

State Deed Application Instructions

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Overview

A state deed application must be completed by county staff for all state deeds issued by the Department of Revenue. All types of deeds must be submitted using the online application, with an exception noted below. Counties can also request a correction to a previously issued deed through the online application.

Exception for conditional use deeds and replacement deeds. If your county does not include payment with the online application, then for these two deed types you must use the PDFs provided on the [State Deeds Forms webpage](#) instead of the online application. When completed, send the PDF application with a check by mail as shown on the PDF. Send the application and enclosures by email as well to state.deeds.mdor@state.mn.us.

Several acquisition types require a copy of the county board resolution approving the conveyance or other documentation, which can be uploaded as attachments as part of the online application. If you need to send the application by mail as described above, any required documentation should be enclosed. See below for specific instructions for each acquisition type.

Application Fees

All deed application fees can be paid when submitting an online state deed application. For most deed types, your county can choose to be invoiced at the end of the year instead.

Conditional use deed and replacement deed application fees are due at the time of application, so must be paid with the online application or by check as noted in the Overview.

Type of Property Acquisition	Deed Fee
Purchase	\$25
Conditional Use Deed	N/A - \$250**
Remove Blight/Affordable Housing	\$25
Failure to Convey to City or Association	\$25
Conservation-related Usage	\$25
Replacement for Lost/Destroyed Deed	\$25
Repurchase	\$25
Release (State Agencies Only)	\$25
School Forest	\$25
** 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.	

Application for State Deed for Tax-Forfeited Land

The following fields must be completed on the state deed application. Required fields can vary depending on the acquisition type selected. When completing the online state deed application, the required fields are marked with an asterisk. Special instructions follow this section for conditional use deed applications.

Each deed application, with the exception of the special situation with land exchanges (please email state.deeds.mdor@state.mn.us if you would like us to consider any other exceptions), must be for a single parcel. A deed application cannot be for part of a parcel.

Name of County

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), select “Yes” and complete the Corrections section of the form. Otherwise, select “No”, skip this section, and proceed to the “Applicant” section of the form.

The \$25 deed application fee will not apply to errors made by the Department of Revenue.

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

Applicant Information

Name(s)

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.

Address

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

Ownership Type

Choose the ownership type from the drop-down menu. If there is co-ownership, be certain to differentiate between “joint tenancy” and “tenancy in common.” “Co-ownership: other” is most frequently used for trusts.

Property Information

Acquisition Type

Please select the type of acquisition. Select only one type.

Purchase

This is for all purchases at market value regardless of the method of sale ([Minnesota Statutes, section 282.01, subdivision 1a](#), para. (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 (State Agencies Only) below).

This acquisition type includes a field to indicate if the purchase was financed or not.

Repurchase

This is for those parcels of tax-forfeited land repurchased under [M.S. 282.241](#). Repurchase is only permitted within six months from the date of forfeiture unless the property was homesteaded on the date of forfeiture.

Acquisition Authorized by Other Statute or Special law

This is for when the acquisition was authorized by a statute other than one of the listed options or by a special law. The citation of the other statute or special law is required.

Conditional Use Deed

See Conditional Use Deed Application below.

Conservation-Related Usage

This is for those parcels of tax-forfeited land acquired under [M.S. 282.01, subd. 1a](#), para. (h), and used for:

- (1) creation or preservation of 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.

Note: A copy of the board resolution giving a favorable recommendation is required to be attached to the application.

Easement on Land Bordering Water

This is only for those parcels of tax-forfeited land acquired under [M.S. 282.37](#). The online application includes a field to provide a detailed description of the purpose for the Department of Natural Resources easement.

Note: A copy of the board resolution giving a favorable recommendation is required to be attached to the application.

Failure to Convey to City or Association

This is only for those parcels of tax-forfeited land acquired under [M.S. 282.01, subd. 1a](#), para. (f) or (g).

Note: A copy of the board resolution giving a favorable recommendation is required to be attached to the application.

Land Exchange

This is only for parcels of tax-forfeited land acquired under [M.S. 94.344](#).

Note: A copy of the county board resolution and other supporting documents are required to be attached.

Release (State Agencies Only)

This is only for those parcels of tax- forfeited land released from the trust in favor of the taxing districts to a state agency under [M.S. 282.01, subd. 1a](#), para. (c).

Remove Blight/Affordable Housing

This is only for those parcels of tax-forfeited land acquired under [M.S. 282.01, subd. 1a](#), para. (d). The governmental subdivision that is acquiring the land must document its specific plans for correcting the blighted condition or developing affordable housing.

