

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

SF-00006-02

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT ATTORNEY GENERAL

TO : JUDITH V. WEHRWEIN
Legal Assistant

LARRY D. STARNS
Special Assistant
Attorney General

DATE: 1/24/85

FROM : MARTHA J. CASSERLY
Special Assistant
Attorney General

PHONE: 296-4692

SUBJECT: RESUBMISSION OF RULES OF THE OFFICE OF SECRETARY OF STATE GOVERNING UCC FORMS

The Office of the Secretary of State is resubmitting the above-captioned rules to the Attorney General for approval pursuant to Minn. Stat. § 14.26. The rules were rejected by your office on October 1, 1984 for failure to comply with Minn. Stat. § 14.115, Small Business Considerations in Rulemaking.

You should have in your files all the original documents submitted for the original submission. Enclosed are the following documents as required by Minn. Rules pt. 2000.0400, subp. 6, and to show compliance with Minn. Stat. § 14.115:

1. Four copies of the rule as adopted;

2. A copy of the Notice of Solicitation of Outside Opinion, published in the State Register on November 5, 1984;

3. A new Notice of Intent to Adopt Rules Without a Public Hearing and a copy of the Notice as published in the State Register on December 24, 1984;

4. The mailing list certificate;

5. The Affidavit of Mailing Notice of Intent to Adopt Rules Without a Public Hearing;

6. The revised Statement of Need and Reasonableness;

7. The Findings of Fact and Conclusion;

8. The Order Adopting Rules on January 24, 1985;

9. The Statement of Compliance With Rulemaking Procedures.

No comments were received during the 30-day comment period, nor any request to be informed of submission of the rule to the Attorney General. Since there is no eight-day comment period for resubmissions, we would appreciate it if the rule could be reviewed and approved as soon as possible.

MJC:dw

Enclosures

cc: Cheri Mattson
Office of Secretary of State

SF-00006-02

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT Secretary of State

TO : Judith Wehrwein

DATE: September 27, 1984

FROM : Cheri Mattson

PHONE: 6-2434

SUBJECT: Proposed Rules Relating to Uniform Commercial Code Standard Forms

Per our telephone conversation, the following list of items are needed before approval of the above-entitled rules can be made:

1. A copy of the state register where the notice of intent to adopt rules appears.

2. A copy of the notice of intent as it was mailed.

3. An affidavit of mailing notice to interested persons.

Enclosed please find the required items. If you have any questions regarding these forms, please contact me.

RECEIVED
SEP 28 1984
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

Our File No. 1072

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 9-17-84
DATE FOR REVIEW 9-26-84
DATE DUE 10-01-84

Adopted w/a hearing _____
Adopted w/o hearing X
Temporary rule _____

Approved _____ Disapproved _____ Returned to Agency _____

Resubmitted 1-24-85 Due 2-3-85
Approved 1-30-85 (CDS) Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State 1-31-85 Revisor approved 9/18/84 disapproved _____

✓✓ Rule as Adopted

✓ Rule as Proposed see SR

✓ Order Adopting 9.6.84 Date

✓ N/A Notice of Intent to Solicit Outside Opinion SR. 11.5.84

_____ Order for rulemaking not submitted
_____ date of Hearing

N/A Certificate of Board's Authorizing Resolution

✓✓ Notice of rulemaking
✓ ? Sufficiency fails to comply with any provisions of 1984 amendments and with Minn. Stat. § 14.115.

✓✓ Affidavit of Mailing Notice or rulemaking
6.6.84 At least 30 days prior to ~~hearing~~/adoption
12.14.84

✓ Mailing list Certificate

✓? Publication in State Register same insufficiencies as above.
6.18.84 At least 30/~~20~~ days prior to ~~hearing~~/adoption
12.24.84

N/A Hearing Examiner's Report

Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

✓✓ Agency's Findings of Fact

N/A LCRAR Report or agency Affidavit

Certificate of Board's Resolution Adopting Rules

Order Approving Incorporation by Reference

✓✓ Statement of Need and Reasonableness contains small biz statement

N/A Petition for Adoption of a Rule

✓ Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓✓ Certificate of Compliance w/Rulemaking Procedures

✓ Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General

? Compliance with Minn. Stat. § 14.115 – small biz.
No language in notice. See SONR for attempt to comply with 14.115 subd 4 (c)

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO: Joan Anderson Growe
Secretary of State

DATE: 1-31-85

ATTN: Martha J. Casserly
Special Assistant Attorney General

FROM: Larry D. Starns LDS
Special Assistant Attorney General

PHONE: 297-3493

SUBJECT: In the Matter of the Proposed Adoption of Rules of the Office of the Secretary of State Governing Uniform Commercial Code Forms.

