Instructions for Applying for a State Deed

The State Deed Application is required for all applications for state deeds issued by the Department of Revenue. Applications require Wetland Certification information be completed. Any application for a “conditional use deed” requires a completed Conditional Use Deed Supplement. Any application for a “school forest deed” requires a completed School Forest Deed Supplement. Both supplements are included in the state deed application online form. Also, many applications require a copy of the county board resolution approving the conveyance which can be uploaded as an attachment. See below for specific instructions.

Application for State Deed for Tax-Forfeited Land

When completing the State Deed Application, the required fields are marked with an asterisk.

Name of County (Required)
Choose the name of the county from the drop-down menu.

Correction
If this application is to correct a previously issued state deed that contains an error(s), click “Yes” and complete the “Corrections” section of the form. Otherwise, check “No”, skip this section, and proceed to the “Applicant” section of the form.

The fee will not apply to errors made on behalf of the DOR.

If the deed was unrecorded, the original state deed must be shredded.

Applicant Information (Required)
Enter the name of the applicant, as it should appear on the state deed. If the applicant is a governmental subdivision (county, school district, city, town, or special taxing district), enter the legal name of the entity. (Examples of special taxing districts include the Metropolitan Council, housing and redevelopment authorities (HRA’s), economic development authorities (EDA’s), port authorities, regional development commissions (RDC’s), and watershed districts.)

Enter the mailing address of the applicant on the lines provided.

Ownership
Choose the ownership type from the drop-down menu. If there is co-ownership, please be certain to differentiate between “joint tenancy” and “tenancy in common.” “Co-ownership: other” is most frequently used for trusts.
Acquisition Type (Required)
Please select the type of acquisition. Select only one type.

- **Purchase** – should be selected for all purchases at market value regardless of the method of sale (Minnesota Statutes §§ 282.01, subd. 1a, par. (b), subd. 3 or subd. 7a), except those parcels released from the trust in favor of the taxing districts to a state agency (see Release below).

- **Remove Blight/Affordable Housing** – should be selected only for those parcels of tax-forfeited land acquired under Minnesota Statute § 282.01, subd. 1a, par. (d). Per statute, the governmental subdivision that is acquiring the land must document its specific plans for correcting the blighted condition or developing affordable housing. (Please note: A copy of the board resolution giving a favorable recommendation is also required to be attached to the application. Additional information is required on page 2 of the form.)

- **Conservation-related usage** – should be selected only for those parcels of tax-forfeited land acquired under Minnesota Statute § 282.01, subd. 1a, par. (h) and used for (1) creation or preservation or wetlands; (2) drainage or storage of storm water under a storm water management plan; or (3) preservation or restoration of the land in its natural state. (Please note: A copy of the board resolution giving a favorable recommendation is also required to be attached to the application. Additional information is required on page 2 of the form.)

- **Repurchase** – should be selected only for those parcels of tax-forfeited land repurchased under Minnesota Statute § 282.241. Except for property that was homesteaded on the date of forfeiture, repurchase is only permitted within six months from the date of forfeiture.

- **Conditional Use Deed** – should be selected only for those parcels of tax-forfeited land acquired under Minnesota Statute § 282.01, subd. 1a, par. (e). (Please note: A completed Conditional Use Deed Supplement is required to be attached with applications for this type of acquisition. A copy of the board resolution giving a favorable recommendation is also required to be attached to the application. Additional information is also required on page 2 of the form.)

- **Fee**
  A fee of $250 is required to be submitted with the application for a conditional use deed. The fee can be paid when application is entered online.

- **Failure to convey to city or association** – should be selected only for those parcels of tax-forfeited land acquired under Minnesota Statute § 282.01, subd. 1a, par. (f) or (g). (Please note: Additional information is required on page 2 of the form. A copy of the board resolution giving a favorable recommendation is also required to be attached to the application.)
- **Replacement for Lost/Destroyed Deed** – should be selected only for those applications that are for a request for a new state deed that will replace a previously issued state deed that was lost or destroyed under Minnesota Statute § 282.33.

- **Attach a statement**
  Per statute, attach a statement of facts in support of the allegations that the deed was lost or destroyed before it was recorded (*please be specific*). If it appears that the facts stated in the petition are true, a new deed will be issued with like effect as the original deed.

- **Fee**
  - A fee of $25 is required to be submitted with the application for a replacement deed. The fee can be paid when application is entered online.

- **Release (State Agencies only)** – should be selected only for those parcels of tax- forfeited land released from the trust in favor of the taxing districts to a state agency under Minnesota Statute § 282.01, subd. 1a, par. (c).

