

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF SHERBURNE

TENTH JUDICIAL DISTRICT

In the Matter of the Application of:

<applicant's name>,

To Register Title to the following described real estate situated in Sherburne County, Minnesota, namely:

< > ("Property"),

Applicant<s>,

Court File No. <>

vs.

<defendant name>, XYZ Corporation, ABC Partnership, John Doe and Mary Roe, all whose true names are unknown, also all heirs and devisees of any of the above named persons who are deceased; and all other persons or parties unknown, claiming any right, title, estate, lien or interest in the real estate described in the application or amendments therein,

Defendant<s>.

**FINAL ORDER AND DECREE OF REGISTRATION <AND AN ORDER ESTABLISHING AND FIXING BOUNDARIES AND ESTABLISHMENT OF JUDICIAL LANDMARKS>**

The above-entitled matter came on for hearing before this Court and the undersigned Judge at the Sherburne County Courthouse, Elk River, Minnesota, <<on \_\_\_\_\_, 20<>, at \_\_\_\_\_ .m. on Applicant<'s'> Motion for Default Judgment and>> <<without a Hearing at the request of Applicant<'s'> attorney, David J. Meyers for >> Entry of an Order and Decree of Registration. <<David J. Meyers appeared on behalf of Applicant<s>, other appearances were noted on the record.>> <<On <date>, this Court signed an Interlocutory Order finding all Defendants in default, that Applicant has complied with all requirements of Minnesota

Statutes Section 508.01, et seq. and other applicable laws, and Ordering the placement of Judicial Landmarks.>>

The Court, having duly considered the Application, the reports of the Examiner, and the evidence produce by the Applicant<s>, and being fully advised in the premises, finds:

1. That the estimated market value of the premises hereafter described, exclusive of improvements, according to the last official assessment thereof is <\$>.

2. That all requirements of the law in respect to the application and any amendment thereto have been complied with and that all of the Defendants in this proceeding have been duly served with process as required by law or they have consented to the registration herein and it further appears that no answer or notice of appearance has been filed in this proceeding.

3. That except as hereafter provided, none of the Defendants named in the Summons and any amendments or supplements thereto have any right, title, estate, lien or interest in the real estate hereinafter described.

4. That the premises hereinafter described are now occupied by the Applicant<s>.

5. The Applicant(s) are over 18 years of age. Applicant <> is married to <>. Applicant <> is married to <>. The Applicant(s) is(are) under no legal incapacity.

6. That at the time of filing the Application herein, there was a Mortgage in favor of <>, dated <>, recorded <>, as Document No. <>, encumbering the Property. That subsequently the Mortgage was satisfied by an instrument dated <>, and filed with the <> County Recorder on <>, as Document No. <>.

7. That subsequent to the time of the filing of the Application herein, a Mortgage was recorded in favor of <>, with <> Mortgagors, dated <> and filed with the <> County Recorder on <>, as Document No. <>.

8. That <> holds an interest in the Applicant<'s'> parcel as the grantee of an easement created by a document dated <>, and recorded as Document <>. <> has consented to this proceeding, so long as <his/her> easement continues as a memorial on the Certificate of Title.

9. <> and <> <were/was> recommended as <a> Defendant<s>, but <is/both are> deceased. <>, the Executor of the estate<s>, was duly served on behalf of the estate<s>.

10. <> was listed in the Petition and Order for Summons as a Defendant, but <his/her> current address is unknown and, therefore, has been served by publication.

11. <That Judicial Landmarks have been placed pursuant to the \_\_\_\_\_, 20\_\_\_\_, Interlocutory Order of this Court, and that the placement of those Judicial Landmarks is shown on the \_\_\_\_\_ survey by \_\_\_\_\_ in the Court file and made a part hereof.>

**NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:**

1. That a default as to each Defendant named in the Summons and any amendments or supplements thereto and all heirs and devisees of any of the persons named therein who are deceased and “all other persons or parties unknown claiming any right, title, estate, lien or interest in the real estate hereinafter described” is hereby entered in the above-entitled action.

2. That <>, whose post office address is <>, County of <>, State of Minnesota, are the owners of an estate in fee simple <as Joint Tenants or Tenant-in-Common or other interests> <and appurtenant easement> in land in the County of <>, State of Minnesota, described as follows:

<legal>.

3. That said interest and land be brought under the provisions and operations of Chapter 508, Minnesota Statutes, and all acts amendatory thereof, and that the title there to be confirmed and registered as provided in and by said act; subject, however, to the following memorials:

A. to any rights or encumbrances which may be subsisting, specified in Section 508.25, Chapter 508, Minnesota Statutes and all acts amendatory thereof;

- B. to a mortgage in favor of <>, dated <>, and filed for record in the office of the <> County Recorder on <>, as Document No. <>; and
- C. to an easement in favor of <> as grantee created by a document dated <>, and recorded <>, as Document <>.

4. <That the boundaries of the land described herein have been determined by placement of Judicial Monuments as described in the \_\_\_\_\_ Certificate of Survey filed in this matter by \_\_\_\_\_, which survey is made a part of the Findings and Decree hereof. The Certificate of Survey shall also be filed with the Registrar of Titles, at the time of the filing of this Order, and the Certificate of Title shall state: "That the boundaries are registered and Judicial Monuments set per the survey filed in the office of the Registrar of Titles, and with the District Court.>

Dated: \_\_\_\_\_, 2018

BY THE COURT:

\_\_\_\_\_  
 Judge of District Court

THE ABOVE CONSTITUTES THE JUDGMENT AND DECREE OF THIS COURT ENTERED ON \_\_\_\_\_, 2018.

Dated: \_\_\_\_\_, 2018

DISTRICT COURT ADMINISTRATOR

By \_\_\_\_\_  
 Deputy Court Administrator

Approved as to form:

Dated: \_\_\_\_\_, 2018

SHERBURNE COUNTY  
 EXAMINER OF TITLES

By \_\_\_\_\_  
 David J. Meyers, Examiner