

Ex Parte Petition to Issue New Certificates

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF ST. LOUIS

SIXTH JUDICIAL DISTRICT

In the Matter of the Ex Parte Petition of

PETITION

To issue new certificates of title for platted lots and outlots (or CIC units and common elements or RLS tracts) from Certificate of Title No. _____.

To the St. Louis County Examiner of Titles:

1. That on the _____ day of _____, _____, the Registrar of Titles of the above named County entered Certificate of Title No. _____ certifying _____ to be the owner in fee simple of the following described land situated in the County of St. Louis and State of Minnesota, to-wit:
(description as appears in Certificate of Title)

2. That appearing as a memorial on said certificate of title is Document No. _____, the Plat of _____ (or Declaration of CIC No. _____ or RLS No. _____).

3. (When Relevant) That appearing on said certificate of title as Document No. _____ is a mortgage running in favor of _____ encumbering _____.

4. (When relevant) That appearing on said certificate of title as Document No. _____ are covenants, conditions and restrictions running in favor of _____ encumbering _____.

5. (Enter any other memorials or recitals relevant to the petition including any facts considered relevant to the continuance or discontinuance of such memorials or recitals on new or residue certificates of title).

6. The affidavit of _____, registered land surveyor, License No. _____, attached hereto as Exhibit A states:

A. All of the land contained in the Plat of _____ (or in CIC No. _____ or in RLS No. _____) is contained in Certificate of Title No. _____.

B. There are no gaps or overlaps between the platted lots, blocks, outlots or roads (or units and common elements or tracts) nor in any land abutting said plat (or CIC No. _____ or RLS No. _____).

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C. That upon cancellation of Certificate of Title No. _____, new certificates of title should be issued for (*identify the lots and outlots in the plat, units and common elements in the CIC, or tracts in the RLS*) showing petitioner to be the owner in fee simple.

D. That upon cancellation of Certificate of Title No. _____ and issuance of new certificates of title for the lots and outlots (*or units and common elements or tracts*) described above, there will be no gaps, overlaps or residues and all of the land shown on Certificate of Title No. _____ will be used up by issuance of the new certificates of title.

Or, in the event a residue certificate of title is necessary:

D. That upon cancellation of Certificate of Title No. _____ and issuance of new certificates of title described above for the lots and outlots in the plat, (*or units and common elements in the CIC or tracts in the RLS*), a residue certificate of title should be issued for the following described land:

and after doing so all of the land shown on Certificate of Title No. _____ will be used up by issuance of the new and residue certificates of title with no gaps, overlaps or additional residues.

E. That upon comparison of legal description appearing in Document No. _____ on said certificate of title with the lots and outlots created by the Plat of _____ (*or units and common elements in CIC No. _____, or tracts in RLS No. _____*) only the following lots and outlots (*or units and common elements in the CIC, or tracts in the RLS*) are subject to said document: _____.

WHEREFORE, petitioner prays for the directive of the Examiner of Titles directing the St. Louis County Registrar of Titles to cancel Certificate of Title No. _____ and to issue in lieu thereof the following new certificates of Title showing the petitioner to be the fee owner of: (*insert the lot and outlot descriptions, unit and common element descriptions, or tract descriptions, identifying the memorials and recitals that encumber each*) and (*when appropriate*) a residue certificate of title showing the petitioner to be the fee owner of: (*insert the residue description, identifying the memorials and recitals that encumber the residue land*).

Date _____

Signature of Petitioner or Attorney for Petitioner

Attorney: _____

Address: _____

Telephone: _____

