

To: MSBA Real Property Section Council

From: Modernizing Land Records Subcommittee (MLRS) of the Legislative Committee

Date: October 31, 2018

Re: Report to Council

**I. Charge and Activities**

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**III. Themes and Observations from Listening Sessions**

**IV. Preliminary Recommendations**

**I. Charge and Activities**

At the November 2016 meeting, the Real Property Council authorized the Modernizing Land Records Subcommittee (MLRS) to explore ideas for significant reforms to the Minnesota land records systems. The MLRS is a subcommittee of the Legislative Committee. This Report provides a summary of activities, information obtained, and preliminary recommendations.

MLRS members:

Bob Beutel, private practice, St. Paul

Greta Bjerckness, Assistant County Attorney, Dakota County

Jenny Carey, private practice, Duluth

Nancy Landmark, title company, Minneapolis

Greg Lang, private practice, Minnetonka

Susan Ledray, Examiner of Titles, Hennepin County

Scott Lucas, private practice, Edina

Mike Melchert, private practice, Waconia

Jim Pauley, title company, Blaine

John Rice, private practice, Chanhassen

Stacy Woods, private practice, Brooklyn Park

Joining: Kimberly Brzezinski, Examiner of Titles, St. Louis County

Jim Meunier, title company, resigned but is recognized for his contributions.

## **A. Surveys and Listening Sessions**

Recognizing that MLRS members are primarily private practice attorneys from the Metro area, we made a concerted effort to engage stakeholders around the state. To gather initial information, we developed surveys for MSBA real property section members and county recorders, and hosted listening sessions in the fall of 2017.

134 attorneys and 55 county recorders completed the surveys. *See Appendix A for Survey result summaries.*

Eight two-hour listening sessions called “Reimagine Land Records” were hosted by MLRS in October and November 2017 with 243 total participants in Winona (21), Redwood Falls (35), St. Cloud (36), Bemidji (15), Duluth (21), Minneapolis (55 total at two sessions), and St. Paul (60) at the Real Estate Institute. Audio recordings were made of several sessions. *See Appendix B for notes from each session.*

The sessions were publicized through stakeholder associations (MSBA, Minnesota Land Title Association, Minnesota Society of Professional Surveyors, Minnesota County Recorder’s Association, Minnesota Association of County Officers, Property Records Industry Association-MN Chapters) and other outreach to lenders, state agencies, law schools, and other interested persons. For most of the sessions, a cross section of people attended, typically including private attorneys, title company staff, surveyors, software vendors, abstractors, and county employees representing county recorders, examiners of title, GIS and survey departments. Other participants included professors, a legal aid attorney, and employees of the army corps of engineer, state agencies, cities and other county departments.

The sessions started with participants identifying themselves, followed by a brief introduction of the purpose of the meetings, and topic areas we invited participants to address. We explained that we wanted to hear from the participants, and were not giving presentations, with the exception that a local area GIS expert would give a brief presentation.

Many of the attendees participated and made comments. We also invited written comments and follow-up emails and calls. Lastly, participants were asked to indicate if they would like to stay informed of, or participate in, future MLRS work. People found the sessions very interesting, and especially enjoyed hearing the perspectives of people working in related fields or who used land records for different purposes.

It was easiest for participants to talk about their work experiences, to reflect on what has changed for better or worse, and to express their concerns and worries. Understandably, most people had not thought much about what a land records system should look like in the future, or how technology could radically disrupt business, but we asked for comments on those topics

also. There were a few participants whose work or interests involve cutting edge developments, and some people with experience in other states and countries. Their participation expanded the conversation and ideas.

A summary of recurring topics is provided below in the section Themes and Observations.

## **B. Presentations**

As a result of the listening sessions, MLRS was asked to give presentations and updates on our work. These presentations were opportunities to share themes of what we are learning, and to continue building connections with stakeholder groups. Presentations were made at conferences of the following: the Minnesota Association of County Recorders; the Minnesota Society of Professor Surveyors and the Minnesota Association of County Surveyors; the HCBA and RCBA Real Property sections; and the Minnesota Land Title Association. Updates were also provided to the Statewide Examiner of Titles Association, the MN Geospatial Advisory Council and the Real Property Section Council.

