See Title Standard No. 25. ----- Foreclosure was legally sufficient, §508.58, Subd. 2
Non-consensual lien <i>(Note that under §514.99 registrar has no duty to accept unless accompanied by court order allowing filing, affidavit of mailing and claimant’s address.)</i>		Lien was not accompanied by specific court order authorizing the filing or authorized by specific statute, §§270C.26, 514.99
Notice of adverse claim by governmental agency filed before 8/1/97		Case by case determination, §508.70, Subd. 3
Notice of lis pendens <i>(See Lis pendens)</i>		
Notice of pendency of mortgage foreclosure, §§508.57 and 580.032, Subd. 3	Mortgage satisfied or otherwise terminated.	
Old age assistance lien	New CT is issued; 1973 Minn Laws Ch 78, §1	
Option agreement		Term of option has expired; §508.71, Subd. 3 (3).
Order of commissioner of natural resources regarding work in public waters or wetlands		Order is rescinded, §§103G.251 and 103G.2372
Personal property tax lien		More than 10 years after date of filing unless renewal has been filed, §277.20, Subd. 4

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Petition in proceeding subsequent		Proceeding has terminated. (Examiner will review file and make determination.)
Purchase agreement	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.	
Private transfer fee		Filed or entered into on or after May 20, 2010 (void per §513.74) or if prior to that date, see §513.76
Racial/religious restrictive covenants		Void by statute; §508.71, Subd. 3, §507.18
Recital of tax sale for unpaid real estate taxes	New CT issued; §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, §§435.193–.195		Sale or transfer of the property or any part thereof
State tax lien	Release of land or satisfaction is filed.	More than 10 years after date of filing unless renewal has been filed, §270C.63, Subd. 9
Tax assessment agreement Minimum assessment agreement under Ch. 469 -----		Upon filing of mutual consent to terminate approved by governing body of the municipality, §469.177, Subd. 8 -----
Special assessment agreement under Ch. 429	Acknowledged release is filed by city	
Time share interest, cancellation of contract for conveyance		Contract has been terminated under Minn. Stat. Ch. 559, §508.58

To remove these from Certificates (“CT”):	Registrar will drop when a new “CT” is entered¹ if:	Examiner’s Directive required if:
Transfer on death deed	<p>Grantor/owner conveys property and retains no fee interest, §508.52, 507.071, Subd. 10(b).</p> <p>Grantor/owner files a revocation, §507.071, Subd. 10(a)</p> <p>Grantor/owner death certificate, affidavit of ID & survivorship and clearance certificate are recorded; §507.071 Subd. 20, 23 but Hennepin Registrar will only issue new CT upon examiner approval.</p>	
Underground storage tank affidavit; §116.48, Subd. 6		Removal affidavit filed; §116.48, Subd. 7
Well sealing lien	Satisfaction is filed by Commissioner or Board of Water and Soil Resources, §103I.341	
Wetland preservation area	Notice of expiration has been filed and expiration date has passed, §103F.613	