Note: A copy of the board resolution giving a favorable recommendation is also required to be attached to the application. The specific plans of the governmental subdivision acquiring the parcel must be included in the county's resolution or in a separate attached resolution or letter from the governmental subdivision.

Replacement for Lost/Destroyed Deed

This is 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 [M.S. 282.33](#).

Note: A statement of facts in support of the allegations that the deed was lost or destroyed before it was recorded must be attached (*please be specific*) and signed by the applicant. 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.

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, otherwise you must submit the PDF application with a check as described in the Overview.

Legal Description. See the Legal Description section below. For PDF applications sent by mail as described in the Overview, in addition to entering the full legal description into the PDF, email legal descriptions in a Word document to state.deeds.mdor@state.mn.us.

School Forest Deed

This is only for those parcels of tax- forfeited land acquired under [M.S. 282.01, subd. 1a](#), para. (j).

Note: The School Forest Deed Supplement is included in the online application, which requires a description of the current parcel conditions, including improvements and natural features, and a description of how the property will be used as a School Forest. A copy of the board

resolution and a recommendation by the commissioner of the Department of Natural Resources must be attached to the application.

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

- Date the tax-forfeited land was sold
- Date the purchase price was paid in full
- 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."

Property Identification Number (PIN) for Requested Property

This is a required field for all state deed applications. Enter the property identification number for the parcel of requested property.

Note: For a land exchange, please enter "Land exchange" in this field.

Legal Description

In the box provided, enter the complete legal description of the requested tax-forfeited property as it should appear on the deed. Do not use an abbreviated legal description used for tax statement or other purposes.

Torrens?

Choosing Yes or No changes the fields that appear.

County Board Application Date

Enter the date of the application to the county board.

Well Information

State law ([M.S. 1031.235](#)) 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 one of the following three options.

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, enter it on the application for inclusion in the deed.

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

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.”

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 Information

Wetland information must be completed except for replacement deeds for which the original deed did not have a wetland restriction.

This is required so that the Department of Revenue can 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. A Wetland Information section is included in the online application and a Wetland Certification Form is included in the PDF for those applications that must be sent by mail as described in the Overview.

Signature

All applications require the signature of the county auditor. An electronic signature is acceptable for the online application. Applications for replacement deeds require the additional signature of the applicant on the statement of facts.

Conditional Use Deed Application

This acquisition type is only for those parcels of tax- forfeited land acquired under [M.S. 282.01, subd. 1a](#), para. (e).

Note: A completed Conditional Use Deed Supplement is required to be attached with applications for this type of acquisition. The supplement is included in the online application. If you are completing a PDF application, the supplement is provided separately on the [State Deeds Forms webpage](#). See Enclosures section below for additional documentation and payment requirements.

Property Information

The following fields must be completed for a conditional use deed application.

Legal Description

See the Legal Description section above. For PDF applications sent by mail and email as described in the Overview, in addition to entering the full legal description into the PDF, email legal descriptions in a Word document to state.deeds.mdor@state.mn.us.

Property Identification Number (PIN) for Requested Property

Enter the property identification number for the parcel of requested property.

Market Value of 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 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

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.

Recorded By

Choose Recorder or Registrar of Titles

Recording Date

Enter the date of recording.

Recording Number

Enter the recording number.

Property Use

Choose the intended public use from the dropdown list, then describe the intended public use in the following field.

Describe the property’s intended public use.

What you enter in this field becomes part of the deed text. This should be a concise statement that follows the phrase “for so long as the Grantee shall continue to use the Property” and followed by “real property in [name of county], State of Minnesota...”

Use within 3 years

Indicate whether or not the proposed use will be established within three years.

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).

Authorized Public Use

Minnesota Statutes, section 282.01, subdivision 1a, paragraph (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
- (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. For the PDF application only: 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 Statutes, section 282.01, subdivision 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

M.S. 282.01, subd. 1g, requires a fee of \$250 to be submitted to the Commissioner of Revenue along with this application. This can be paid with the online application. If payment is not made online, the application must be sent by mail along with the check as described in the Overview. 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 the following forms of documentation are required for the application to be considered:

- Copy of board resolution
- Photos and/or maps
- Resolution of the governmental subdivision authorizing application to the county

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 a state deed. Email us at state.deeds.mdor@state.mn.us or call 651-556-6085.