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register. This must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

If you have any questions in this regard, please contact me.

LDS:sz

Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

Secretary of State

Adopted Rules Relating to Uniform Commercial Code Standard Forms

Rules as Adopted

8260.0100 FINANCING STATEMENT: FORM UCC-1.

Subpart 1. **Permitted use.** This form is for use when filing a financing statement pursuant to Minnesota Statutes, section 336.9-402, subsection (1), paragraphs (a) and (c). The use of any other form will result in a nonstandard fee charge.

Subp. 2. **Standard form.** To be considered a standard Minnesota uniform commercial code financing statement form, the following specifications must be met:

A. the size must be 8 inches by 5 inches, excluding the top perforated tab;

B. the form must be five carbon or carbon-less snap-out;

C. the first page must be between 24- and 28-pound white ledger paper, printed with black ink; and

D. the size of the type must not be less than 6 point.

Subp. 3. **Report form.** A standard financing statement form must be in substantially the following form:

1

STATE OF MINNESOTA UNIFORM COMMERCIAL CODE STANDARD FORM UCC-1

rint or Type in Black Ink (Read Instructions on Back)

his STATEMENT is presented for filing pursuant to the Uniform Commercial Code

ebtor(s) (Last Name First) and Address(es)

Secured Party(ies) and Address(es)

For Filing Officer

This financing statement covers the following types (or items) of property:

Assignee(s) of Secured Party

☐ If crops are covered describe the real estate and give the name of the record owner.

☐ Products/Proceeds of Collateral are also covered by this Statement

___ Additional sheets presented.
___ Debtor is a transmitting utility as defined in M.S. 336.9-105.
___ For Filing with the Secretary of State of Minnesota.
___ For Filing with the County Recorder _____ County.
___ For Filing in Uniform Commercial Code Records (1) Filing Officer Copy Alphabetical

ev. 6/84)

Signature(s) of Debtor(s): (Required in most cases — see Instruction # 5)

BY: _____ BY: _____

If the Debtor's signature is not present indicate the reason for its absence in the Debtor's signature block and sign the Secured Party's signature block

Signature of Secured Party

BY: _____

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

_____

Subp. 4. **Carbon pages.** The remaining four pages will be identical to the first page except:

A. The second page must be green and of 15-pound bond paper. The language "(2) Filing Officer Copy-Numerical" must appear at the bottom left.

B. The third page must be pink and of 12-pound bond paper. The signature on the first page should not be reproduced by carbon on the third page. This area on the third page requires an original signature when it is resubmitted as a termination statement. It must appear as follows:

STATE OF MINNESOTA UNIFORM COMMERCIAL CODE STANDARD FORM UCC-1

Print or Type in Black Ink. (Read Instructions on Back)

This STATEMENT is presented for filing pursuant to the Uniform Commercial Code

Debtor(s) (Last Name First) and Address(es)	Secured Party(ies) and Address(es)	For Filing Officer

1. This financing statement covers the following types (or items) of property:

Assignee(s) of Secured Party

☐ If crops are covered describe the real estate and give the name of the record owner.

2. ☐ Products/Proceeds of Collateral are also covered by this Statement

TERMINATION STATEMENT: This Statement of Termination of Financing is presented to a Filing Officer pursuant to the Uniform Commercial Code. The Secured Party certifies that the Secured Party no longer claims a security interest under the financing statement bearing the file number shown above.

Date _____ 19___.

