

DISTRICT COURT OF MINNESOTA
TENTH JUDICIAL DISTRICT

THOMAS D. HAYES
JUDGE OF DISTRICT COURT



CHAMBERS
SHERBURNE COUNTY GOVERNMENT CENTER
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December 4, 2009

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Re: Appearances in Proceedings Subsequent to Initial Registration

The Sherburne County Bench has reviewed your letter of November 30, 2009. Judge Varco's order of January 26, 2005, remains the policy of the Bench. Please advise counsel of the requirement of paragraph 2 of the January 26, 2005 order. We frequently receive requests for non-appearances, but unless there is an affidavit in the file, the request may not be granted.

Thank you.

A handwritten signature in black ink, appearing to be "Tom".

STATE OF MINNESOTA

CaseType:
DISTRICT COURT

COUNTY OF SHERBURNE

TENTH JUDICIAL DISTRICT

In the Matter of Appearances before the
District Court in Proceedings Subsequent to
Initial Registration

TORRENS - ORDER

The matter of the request by the Sherburne County Examiner of Titles to allow the Petitioner in Proceedings Subsequent to Initial Registration to waive the final appearance on the Petition came on before the Sherburne County District Court Judges for consideration. The Examiner of Titles has requested that no appearance by the counsel for the Petitioner be required where, in the opinion of the Petitioner and the Examiner of Titles, it is doubtful that there will be an appearance by an adverse party.

After consideration, the Sherburne County District Court Judges hereby make the following Order:

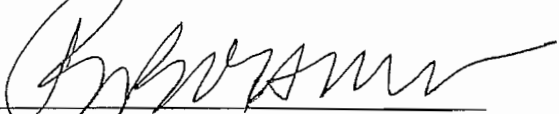
1. That the policy of the Sherburne County District Court in Torrens Proceedings Subsequent to Initial Registration is that an appearance will not be required at the time of the Final Hearing if, in the opinion of the Sherburne County Examiner of Titles and the Petitioner, it is not likely that an appearance by an adverse party will be made at the Final Hearing.
2. In lieu of an appearance at the Hearing, the Petitioner shall provide the District Court with an Affidavit stating the facts that support the Petition and Order. The Affidavit shall be reviewed and approved by the Examiner of Titles.
3. That at the time scheduled in the Order to Show Cause for the Final Hearing, the Court will call the case. If there is an appearance by an adverse party, the Court will set the

matter over for further consideration. If there is no appearance, the Court will review the matter and take the appropriate action on the proposed Order.

4. In all cases, the District Court Judge assigned to the case reserves the right to require an appearance and/or require further evidence or testimony.

Dated: 26 January 2005

BY THE COURT



The Honorable Robert B. Varco