## **C. Interviews**

MLRS members interviewed the following people:

Jeffrey Lem, Director of Land Titles in Ontario, Canada

Ontario had a mix of torrens and abstract, with land records managed at the county level. The provincial government opted to convert all property to torrens and implement one software system for electronic filing, indexing, and display. The conversion to torrens was done with minimal title research and process, and money was budgeted to pay claims.

Filers enter data into the government web-based software system for deeds and mortgages, as opposed to scanning documents, and signatures are digital. Use of the software and ability to submit documents is limited to attorneys, primarily. After implementing the system and converting nearly all properties to torrens, Ontario “sold” the rights to operate the system to Terranet, a private company, for \$50 million. The buyer keeps recording fee revenues for 50 years, and has use of the data, subject to certain controls.

Nicolás Nogueroles, Secretary General of IPRA-CINDER, and Land Registrar and Professor of Law, Barcelona, Spain

Mr. Nogueroles visited Minnesota to learn about our torrens system. He has made numerous site visits and studied land record systems all over the world, is currently the Land Registrar in Barcelona in charge of their registered land system, teaches law courses, and heads an international organization that convenes every two years for the presentation of papers on topics of current interest for land records systems and property law.

Earl Epstein, co-author of Modernizing Land Records: Order upon Chaos, and retired Ohio State Professor now residing in Minnesota

Professor Epstein gave a presentation to MLRS on the ideas in his book, and he attended a listening session. To maximize the value of land the authors advocate for a land records portal with expanded information and the ability to “push” information out to interested parties.

Phil Dunshee, Project Manager, Iowa Land Records

The Iowa Land Records portal provides statewide access to land records in all counties and is the statewide system for e-recording land records. Mr. Dunshee provided information about the history of the Iowa system, the Iowa Bar Association’s involvement, management, costs, challenges and successes. He is a contractor, not a state or county employee.

Cyndy Kolle, Richland, North Dakota, County Recorder and NDRIN Board Chair

NDRIN is the North Dakota statewide portal for viewing land records. It is not an e-recording portal. Ms. Kolle explained that NDRIN was a response to Red River flooding and concerns about having record redundancy. The software was developed by a North Dakota vendor. A few counties started NDRIN, and others joined on a voluntary basis. All or nearly all counties participate now. Fees to view documents are reasonable, but sufficient revenue is generated to cover expenses and share profits with the counties.

#### **D. Research**

MLRS has gathered historical and current information about land record systems, title insurance, technology, and industry issues and trends in the US and other countries. Based on input gathered at the listening sessions, MLRS is primarily interested in exploring torrens and registered title systems, and most of the academic work on these systems is done in other countries. The universal experience is that passage of a torrens act is not sufficient to result in the voluntary conversion of most land titles, and countries with mostly torrens titles have taken additional legislative steps to mandate conversion based on their belief it is a superior system with benefits for the public. There is an active international community focused on torrens and title registration systems, with very little participation from the US.

#### **E. Committee Meetings**

The subcommittee held meetings on these dates: 1/20/17, 2/13/17, 3/6/17, 4/1/2017, 1/19/18, 2/10/18, 3/19/18.

## **II. Objectives of Reform**

MLRS suggests the objective of any reforms should be:

A land records system that is authoritative, transparent, accurate, secure, efficient, uniform across the state, user-friendly, comprehensive and agile.

## **III. Themes and Observations from Listening Sessions**

### A. Pace

Everything is happening faster. Timelines have shortened significantly. Consumers and lenders drive this. There is not time to wait for an abstract update, to make trips to county recorder/surveyor offices, or to carefully research title issues.

### B. Expertise

Consumers are often unwilling to pay for expertise. They do not understand the risks and fail to appreciate the complexities. Lawyers, county recorders, and other professionals have an increasingly difficult time convincing consumers to pay for professional services. DIYers place a burden on county recorder staff, title companies, and others by asking multiple questions thinking it is “just a quick question” and “I’m not asking for legal advice”.

All groups observed that the most knowledgeable attorneys/surveyors/recorders/title examiners/abstractors/etc. are aging and retiring and that few younger people are willing to learn the business to the same level of expertise. Some lawyers, especially outside the metro area, report they are giving up on attempts to hire and mentor successors. Surveyors are concerned that St. Cloud’s survey program is likely closing and there will be no 4-year program in Minnesota or neighboring states. In all sectors, the experienced people perceive there is a decline in expertise and that standards have slipped. Short-cuts are being taken without an appreciation of the risks involved. There were numerous comments that some title companies and attorneys look only to the last deed or two and assume it accurately represents fee ownership.