BY: _____
(Signature of Secured Party or Assignee of Record. Must be signed)

(3) Filing Officer Copy – Acknowledgment

(Rev. 6/84)

APPROVED IN THE REVISOR OF STATUTES OFFICE BY: _____

C. The fourth page must be white and of 12-pound bond paper. The language "(4) Secured Party Copy" must appear at the bottom left.

D. The fifth page must be white and of 12-pound bond paper. The language "(5) Debtor Copy" must appear at the bottom left.

Subp. 5. Instructions. On the back of the fifth page, beginning below the perforation, must appear the following:

"INSTRUCTIONS

1. This form must be typed or printed in black so that it is legible on the white, pink, and green copies.

2. Provide the true and complete name of the debtor; initials or abbreviations may not be sufficient to properly index your filing.

3. If the space provided for any items on this form is inadequate, the item(s) may be continued on additional sheets, preferably 8-1/2 inches by 11 inches. Only one copy of the additional sheets needs to be presented to the filing officer.

4. There is an additional fee, which you must include, when additional sheets are attached and/or when more than one debtor's name is listed.

5. If this filing does not include the debtor's signature, the secured party must sign and indicate on the front the reason for its absence. The possible reasons listed by Minnesota Statutes, section 336.9-402, subsection (2), are that the collateral listed is/was:

a. brought into this state already subject to a security interest in another jurisdiction;

b. subject to a security interest in another jurisdiction, and the debtor's location has changed to this state;

c. proceeds of some collateral in which a security interest was previously perfected in this state;

d. the subject of a financing statement which has lapsed;

e. subject to a security interest perfected under a prior name or identity of the debtor; or

f. a personal service lien.

APPROVED BY REVISOR OF STATUTES OFFICE BY:

IF THE REASON FOR NO DEBTOR'S SIGNATURE IS NOT INCLUDED ABOVE, PLEASE STATE THE REASON ON THE FRONT OF THE FORM. BE ADVISED THAT THE REASON YOU LIST MAY NOT BE CONSIDERED A SUFFICIENT REASON BY A COURT OF LAW.

6. When the form is completed, remove the Secured Party and Debtor copies and send the remaining three (white, pink, and green) copies with interleaved carbon paper intact (if applicable) to the proper filing officer:

Secretary of State U.C.C. Division 180 State Office Bldg. St. Paul, MN 55155	OR	County Recorder Courthouse _____ County _____MN_____

7. The pink copy will be stamped with the filing information and returned to you by the filing officer. If the lien is terminated prior to the regular five-year expiration, the secured party should sign the pink copy and return it to the filing officer so that the original can be removed from the files. There is no fee for filing a termination statement unless it is submitted on a "nonstandard" form or if it is for a fixture filing (form UCC-2).

NOTICE: INSTRUCTIONS ARE PROVIDED AS AN ACCOMMODATION AND SHOULD NOT BE CONSTRUED AS A COMPLETE STATEMENT OF THE UNIFORM COMMERCIAL CODE. ALWAYS CONSULT MINNESOTA STATUTES ON THE PROPER PREPARATION AND FILING OF THIS FORM."

8260.0200 FIXTURE/REAL ESTATE: FORM UCC-2.

Subpart 1. **Transactions covered.** This form is for use when filing a financing statement pursuant to Minnesota Statutes, section 336.9-402, subsection (1), paragraph (b). The use of any other form will result in a nonstandard fee.

Subp. 2. **Standard form.** To be considered a standard Minnesota fixture/real estate form, the following specifications must be met:

A. the size must be 8 inches by 5 inches, excluding the top perforated tab;

B. the form must be five carbon or carbon-less snap-out;

C. the first page must be between 24- and 28-pound

APPROVED BY THE REVISOR OF STATUTES OFFICE BY:

white ledger paper, printed with black ink; and

D. the size of the type must not be less than 6 point.

Subp. 3. Report form. A standard fixture/real estate form must be in substantially the following form:

STATE OF MINNESOTA UNIFORM COMMERCIAL CODE STANDARD FORM UCC-2

Print or Type in Black Ink

FIXTURE/REAL ESTATE FINANCING STATEMENT (Read Instructions on Back)

This STATEMENT is presented for filing pursuant to the Uniform Commercial Code

Debtor(s) (Last Name First) and Address(es)