- **School Forest Deed** – should be selected only for those parcels of tax- forfeited land acquired under Minnesota Statute § 282.01, subd. 1a, par. (j). (*Please note:* A completed *School Forest Deed Supplement* must be attached with applications for this type of acquisition. A copy of the board resolution and a recommendation by the Commissioner of the Department of Natural Resources also must be attached to the application. Additional information is also required on page 2 of the form.)

- **Acquisition Authorized by other statute or Special Law** – should be selected when the acquisition was authorized by a statute other than one of the listed options or a special law (in some situations it will be appropriate to select this box along with a listed type of acquisition). The citation of the special law is also required.

**Property Information (Required)**

- **Date of Auditor’s Certificate of Forfeiture**
  On the line provided, enter the date that the requested property was forfeited to the state. This information should reflect the date on the auditor’s certificate of forfeiture.

- **Sale Information**
  Enter the date the tax-forfeited land was sold, the date the purchase price was paid in full, and the amount of the purchase price. It is important that the amount of the purchase price is filled in (when applicable) and that this information is accurate.

  When this amount is between $0.00 and $3,000, the following statement will appear on the face of the deed: “THE MONETARY CONSIDERATION FOR THIS DEED IS $3,000 OR LESS.”
In the box provided, enter the complete legal description of the requested tax-forfeited property. (Please do not use an abbreviated legal description used for tax statement or other purposes.) Email legal descriptions longer than four lines to deed.application@state.mn.us in a Word document.

- **Disclosure of Location of Wells**
  State law (Minnesota Statute § 103I.235) requires the disclosure of wells on tax-forfeited land being conveyed. A wells disclosure must be provided on all state deed applications.

  The face of the deed will indicate wells information for the property as indicated below. It is the county auditor’s (or land commissioner’s) responsibility to check the appropriate box on the application form indicating whether:

  a) **There are one or more wells on this property** – Selecting this box will cause an “X” to be marked on the face of the deed indicating “A well disclosure certificate accompanies this document. (If electronically filed, insert WDC number: ______)”. (If you have an electronic WDC number, please list it for inclusion in the deed.)

    PLEASE NOTE: The county is responsible for providing the well disclosure certificate at the time of recording;

  b) **There are no wells on this property** – Selecting this box will cause an “X” to be marked on the face of the deed indicating “The Seller certifies that the Seller does not know of any wells on the described real property.”; or

  c) **No change since last well certificate** – Selecting this box will cause an “X” to be marked on the face of the deed indicating “I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.”

- **Wetland Certification**
  A Wetland Certification information must be completed or attached to each state deed application form except for replacement deeds for which the original deed did not have a wetland restriction.

  This is needed by the Department of Revenue to determine whether or not a restrictive covenant must be inserted into the state deed. It is the county auditor’s (or land commissioner’s) responsibility to ensure that it is completed properly. The Wetland Certification Form can be found on the Department’s [website](#).

**Signature(s) (Required)**
All applications require the signature of the county auditor. Applications for Replacement Deeds will require the additional signature of the applicant as well. An electronic signature is ok.
Application Fees

Conditional use deed and replacement deed application fees are due at the time of application. All other deed application fees will be billed to the county at the end of the year.

<table>
<thead>
<tr>
<th>Type of Property Acquisition</th>
<th>Deed Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchase</td>
<td>$25</td>
</tr>
<tr>
<td>Conditional Use Deed</td>
<td>N/A - $250**</td>
</tr>
<tr>
<td>Remove Blight/Affordable Housing</td>
<td>$25</td>
</tr>
<tr>
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<td>Conservation-related Usage</td>
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<td>Replacement for Lost/Destroyed Deed</td>
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<tr>
<td>Repurchase</td>
<td>$25</td>
</tr>
<tr>
<td>Release (State Agencies Only)</td>
<td>$25</td>
</tr>
<tr>
<td>School Forest</td>
<td>$25</td>
</tr>
</tbody>
</table>

** The deed fee does not apply, but an application fee of $250 is required. If the application is denied, the department will refund $150 of the fee.

Questions

The State Deeds staff in the Property Tax Division of the Department of Revenue are available to provide assistance in the completion of any application for state deed. Please contact us at 651-556-6085 or through email at state.deeds.mdor@state.mn.us.
Supplemental Information for a Conditional Use Deed

ALL applications (State Deed Application) for a conditional use deed must be entered or accompanied by a completed Conditional Use Deed Supplement form. ALL sections of the form must be completed.