There is no doubt that “standards” have changed and now diverge widely amongst companies and professionals. Examples of actual harm suffered were few.

Attorneys are less involved in real estate transactions and title work than in the past. Title companies dominate this work. Private practice lawyers are most involved in the southern part of the state, and still provide attorney title opinions, handle closings, and act as agents for title insurance underwriters.

The work is no longer local. Title companies, closers, attorneys, surveyors, lenders, etc., increasingly work throughout the state or nation. One impact of this change is that county recorders are rejecting more documents, and spending more time explaining requirements.

Instead of “training” local professionals who work regularly in a county, the parties submitting documents and making errors may be impossible to contact.

### C. Risks

Defects are increasingly overlooked based on business risk decisions. There is great concern that the consumer loses with this approach, due to skepticism that title insurance policies will cover the problems, or that the insurer will be in business. The strategy of avoiding problems by careful title review is increasingly a thing of the past.

Delays between the filing of documents and their availability as indexed and imaged documents are the norm. This gap period makes it virtually impossible to know if a recently filed document affects a property and will have priority over a purchaser’s interest.

Fraud concerns were raised at every session. Technology is perceived as increasing the likelihood of fraud, for a variety of reasons. Technology is also seen as a way to detect and prevent fraud. This area elicits an emotional response from some people, but the discussion at each listening session tended to counter many fears and moderate concerns.

Change is risky and involves the fear of the unknown and fear of unintended consequences. While many people were energized by ideas and discussion, other people felt stressed or overwhelmed at the thought of the details and reality of implementing changes or adapting to change. Again, the group discussion during the listening sessions tended to moderate feelings and add useful perspective. After the listening sessions occurred, some MLRS members received feedback questioning the motives of the Bar and the potential impacts on stakeholders. This feedback was addressed in update presentations.

### D. Abstracts

Abstracts are rarely transferred with a sale in northern, central, and metro areas of the state. Abstracts are most prevalent in the southeast and southwest. The mortgage foreclosure crisis, and a change to the residential purchase agreement form omitting the requirement to provide an abstract, are frequently cited as the cause.

The art and science of abstracting is being lost. Abstractors do not want to create “traditional” abstracts. Because so many abstracts have been lost, the cost of getting an abstract is often prohibitive, and the time to get one can exceed a year or more, especially if the order is not from a regular customer of the abstractor. The quality of abstracting has declined to the point where experienced title professionals do not rely on the abstract as containing all relevant documents. Today, abstracts often omit Grantor-Grantee searches, searches for interests that are exceptions to the 40 year law, checks on adjoining lands/ documents shown for reference, and proper judgment search certificates. This was the prevailing view at the sessions, even amongst the abstractors in attendance. Doing your own title search from the county records is

replacing examination of abstracts. This is true for people who are giving an opinion on the title, and those researching the title for preparation of a survey, plat, or deed, or searching to identify affected land owners who must get notice of government actions.

#### E. County Record Systems and Cadastral Concept

Complete and easy to use county indexes and imaged documents are increasingly important. As a result of the decline of abstracting services and expertise, and compressed transaction timelines, more people are relying on the county recorders' indexes, county records property tax records, and GIS information to draw conclusions about titles. Quite a variety of people in government and private roles have reasons for wanting accurate and authoritative information on ownership and encumbrances and land use restrictions. Yet the role of the county official and the record-keeping requirements have changed minimally.

A very popular concept that was discussed at each listening session was a "title" showing current interests, supplemented with GIS layers to provide location, survey, tax, zoning, and other information affecting use and ownership of the property. A torrens-type of system, which has a "curtain principal" making historical research unnecessary, is generally viewed as most compatible with this vision. In addition, a certificate of title meets a consumer's expectation of receiving "good" title and makes title research for transactions quicker and less risky. Certificates of Title also lessen the importance of "back" indexing images of old documents for display in web applications.

Surveyors, however, are quick to voice their need for quick and easy access to old documents for legal description research. With our current mix of abstract and torrens titles, there is substantial interest in getting everything imaged and easily accessible in an on-line format, at a reasonable cost. The availability of records in this format varies from county to county. All but one county now offers e-recording, but many counties limit e-recording to certain documents. Each county chooses their software vendor and sets their own policies and priorities. The costs and learning curve to access all the various county records is out of sync with the reality of professionals having clients throughout the state and the compressed timelines. Iowa and North Dakota both have a single portal to view documents filed in any county in the state. People spoke highly of these systems, for ease of use.

