

STATE OF MINNESOTA
COUNTY OF RAMSEY

DISTRICT COURT
SECOND JUDICIAL DISTRICT

Court File No.: _____

In the Matter of the Petition of

Case Type: 14. Other Civil

Bristol Properties, LLC,

In Relation to Property Registered in
Certificate of Title No. 611793 for an Order
Directing Entry of a New Certificate After
Mortgage Foreclosure

**PETITION SUBSEQUENT TO INITIAL
REGISTRATION**

Comes now the Petitioner and shows to the Court as follows:

I.

That on the 25th day of May, 2016, the Registrar of Titles of the above-named County entered Certificate of Title No. 611793 to Beneficial Investments, LLC (the "**Owner**"), for land in said County described as follows:

Lot 13, Block 5, Anna E. Ramsey's Addition.

II.

That there are registered upon said Certificate of Title memorials as shown on the attached Exhibit A.

III.

That the mortgaged premises are ten (10) acres or less in size and the amount owing on said mortgage as of the date of the Notice of Mortgage Foreclosure Sale is equal to or more than sixty-six and two-thirds (66-2/3%) percent of the original principal amount secured by said mortgage.

IV.

That the mortgage foreclosure sale, as memorialized in the Sheriff's Certificate as Document No. T02604487 (the "**Sheriff's Certificate**"), took place on December 20, 2017, that the redemption period has expired, no redemption has been made therefrom.

V.

Prior to the redemption period, Sheriff's Certificate was assigned to Petitioner by Assignment of Sheriff's Certificate dated December 20, 2017 (the "**ASC**") and submitted for filing on June 20, 2018. The first submission for filing electronically was rejected because past due taxes were owed on the property and those were then immediately paid. The subsequent submissions for filing electronically were rejected improperly because of an incorrect position that a Certificate of Real Estate Value was required with the filing. Finally, on July 10, 2018, the ACS was hand delivered for filing and accepted Document No. T02618301. A true and correct copy of the filed ASC is attached hereto as Exhibit B.

VI.

The Certificate of Title shows two prior mortgages as follows:

1. A Mortgage in favor of Twin City Federal Savings and Loan Association, as mortgagee, dated May 24, 1967 filed May 29, 1967 as Document Number 510552 in the amount of \$15;150.00 executed by Allen L. McIntosh and Pearl E. McIntosh, husband and wife; and
2. A Mortgage in favor of Pacesetter Products Inc., as mortgagee, dated May 6, 1981 filed November 5, 1981 as Document Number 715042 in the amount of \$6,610.20 executed by Allen L. McIntosh and Pearl E. McIntosh, husband and wife.

Upon information and belief, both mortgages have been paid in full and satisfied, but satisfactions for mortgage have either not been completed or were lost and not recorded.

VII.

Petitioner is entitled to a Certificate of Title to said premises free from encumbrances thereon or any other interest therein, except the as follows:

1. The easement filed June 19, 1959 as Document No. 405209; and
2. The mortgage Petitioner granted to Robert Charles Rossley dated June 26, 2018 and filed July 10, 2018 as Document No. T02618302.

VIII.

That said premises are vacant and unoccupied.

IX.

That there are no unredeemed tax or special assessment sales of said property.

X.

That the owner(s) of said property has/have not filed a case under the United States Bankruptcy Code during the foreclosure or the redemption period.

XI.

That the owner(s) of said property were not in the military or naval service of the United States of America at the date of the mortgage foreclosure sale, for twelve (12) months prior thereto nor for six (6) months thereafter.

XII.

That the land described in said mortgage is not "agricultural property" within the meaning of Minnesota Statutes Sec. 583.22, Subd. 2.

WHEREFORE, Petitioner prays for an Order of this Court directing the Registrar of Titles to cancel the above numbered Certificate and to enter a new Certificate for the land described herein to Petitioner, free from all memorials now appearing on the present Certificate of Title, except those set forth in paragraph VII above.

GOERLITZ LAW, PLLC

Date: July 27, 2018

By: /s/ Jared M. Goerlitz
Jared M. Goerlitz (#386714)
jgoerlitz@goerlitzlaw.com
P.O. Box 25194
7595 Currell Blvd
St. Paul, MN 55125
Phone: (651) 237-3494
Attorney for Petitioner

ACKNOWLEDGMENT

The undersigned hereby acknowledges that costs, disbursements, and reasonable attorney and witness fees may be awarded pursuant to Minn. Stat. §549.211, subdivision 3, to the party against whom the allegations in this pleading are asserted.

/s/ Jared M. Goerlitz
Jared M. Goerlitz

Petition

EXHIBIT A

July 13, 2018

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Certificate of Title

Certificate Number: 611793

 Created by Document Number: **2558551**

 Transfer From Certificate Number: **558049**

Originally registered April 20, 1909. Book 14, Page 197, District Court No: 780

State of Minnesota } **S.S.** **REGISTRATION**
County of Ramsey

This is to certify that

Beneficial Investments LLC, a Minnesota limited liability company, whose address is 1157 Gershwin Avenue North, #28692, Oakdale, Minnesota, 55128;

is now the owner of an estate in fee simple

In the following described land situated in the County of Ramsey and State of Minnesota,

Lot 13, Block 5, Anna E. Ramsey's Addition

Subject to the interests shown by the following memorials and to the following rights or encumbrances set forth in Minnesota statutes chapter 508, namely:

1. Liens, claims, or rights arising under the laws of the Constitution of the United States, which the statutes of this state cannot require to appear of record;
2. Any real property tax or special assessment;
3. Any lease for a period not exceeding three years, when there is actual occupation of the premises under the lease;
4. All rights in public highways upon the land;
5. Such right of appeal or right to appear and contest the application as is allowed by law;
6. The rights of any person in possession under deed or contract for deed from the owner of the certificate of title;
7. Any outstanding mechanics lien rights which may exist under sections 514.01 to 514.17.