Secured Party(ies) and Address(es)

For Filing Officer

1. This financing statement covers the following types (or items) of property:
(Set forth legal description of property and name of record owner)

Assignee(s) of Secured Party

☐ Products/Proceeds of Collateral are also covered by this Statement

3. ☐ This is a Fixture Filing or covers timber, minerals, or accounts subject to M.S. 336.9-103(5)

Provide Name and Address of Drafter:

4. ☐ Abstract Property
☐ Torrens Property
Title Number: _____
(Submit Owners Duplicate Certificate)

___ Additional sheets presented.
___ Debtor is a transmitting utility as defined in M.S. 336.9-105.
___ For Filing with the Secretary of State of Minnesota.
___ For Filing with the County Recorder ___ _____ County.
___ For Filing in Uniform Commercial Code Records
___ For Filing in Real Estate Records

(1) Filing Officer Copy – Alphabetical

Signature(s) of Debtor(s): (Required in most cases – see Instruction # 5)

BY: _____ BY: _____

If the Debtor's signature is not present indicate the reason for its absence in the Debtor's signature block and sign the Secured Party's signature block.

Signature of Secured Party

By: _____

ev. 6/84)

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

_____

Subp. 4. Carbon pages. The remaining four pages will be identical to the first page except:

A. The second page must be green and of 15-pound bond paper. The language "(2) Filing Officer Copy-Numerical" must appear at the bottom left.

B. The third page must be pink and of 12-pound bond paper. The signature on the first page should not be reproduced by carbon on the third page. This area on the third page requires an original signature when it is resubmitted as a termination statement. It must appear as follows:

STATE OF MINNESOTA UNIFORM COMMERCIAL CODE STANDARD FORM UCC-2

Print or Type in Black Ink — FIXTURE/REAL ESTATE FINANCING STATEMENT — (Read Instructions on Back)

This STATEMENT is presented for filing pursuant to the Uniform Commercial Code

Debtor(s) (Last Name First) and Address(es)	Secured Party(ies) and Address(es)	For Filing Officer

1. This financing statement covers the following types (or items) of property:
(Set forth legal description of property and name of record owner)

Assignee(s) of Secured Party

2. ☐ Products/Proceeds of Collateral are also covered by this Statement

3. ☐ This is a Fixture Filing or covers timber, minerals, or collateral in M.S. 336.9-103 (5)

Provide Name and Address of Drafter:

4. ☐ Abstract Property ☐ Torrens Property
Title Number: _____
(Submit Owners Duplicate Certificate)

TERMINATION STATEMENT: This Statement of Termination of Financing is presented to a Filing Officer pursuant to the Uniform Commercial Code. The Secured Party certifies that the Secured Party no longer claims a security interest under the financing statement bearing the file number shown above.

Date _____ 19__.

(3) Filing Officer Copy – Acknowledgment

BY: _____
(Signature of Secured Party or Assignee of Record, Must be signed)

(Rev. 6/84)

APPROVED BY THE REVISOR OF STATUTES OFFICE BY:

_____

C. The fourth page must be white and of 12-pound bond paper. The language "(4) Secured Party Copy" must appear at the bottom left.

D. The fifth page must be white and of 12-pound bond paper. The language "(5) Debtor Copy" must appear at the bottom left.

Subp. 5. Instructions. On the back of the fifth page, beginning below the perforation, must appear the following:

"INSTRUCTIONS

1. This form must be typed or printed in black so that it is legible on the white, pink, and green copies.

2. Provide the true and complete name of the debtor; initials or abbreviations may not be sufficient to properly index your filing.

3. If the space provided for any items on this form is inadequate, the item(s) may be continued on additional sheets, preferably 8-1/2 inches by 11 inches. Only one copy of the additional sheets needs to be presented to the filing officer.

4. There is an additional fee, which you must include, when additional sheets are attached and/or when more than one debtor's name is listed.

5. This form should be used for filings that are to be made in the real estate records. The following types of collateral and/or transactions are covered by this form:

(a) if the collateral is timber to be cut;

(b) if the statement covers minerals or the like (including oil or gas);

(c) accounts subject to Minnesota Statutes, section 336.9-103, subsection (5); or

(d) when the statement is filed as a fixture filing and the collateral is goods which are or are to become fixtures, including crops.