The document recording fee includes a technology fee.<sup>1</sup> County recorders value this fee, and point to the fee as enabling them to undertake projects to image documents, add GIS

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<sup>1</sup> Every county pays \$10.50 of the General Recording Fee to the state treasury, which credits it to the state general fund. Every county also deposits \$25.50 of the General Recording Fee in the county general fund and \$10 in its County Recorder's technology fund (a "Technology Fund"). A County Recorder is to disburse the Technology Fund at the County Recorder's discretion "to provide *modern information services from the records system.*" A Technology Fund is a supplemental fund. It does not relieve the County Board of its obligation to pay personnel and other expenses that are necessary in the performance of the County Recorder's official duties. Source: <http://www.mnererc.com/guidelines>

resources, etc. The ability of each county recorder to advocate successfully for funds varies from county to county and is a contributing factor to a lack of uniformity.

The availability of property tax information on line without easy access to deeds and certificates of title on-line appears to increase the use of PIDs, abbreviated legal descriptions, and street addresses in place of the full legal description in conveyances and court orders, causing problems.

The county recorders often spoke about the customer service aspect of their work, and the complexity of their work (“we don’t just stamp and file.”) Some counties have combined county departments or shifted or integrated functions relating to real property. County recorder customers spoke frequently about a lack of uniformity between counties on recording policies and requirements, for abstract and torrens property. MCRA has made uniformity a priority, and counties have been sharing policies more, but nothing has changed fundamentally to facilitate or require uniformity.

Zoning and regulations affecting land use are dispersed and difficult to find. Landowners may have no idea of important restrictions that impact the land. Efforts to notify landowners before and after regulations are adopted can involve a time consuming and expensive search of land records. A portal and cadastral land record including regulatory information would make the restrictions more accessible, but would require participation from additional entities.

#### F. Section Corner Monumentation

Missing government section corner monumentation is a serious problem. Corner maintenance is the responsibility of each county. Twenty-six counties do not have a county surveyor, and thirty seven counties have a part-time surveyor. Counties are choosing whether to spend scarce tax dollars to re-set monuments. Platting and surveys that could greatly simplify descriptions and aid in land development are often not done in areas where section corners are missing. The cost of doing a survey when the corners are missing can be prohibitive and essentially shift the cost of re-establishing the location of the corner monuments to the person requesting the survey, instead of spreading the cost to everyone in the county.

The Minnesota County Surveyors Association has made corner monumentation a priority in terms of education and advocacy. They have collected detailed information for each county on the number of monuments that need to be re-set and the estimated cost. They are interested in partnering with the Bar and others to figure out an approach to funding and advocating for corner management. Their cost estimate to re-set all the missing government monuments statewide ranges from \$80-160 million. About half of the corner monuments in the state are missing.

#### G. GIS

GIS mapping is very popular and GIS maps provided on county websites are widely used by professionals and consumers. Unofficial information provided by counties, such as GIS property

lines and links to the “last deed” filed, are very popular but also problematic. The public (and professionals) misunderstand the information and tend to assume it is definitive and accurate. GIS depictions can be “off” by many feet.

Despite disclaimers, people assume the GIS property lines are accurate and rely on them. Inaccurate lines contribute to neighbor disputes and can be time-consuming for county staff who are asked questions and spend time researching and correcting GIS lines. The MNGeospatial Advisory Council is sponsored by Minnesota IT Services, Geospatial Information Office. The Council acts as a coordinating body for the Minnesota geospatial community. It represents a cross-section of organizations that include counties, cities, universities, business, nonprofit organizations, federal and state agencies, tribal government, and other stakeholder groups that benefit from geospatial technology. It is our understanding that a committee of the Council has created uniform standards for GIS data and mapping standards, but adopting these standards is voluntary. Missing Section Corners contribute to the challenge of providing accurate GIS maps.

#### H. Electronic filing and other technology

From the perspective of county recorders and filers, electronic recording of deeds and other documents is popular and efficient. Listening session attendees also commented that “mom and pop” should be able to record paper documents at the county office, and that attorneys should be able to record documents without going through a vendor authorized to e-record.