Property
- Property Identification Number(s) (PIN) for Requested Property
  Enter the property identification number(s) for the parcel(s) of requested property.

- Market Value of Requested Property
  Please provide the market value of the requested property, from the records of the county assessor. If the most recent market value of the property occurred in the last six years, a new assessment is not required. (Please Note: This is not the same as the “market value” determined by the county board for the purposes of a sale of the property.)

- Total Acreage of Requested Property
  List the total acreage of the requested property. This will be reviewed to determine if the size of the requested property is appropriate for the requested public use.

- Current Condition of Property
  Please provide a description of the property in its current condition, identifying any improvements, structures, natural features, or other elements that exist on the property. If more room is needed, use attachments.

Forfeiture
Enter the date of recording of the auditor’s certificate of forfeiture and the document number as assigned by the county recorder or registrar of titles.

Public Use
There will be only one use granted per application (and therefore only one use selected on a deed). Multiple parcels will be allowed, but only if they are all being put to a single use and only if the entirety of the multiple parcels constitutes a contiguous property (land mass).

- Authorized Public Use
  Minnesota Statute § 282.01, subd. 1a, par. (e) limits the authorized public uses for use deeds to: (1) a road, or right-of-way for a road; (2) a park that is both available to, and accessible by, the public that contains amenities such as campgrounds, playgrounds, athletic fields, trails, or shelters; (3) trails for walking, bicycling, snowmobiling, or other recreational purposes, along with a reasonable amount of surrounding land maintained in its natural state; (4) transit facilities for buses, light rail transit, commuter rail or passenger rail, including transit ways, park-and-ride lots, transit stations, maintenance and garage facilities, and other facilities related to a public...
transit system; (5) public beaches or boat launches; (6) public parking; (7) civic recreation or conference facilities; and (8) public service facilities such as fire halls, police stations, lift stations, water towers, sanitation facilities, water treatment facilities, and administrative offices.

In the space provided, describe in detail the intended authorized public use to be made of the tax-forfeited property. You must be specific. This is the language that will be used to write the deed. If more room is needed, use attachments.

**Park Use**
Conditional use deed applications for “park” use require additional information to be provided on the application. As indicated above, the law states that a “park” must be “available to, and accessible by, the public that contains amenities”.

When referring to the park, “park” means the whole park including a pre-existing park that is being expanded by the property in the application. It is this meaning of park that is meant to be considered when answering the park use questions on the Conditional Use Deed Supplement form.

**Public Service Facilities**
Using the space provided, please indicate the type of facility that is planned.

- **Establishing the proposed use**
  Minnesota Statute § 282.01, subd. 1d requires that property conveyed by conditional use deed has been put to the proposed use within three years of conveyance. However, it should be noted that there is no failure to put the land to the use if a formal plan of the governmental subdivision shows an intended future use of the property for the proposed use.

  Please indicate if you anticipate establishing the proposed use within 3 years, and if not when you anticipate the use being established.

**Enclosures**

- **Fee Required**
  Minnesota Statute § 282.01, subd. 1g requires a fee of $250 to be submitted to the Commissioner of Revenue along with this application. If this application is denied, the Commissioner shall refund $150 of the application fee. Payment should be made out to the Commissioner of Revenue.

- **Supporting Documentation**
  Supporting documentation is critical to the approval of an application for a conditional use deed. Please note that some forms of documentation are required before the application will be considered.
Supplemental Information for a School Forest Deed

ALL applications (State Deed Application) for a school forest deed must be entered or accompanied by a completed School Forest Deed Supplement form.

**Property**

- **Property Identification Number(s) (PIN) for Requested Property**
  Enter the property identification number(s) for the parcel(s) of requested property.

- **Market Value of Requested Property**
  Please provide the market value of the requested property, from the records of the county assessor. If the most recent market value of the property occurred in the last six years, a new assessment is not required. (Please Note: This is not the same as the “market value” determined by the county board for the purposes of a sale of the property.)

- **Total Acreage of Requested Property**
  List the total acreage of the requested property. This will be reviewed to determine if the size of the requested property is appropriate for the requested public use.

- **Current Condition of Property**
  Please provide a description of the property in its current condition, identifying any improvements, structures, natural features, or other elements that exist on the property. If more room is needed, use attachments.

**Forfeiture**

Enter the date of recording of the auditor’s certificate of forfeiture and the document number as assigned by the county recorder or registrar of titles.

**School Forest Use**

Please provide a description of how the land will be used as a school forest.

**Enclosures**

Supporting documentation is critical to the approval of an application for a school forest deed. Please note that some forms of documentation are required before the application will be considered.