DESCRIBE THE REAL ESTATE AFFECTED SUFFICIENT IF IT WERE CONTAINED IN A MORTGAGE OF THE REAL ESTATE TO GIVE CONSTRUCTIVE NOTICE OF THE MORTGAGE UNDER THE LAWS OF THIS STATE.

6. Include the name and address of the drafter. Also, if the debtor listed on the statement is not the record owner of the real estate, include the name of the record owner in the appropriate space.

7. You must indicate if the filing is to be made in the real estate records or both the real estate records and the Uniform Commercial Code.

8. If this filing does not include the debtor's signature, the secured party must sign and indicate on the front the reason for its absence. The possible reasons listed by Minnesota Statutes, section 336.9-402, subsection (2), are that the collateral listed is/was:

(a) brought into this state already subject to a security interest in another jurisdiction;

(b) subject to a security interest in another jurisdiction, and the debtor's location has changed to this state;

(c) proceeds of some collateral in which a security interest was previously perfected in this state;

(d) the subject of a financing statement which has lapsed; or

(e) subject to a security interest perfected under a prior name or identity of the debtor.

IF THE REASON FOR NO DEBTOR SIGNATURE IS NOT INCLUDED ABOVE, PLEASE STATE THE REASON ON THE FRONT OF THE FORM. BE ADVISED THAT THE REASON YOU LIST MAY NOT BE CONSIDERED A SUFFICIENT REASON BY A COURT OF LAW.

9. When the form is completed, remove the Secured Party and Debtor copies and send the remaining three (white, pink, and green) copies with interleaved carbon paper intact (if applicable) to the proper filing officer. Generally, statements of this nature will be filed in the Secretary of State's Office only if the debtor is a transmitting utility. However, you should consult Minnesota Statutes as to the proper place to file.

APPROVED BY THE REVISOR OF STATUTES OFFICE BY:

FILING OFFICER ADDRESSES:

Secretary of State U.C.C. Division 180 State Office Bldg. St. Paul, MN 55155	OR	County Recorder Courthouse _____ County _____MN_____

10. The pink copy will be stamped with the filing information and returned to you by the filing officer. If the lien is terminated prior to the regular five-year expiration, the secured party should sign the pink copy and return it to the filing officer so that the original can be removed from the files. There is no fee for filing a termination statement unless it is submitted on a "nonstandard" form or if it is for a fixture filing.

NOTICE: INSTRUCTIONS ARE PROVIDED AS AN ACCOMMODATION AND SHOULD NOT BE CONSTRUED AS A COMPLETE STATEMENT OF THE UNIFORM COMMERCIAL CODE. ALWAYS CONSULT MINNESOTA STATUTES ON THE PROPER PREPARATION AND FILING OF THIS FORM."

8260.0300 STATEMENT OF CONTINUATION, ASSIGNMENT, AMENDMENT, RELEASE, AND TERMINATION: FORM UCC-3.

Subpart 1. Permitted use. This form may be used to continue, assign, amend, release, or terminate a financing statement. The use of any other form will result in a nonstandard fee charge. Only one transaction may be accomplished per form.

Subp. 2. Standard form. To be considered a standard Minnesota statement of continuation, assignment, amendment, release, and termination form, the following specifications must be met:

A. the size must be 8 inches by 5 inches, excluding the top perforated tab;

B. the form must be five carbon or carbon-less snap-out.

C. the first page must be between 24- and 28-pound white ledger paper, printed in black ink; and

D. the size of type must not be less than 6 point.

Subp. 3. Report form. A standard statement of continuation, assignment, amendment, release, and termination

APPROVED BY THE REVISOR OF STATUTES

must appear in substantially the following form:

State of Minnesota Uniform Commercial Code Standard Form UCC-3
Statements of Continuation, Assignment, Release, Etc. (Read Instructions on Back)

This STATEMENT is presented to a filing officer for filing pursuant to the Uniform Commercial Code