For counties, there are aspects of technology that both reduce and perhaps increase errors. An emphasis on speed and efficiency, design features that fail to accommodate the myriad nuances, the ease of “pushing a button” and fatigue of looking at a screen instead of having the documents spread out to review, may be increasing errors. Copy and paste features, autofill, populating data fields with data entered by the customer, optical character recognition, etc. have benefits but also their own risks.

Industry changes like e-notarization and block chain are worrisome to many people in the industry and government. Anything electronic causes concerns of “more fraud.” With more discussion, however, people generally concede that fraud is possible with any format and electronic processes may have protections built-in.

Minnesota statutes have not been updated sufficiently to accommodate electronic business. MCRA is reviewing recording statutes to identify which need updating. New laws like the e-notary statutes are uniform between states, and impose a burden on counties, the title industry and lawyers to figure out whether acts or transactions comply with the law of the state where performed, and the law of Minnesota. Each development in doing business digitally, remotely, or electronically raises questions of policy and law, and potentially with compatibility of systems. Handling these issues on a county by county basis is not the best approach. Technology, if not managed strategically, will increase the differences in county land record

systems, adding to the diversity of practice and systems that stakeholders lament. Strategically managed, technology may improve services across the state.

#### I. Funding

MLRS has not focused on funding yet, but participants at the listening sessions often raised the topic. Themes were that those who use the services should help to pay for them, and that the technology fee added to the recording fee has been an important source of funds for county technology projects, although some questioned whether the technology fee is being properly used in all counties.

#### J. Change is hard.

Stakeholder groups are already addressing some of the problems and ideas mentioned in this report, but mainly in silos (meaning within their stakeholder group.) Land records reform has many potential branches, and different groups are struggling to find a way to design, fund and implement their ideas. Our activities have provided a forum for stakeholder groups to publicize their work, and for conversation around how the work could support a comprehensive plan and how to prioritize the work.

We are also aware of concerns within stakeholder groups that the Bar has a specific agenda perceived as contrary to other interests. It is difficult to gauge how widespread the concerns are, as reactions vary from enthusiastic support, excitement, and offers to participate in a pilot project, to expressions of unease, stress, and even hostility. Our message has been that we are in an information gathering stage, we are documenting ideas and issues, and the Bar has not been presented with a plan.

### IV. Preliminary Recommendations

Based on our work to date, we think the following ideas should be pursued with broad stakeholder involvement. The important questions -who would take the lead, what resources are needed for planning and implementation, and how to fund planning and subsequent phases- have not been addressed by MLRS to date.

#### Ideas:

**One system for recording and viewing real estate conveyancing documents with uniform policies:** People using the recording offices clearly want uniformity for accessing records, and uniformity in policies. Presently, each county operates independently, chooses vendors, creates policies and makes decisions about pricing and access to records on-line. For managing conveyancing documents, at least four vendors have county contracts (TriMin, Fidlar, Tyler, West Central Indexing) and St. Louis County developed their own system. Even when counties use the same vendor platform, they may have county- specific adaptations and policies, including limiting e-recording submissions to “trusted submitter” vendors. Dealing with all

these systems, subscriptions, and differences is a major complaint of people using the land record system. In addition, the private sector offers online title searching for the seven-county metro area, but makes no warranties or representations concerning the accuracy or completeness of the records (e.g., Old Republic National Title Insurance Company's ORBIT.)

Although recording statutes apply to all counties, there is room for discretion and interpretation. Recording customers want clear information and guidelines. Counties want customers to follow the guidelines and submit recordable document packages. The rise of electronic means of conducting business, complicated transactions, lack of expertise, nationalization of practice with use of forms and legal concepts applicable in other states but not Minnesota, all add new issues and more opportunity for divergent decisions by recording offices. The legal advisor to the recording office is county-based, and there is more than one legal advisor.<sup>2</sup>

The Minnesota Association of County Recorders promotes the idea of uniform policies, and this is a good start. A statewide platform for recording and displaying conveyancing documents gets mixed reaction from county recorders. To many, it makes sense and is inevitable. Several counties have expressed interest in being part of a pilot project. Recorders interested in the idea envision customer service improvements, cost savings, opportunities to shift work to cover absences or assist a county facing a backlog or retirement, and improved training and policy materials due to a cooperative approach. Many attorneys compared the idea to MNCIS and PACER in the courts, with generally favorable remarks.