Memorials

Document Number	Document Type	Date Received Month Day, Year Time	Amount (\$)	Running in Favor Of
405209	Easement	Jun 19, 1959 2:30 PM		Perpetual driveway easement over part of above property.
510552	Mortgage	May 29, 1967 11:10 AM	\$15,150.00	Twin City Federal Savings and Loan Association
715042	Mortgage	Nov 5, 1981 1:00 PM	\$6,610.20	Pacesetter Products Inc.
2558552	Mortgage	May 25, 2016 10:14 AM	\$199,615.00	Red Dirt Lending, L.L.C., an Oklahoma Limited Liability Company, 1220 NorthWest 50th Street, Oklahoma City, Oklahoma, 73118
2558874	Collateral Assignment	May 27, 2016 10:59 AM		Bank 7 Assigns security interest in document no. 2558552.
2597461	Assignment of Mortgage	Sep 25, 2017 11:50 AM		Red Dirt Lending, L.L.C., 1220 Northwest 50th Street, Oklahoma City, Oklahoma, 73118 Assigns document no. 2558552
2600116	Notice of Foreclosure and Power of Attorney	Oct 25, 2017 11:36 AM		Red Dirt Lending, L.L.C. appoints Shapiro & Zielke, LLP as their attorneys-in-fact and proceeds to foreclose document no. 2558552.
2600117	Request for Notice	Oct 25, 2017 11:36 AM		Red Dirt Lending, L.L.C. - Request for Notice of Mortgage Foreclosure
2604487	Sheriff's Certificate of Sale and Foreclosure	Dec 20, 2017 1:31 PM		Red Dirt Lending, LLC forecloses mortgage document no. 2558552 for the sum of \$196,559.78. Sheriff's date of sale was December 20, 2017 and the stated period of redemption is 6 months.
2618301	Assignment of Sheriff's Certificate	Jul 10, 2018 3:43 PM		Bristol Properties, LLC, a Minnesota Limited Liability Company Assigns document no. 2604487.
2618302	Mortgage	Jul 10, 2018 3:43 PM	\$190,000.00	Robert Charles Rossley, 2655 Irving Avenue South, Minneapolis, Minnesota, 55408 Covers interest of Bristol Properties, LLC, a Minnesota limited liability company

 Indexes Verified through **7/6/2018**

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of my office this 25th day of May, 2016.

maturs
 6/1/92
 ←
maturs
 5/6/86
 ←



Susan R Roth
Registrar of Titles,
In and for the County of Ramsey and State of Minnesota.

Certificate Number: **611793**

This is a non-certified copy

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Petition

EXHIBIT B

Doc No **T02618301**Certified, filed and/or recorded on
Jul 10, 2018 3:43 PMOffice of the Registrar of Titles
Ramsey County, Minnesota
Susan R Roth, Registrar of Titles
Christopher A. Samuel, County Auditor and Treasurer

Deputy 706

Pkg ID 1254778C

Attested Copy or Duplicate Original	\$2.00
Document Recording Fee Torrens	\$46.00
Environmental Response Fund .0001	\$17.50
Non Recorded Document Copy	\$0.50
State Deed Tax .0033	\$577.50
<i>Document Total</i>	\$643.50

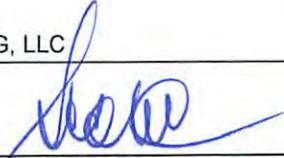
Existing Certs

611793

ASSIGNOR

RED DIRT LENDING, LLC

(name)

By: 

(signature) Scott McLain

Its: Managing Member

(type of authority)

By: _____

(signature)

Its: _____

(type of authority)

Oklahoma

State of ~~Minnesota~~, County of Oklahoma

This instrument was acknowledged before me on June 20, 2018

(month/day/year)

, by Scott McLain

(name of authorized signer)

as Managing Member

(type of authority)

and by _____

(name of authorized signer)

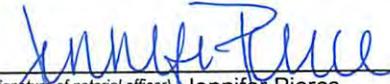
as _____

(type of authority)

of Red Dirt Lending, LLC

(name of party on behalf of whom the instrument was executed)





(signature of notarial officer) Jennifer Pierce

Title (and Rank): Notary

My commission expires: 5-6-19

(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:

(insert name and address)

Bristol Properties, LLC
881 Lincoln Avenue
St. Paul, MN 55105

FOLLOWING THE EXPIRATION OF ALL REDEMPTION RIGHTS, TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

(insert legal name and residential or business address)

Bristol Properties, LLC
881 Lincoln Avenue
St. Paul, MN 55105