1. Debtor(s) (Last Name First) and Address(es)	2. Secured Party(ies) and Address(es)	For Filing Officer

3. This statement refers to original Financing Statement bearing File No.

Filed with _____ Date Filed _____ 19__

4. ☐ Continuation. The original financing Statement between the foregoing Debtor and Secured Party, bearing file number above, is still effective.
5. ☐ Assignment. The Secured Party's right under the Financing Statement bearing file number shown above to the property described in Item 9 has beer assigned to the assignee whose name and address appears in Item 9.
6. ☐ Amendment. Financing Statement bearing file number shown above is amended as set forth in Item 9.
7. ☐ Release. Secured Party maintains a security interest in financing statement bearing file number shown above but releases the collateral shown in It
8. ☐ Termination. Secured Party no longer claims a security interest under the Financing Statement bearing file number shown above.

9.

By: _____ By: _____
Signature(s) of Debtor(s) (necessary only if Item 6 is applicable.) Signature(s) of Secured Party(ies)

(1) Filing Officer Copy — Alphabetical
(Rev. 6/84)

Approved by Secretary of State of Minn

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

Subp. 4. **Carbon pages.** The remaining four pages are identical to the first except that:

A. the second page must be green and of 15-pound bond paper;

B. the third page must be pink and the fourth and fifth pages must be white; all three must be of 12-pound bond paper;

C. the language at the bottom far left of the second page (green) must read "(2) Filing Officer Copy-Numerical";

D. the language at the bottom far left of the third page (pink) must read "(3) Filing Officer Copy-Acknowledgement";

E. the language at the bottom of the fourth page (white) must read at the far left "(4) Secured Party Copy," and across the center and to the right as far as necessary, "Remove this copy and forward balance of form intact for filing"; and

F. the language at the bottom far left of the fifth page must read "(5) Debtor Copy."

Subp. 5. **Instructions.** The following must be printed in black ink on the back of page five below the perforated tab:

"INSTRUCTIONS

1. Please type this form with black ribbon.
2. If the space provided for any item(s) on this form is inadequate, the item(s) may be continued on additional sheets, preferably 8-1/2 inches by 11 inches. Only one copy of such additional sheets needs to be presented to the filing officer. There is an additional fee for the additional sheets.
3. If the collateral is timber to be cut or covers minerals or the like (including oil or gas) or accounts subject to Minnesota Statutes, section 336.9-103, subsection (5), or goods which are or are to become fixtures or is crops growing or to be grown, and this is an amendment or release, provide a description of the real estate sufficient to identify it and give the name(s) of the record owner.
4. Remove secured party and debtor copies (fourth and fifth copies) and send the other three copies with interleaved carbon paper intact (if applicable) to the filing officer. The filing

APPROVED BY THE REVISOR OF STATUTES OFFICE BY:

officer will return the third copy as an acknowledgment.

5. Only one filing can be processed per form. Submit one form for each type of filing.

FILING OFFICER ADDRESSES:

Secretary of State U.C.C. Division 180 State Office Bldg. St. Paul, MN 55155	OR	County Recorder Courthouse _____ County _____MN_____"

8260.0400 FINANCING STATEMENT INFORMATION OR COPIES FORM: FORM UCC-11.

Subpart 1. Permitted use. This form is for obtaining financing statement information or copies. The use of any other form will result in a nonstandard fee charge.

Subp. 2. Standard form. To be considered a standard Minnesota request for copies or information form, the following specifications must be met:

A. the size must be 8 inches by 5 inches, excluding the top perforated tab;

B. the form must be three carbon or carbon-less snap-out;

C. the first page must be between 24- and 28-pound ledger paper, printed with black ink; and

D. the size of the type must not be less than 6 point.

Subp. 3. Report form. A standard financing statement information or copies request form must be in substantially the following form:

APPROVED BY THE REVISOR OF STATUTES OFFICE BY:

State of Minnesota Uniform Commercial Code Standard Form UCC-11

Request for Information or Copies (Read Instructions on Back)

equest for copies or information. Present in duplicate to filing officer.

