This is a sample Interlocutory Order. It will be completed by the Applicant ONLY in cases of determination of boundaries. It is not used on other initial registration cases.

STATE OF MINNESOTA DISTRICT COURT

COUNTY OF RAMSEY SECOND JUDICIAL DISTRICT

Case Type: Torrens

Court file:

In the Matter of the Application of

**INTERLOCUTORY ORDER**

**DETERMINING BOUNDARIES**

to Register Title to Certain Land

and Determine Boundaries.

The above-entitled matter came on for remote hearing via Zoom video conference before the Examiner of Titles sitting as referee on the       day of      . Appearances, if any, were noted on the record. In accordance with Minnesota Supreme Court Order ADM20-8001, the Court ruled after review of submissions and remote hearing.

The Court, having duly considered the Application, the Report of Examiner, the Certificate of Survey, and the evidence adduced by the Applicant, makes the following:

**FINDINGS OF FACT**

The land being registered in this action (the “Subject Property”) is legally described as:

The facts stated in the Report of Examiner are correct.

All of the defendants recommended in the Report of Examiner have been served with the Summons or have consented to the registration.

No Answer has been filed nor appearance made by any defendant, except      .

The statements in the Application, Certificate of Default and Non-Military Status and Certificate of Evidentiary Facts required by the Report of Examiner are true and correct.

Applicant is 18 years of age or older, under no legal incapacity, and not married.

The Subject Property is occupied by Applicant as homestead.

There are no visible encroachments upon the Subject Property except as noted in the Report of Examiner.

*[Adverse possession cases, include this paragraph.]* To the extent Applicant does not have good record title to the Subject Property, Applicant has actually occupied the Subject Property in a manner that was open, notorious, exclusive, continuous and hostile and has paid the taxes thereon for at least five consecutive years.

*[Reformation cases, include this paragraph.*] The instrument recorded as Doc. No.       does not reflect the parties’ true intent. The parties’ true intent was      .

According to the last official assessment thereof, the market value of the Subject Property, exclusive of improvements, was:

PID:      Value: $

A Certificate of Survey was filed in the Court File on     .

From the foregoing Findings of Fact, the Court makes the following:

**CONCLUSIONS OF LAW**

The Court has *in rem* jurisdiction over the land, personal jurisdiction over all of the Defendants, and subject matter jurisdiction to register the title and to determine the location of the boundaries of the Subject Property.

Applicant has standing to bring this action.

All necessary parties have been properly served. All defendants are in default except those whose appearances are noted above; and, as to those, their appearance does not prevent entry of this Order.

The opinion on title expressed in the Report of Examiner is correct.

None of the defendants have any interest in the Subject Property, except      .

*[adverse possession cases]* Applicant has established title to the Subject Property by adverse possession.

*[reformation cases]* The instrument recorded as Doc. No.       should be reformed to reflect the parties’ true intent.

Applicant is the owner of the Subject Property in  subject to the liens and encumbrances shown in the Report of Examiner.

The correct boundary lines of the Subject Property are as shown on the Certificate of Survey filed in the court file on      .

From the foregoing Findings of Fact and Conclusions of Law, the Court makes the following:

**INTERLOCUTORY ORDER**

NOW THEREFORE, pursuant to Rule 211 of the Minnesota Rules of General Practice for District Courts, it is ordered:

Applicant shall cause the surveyor to set Judicial Landmarks to mark the boundaries of the Subject Property as shown on the Certificate of Survey filed in the Court file on      .

A revised Certificate of Survey, showing the location of each Judicial Landmark, certified as to location thereof by said surveyor, shall be filed in the Court file and served on each defendant who is not in default.

A second hearing to issue an Order and Decree of Registration shall be scheduled after the revised Certificate of Survey is filed in the Court file and served on the non-defaulting defendants.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge of District Court

The foregoing facts were found by me after hearing, and

entry of the Interlocutory Order is recommended.

WAYNE D. ANDERSON, EXAMINER OF TITLES

By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_