Developing a single system is a big project. In addition to technical, legal, financial and business issues, the human element is important. Autonomy, job responsibilities, customer relationships, and vendor relationships are important considerations. Fears of poor management or implementation, warnings of "look what happened with the DMV", concerns that county offices would close, were articulated. Why would a county recorder, elected or appointed, want to undertake the work? A pilot project could tap the enthusiastic stakeholders, and refine a system that could be scaled up and adopted by additional counties.

Interviews to learn about NDRIN, Iowa's portal, and Ontario's province-wide system provided ideas and strategies regarding the technical, legal, financial and people issues. The people issues have significantly affected the actions taken in all three locations.

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<sup>2</sup> The County Attorney is legal advisor to the County Recorder, and the Examiner of Titles is the legal advisor to the Registrar of Titles, unless the county board designates the county attorney in counties other than Hennepin, Ramsey and St. Louis. Minn. Stat. §508.12. In addition, "[t]he registrar of titles shall be at all times under the control of the court, which may adopt such rules governing the conduct of office as it may deem wise." Minn. Stat. §508.32.

**A statewide recording system should be under the control of the counties, not a State of Minnesota department:**

The expertise for land records management is in the counties. Document recording ties into additional county functions including assessing, property taxes, and surveying.

**Funding:** Variations from county to county are partially a function of available tax revenues and priorities of the elected county board. A mechanism to fund minimum standards and services should be adopted, with the ability of counties to supplement and innovate services with local dollars. Minnesota statutes currently contain minimum standards, e.g. they require counties to assign document numbers consecutively, maintain grantor/grantee and tract indexes, and meet timing standards. The current technology fee (added to the document recording fee) has funded electronic recording, imaging, and GIS projects at the discretion of each county. A fee that can be redistributed or pooled to cover costs of a statewide system, or to help counties meet additional minimum standards (e.g. imaging documents) may be appropriate. Potentially, a statewide records system could save money for the taxpayers and counties. Saved dollars could be redirected to other projects and priorities.

**GIS:** Every county should have GIS mapping information available on-line for free, with reasonable and uniform standards for accuracy and transparency of the data. The idea of using the GIS map as an information portal to the official records relating to land ownership, taxation, and regulation should be pursued as a capstone project. Building blocks should be pursued first, including corner monumentation, a uniform PID numbering system statewide, uniform GIS standards, and possibly the conversion of most properties to a certificate of title system.

**Abstract or Torrens:** Maintaining two systems of land records adds to the complexity and diversity of land transactions in Minnesota. These are not just two different processes. Registered land operates under a different legal system. The land is continuously under the jurisdiction of the court and in an adjudicated state. Registered land is a representation of the title by the government, with assurances and compensation by the government for negligence, errors, and probably fraud. Ideally, a decision should be made regarding the future of abstract and torrens before a statewide recording system is implemented.

Technological trends and developments fit better with a torrens system. A torrens system also provides what consumers expect – a title that says who owns property and what liens are against it. A torrens system fits better with the pace of business, and better accommodates the declining interest and skill in title examination and abstracting. A successful torrens system requires highly skilled and knowledgeable administrators.

The MLRS favors a torrens system, but with reforms. The MSBA can and should have a voice and role in torrens reform. No country or state that has enacted legislation for a registered title system has transitioned to mostly registered land, without significant reforms – often including mandates to register title. Minnesota has revised Chapter 508 to expand administrative authority for the examiner of titles and registrar of titles in lieu of court orders, and enacted

Chapter 508A to allow for possessory title. The Legislative Committee is proposing amendments for enactment in 2019 to address the high cost of creating abstracts, which is a barrier to new registrations. The Statewide Examiner of Titles Association and Torrens Subcommittee of the Legislative Committee have generated additional ideas for revisions of existing statutes, but more fundamental reform proposals should be developed. Private title insurance is generally purchased in Minnesota, whether property is abstract or torrens, and yet the interplay of the state assurance and private assurance is not clear. Standards, risks and assurances, exceptions to title, private and public roles, simplification, and the administrative, business, and judicial structure needed for a successful registered title system should be explored.

**Corner Monumentation:** Re-setting Government section corners and maintaining them is part of the infrastructure of a land records system. The accuracy of GIS depictions is dependent on corner monumentation. Costs to develop land and boundary determinations are also affected by corner monumentation. The MN Association of County Surveyors has made re-monumentation a priority, but they need allies and the Bar should support this effort as part of the modernization of the land records effort.

Respectfully submitted: Susan Ledray, Chair MLRS.