Debtor(s) (Last Name First) and Address(es)	2. Party requesting information or copies: (Name and Address)	For Filing Officer

☐ Information request ☐ Copy request

Filing officer please furnish certificate showing whether there is on file as of ☐ the date of processing;

☐ other _____, any presently effective financing statement, naming the above named debtor(s) and any statement of assignment thereof, and if there is, giving the date and hour of filing of each such statement and the name(s) and address(es) of the secured party(ies) therein.

Date _____ (Signature of Requesting Party) _____

File Number	Date and Hour of Filing	Name(s) and Address(es) of Secured Party(ies) and Assignees, if any

ERTIFICATE: The undersigned filing officer hereby certifies that:

☐ The above listing is a record of all presently effective financing statements and statements of assignment which name the above debtor(s) and which are on file in my office as of _____ 19___ at _____ _____ M.

☐ The attached _____ pages are true and exact copies of all available financing statements or statements of assignment listed in the above report.

ADDITIONAL FEE DUE $_____

_____ Date

_____ Signature of Filing Officer

Approved by Secretary of State of Minnesota

OPY 1 (Rev. 6/84)

Subp. 4. Carbon pages. The remaining pages must be identical to the first page except:

A. Both pages must be of 12-pound bond paper, printed with black ink.

B. The second page must have "Copy 2" printed in the lower left-hand corner in black ink.

C. The third page must have "Copy 3" printed in the lower left-hand corner in black ink.

Subp. 5. Instructions. The following must be printed below the perforation on the back of the third page in black ink:

"INSTRUCTIONS

1. Please type this form with black ribbon.

2. Place an "x" in the appropriate box to indicate a request for copies or for information.

3. Place an "x" in the appropriate date-of-search box and fill in "other" if applicable. If no date-of-search is indicated, the information will be given up to the date of processing.

APPROVED BY THE REVISOR OF STATUTES OFFICE BY:

4. If information or copies are requested from different filing offices, separate requests must be submitted to each filing officer.

5. Sign the form in the space provided.

6. Send in only the original and duplicate copies. Retain the third copy for your files. The original will be returned to you with the information or copies requested.

7. There is an additional fee if more than one debtor name is listed in box 1. Always provide the complete and full name of the debtor; list all possible ways in which the debtor name may appear, including individual names, corporate names, assumed names, initials, and/or abbreviations.

FILING OFFICER ADDRESSES:

Secretary of State U.C.C. Division 180 State Office Building St. Paul, MN 55155	OR	County Recorder Courthouse _____County _____MN_____"

8260.0500 TAX LIEN INFORMATION OR COPIES: FORM UCC-12.

Subpart 1. **Permitted use.** This form is for use in obtaining tax lien information and copies. The use of any other form will result in a nonstandard fee charge.

Subp. 2. **Standard form.** To be considered a standard Minnesota tax lien information or copies form, the following specifications must be met:

A. the size must be 8 inches by 5 inches, excluding the top perforated tab;

B. the form must be three carbon or carbon-less snap-out;

C. the first page must be between 24- and 28-pound white ledger paper, printed with black ink; and

D. the size of type must not be less than 6 points.

Subp. 3. **Report form.** A standard tax lien information or copies form must be in substantially the following form:

APPROVED BY THE REVISOR OF STATUTES OFFICE BY:

State of Minnesota Uniform Commercial Code Standard Form UCC-12

Request for Tax Lien Information or Copies (Read Instructions on Back)

quest for copies or information. Present in DUPLICATE TO FILING OFFICER.

Taxpayer(s) (Last Name First) and Address(es)	2. Party requesting information or copies (Name and Address)	For Filing Officer

Information Request ☐Copy Request

Filing officer please furnish your certificate showing whether there is on file as of

The date of processing or ☐Other _____ 19___, any presently effective.

State and/or ☐Federal Tax Liens naming the taxpayer indicated above.

te _____ Signature of Requesting Party _____

File Number	Date and Hour of Filing	Amount of Lien	Government Authority and Address

RTIFICATE: The undersigned filing officer hereby certifies that:

The above listing is a record of all presently effective state and/or federal tax liens, as indicated above, which name the above taxpayer(s) and which are on file in my office as of _____ 19___ at _____ _____ M.

The attached _____ pages are true and exact copies of all available tax liens listed in above report.

DDITIONAL FEE DUE: $_____ _____ _____

Date Signature of Filing Officer

PY 1 (Rev. 6/84) Approved by Secretary of State of Minnesota

Subp. 4. Carbon pages. The remaining pages must be identical to the first page except:

A. both pages must be of 12-pound white bond paper, printed with black ink;

B. the second page must have "Copy 2" printed in the lower left-hand corner in black ink; and

C. the third page must have "Copy 3" printed in the lower left-hand corner in black ink.

Subp. 5. Instructions. The following must be printed below the perforation on the back of the third page in black ink:

"INSTRUCTIONS

1. Please type this form with black ribbon.

2. Place an "x" in the appropriate box to indicate the following items:

(a) a request for copies or information;

(b) the date of search; and

(c) a request for state or federal tax liens.

3. If no "x's" are made, information will be given on both state and federal tax liens up to the date of processing.

4. If information or copies are requested from different filing

APPROVED BY THE REVISOR OF STATUTES OFFICE BY:

offices, separate requests must be submitted to each filing officer.

5. Sign the form in the space provided.

6. Send in only the original and duplicate copies. Retain the third copy for your files. The original will be returned to you with the information or copies requested.

7. There is an additional fee if more than one taxpayer name is listed in box 1. Always provide the complete and full name of the taxpayer; list all possible ways in which the debtor name may appear, including individual names, corporate names, assumed names, initials, and/or abbreviations.

FILING OFFICER ADDRESSES:

Secretary of State
U.C.C. Division
180 State Office Bldg.
St. Paul, MN 55155

OR

County Recorder
Courthouse
_____County
_____MN_____"

APPROVED BY THE REVISOR OF STATUTES OFFICE BY:

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JAN 31 1985
Joan Anderson Growe
Secretary of State
9:30 AM

APPROVED AS TO LEGALITY
January 30, 1985
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY
SPECIAL ASSISTANT ATTORNEY GENERAL

OFFICE OF THE REVISOR OF STATUTES

Certificate of Approval of Adopted Rules

AR0529

Agency: Secretary of State

Division:

Agency Contact: Cheri Mattson

Minnesota Rules: Parts 8260.0100 to 8260.0500

Title: Adopted Rules Relating to Uniform Commercial Code Standard Forms

Type of Rules: Permanent

Incorporations by Reference: None

Steven C. Cross
Revisor of Statutes

Paul M. Marinac
Assistant Deputy Revisor
Phone: 296-0948
Date: September 18, 1984

APPROVED AS TO LEGALITY

_____ 19____

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY _____
SPECIAL ASSISTANT ATTORNEY GENERAL

State of Minnesota

OFFICE OF THE SECRETARY OF STATE

St. Paul 55155

JOAN ANDERSON GROWE
Secretary of State

ELAINE V. VOSS
Deputy Secretary of State

180 STATE OFFICE BUILDING
Corporation Division: 612/296-2803
UCC Division: 612/296-2434
Election Division: 612/296-2805
Office of the Secretary: 612/296-3266
Office of Deputy Secy.: 612/296-2309

In the Matter of the Proposed Adoption of Rules of the Office of the Secretary of State Governing Uniform Commercial Code Forms

ORDER ADOPTING RULES

Notice of the Secretary's intent to adopt the above-entitled rules without a public hearing was published in the State Register on December 24, 1984, and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes section 14.14, subdivision 1 on December 14, 1984. After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, receiving fewer than 25 written requests for a public hearing within the 30-day comment period, reviewing and considering the comments, and determining the need for and reasonableness of the above-captioned rules,

NOW, THEREFORE, IT IS ORDERED that these rules identified as Relating to Uniform Commercial Code Standard Forms are adopted this Twenty-fourth day of January, 1985, pursuant to authority vested in me by Minnesota Statutes sections 336.9-403 Subd. 5.

STATE OF MINNESOTA

Joan Anderson Growe

Joan Anderson Growe
Secretary of State

OFFICIAL NOTICES

Office of Secretary of State

Outside Opinion Sought Regarding Proposed Rules Relating to Uniform Commercial Code Standard Forms Including the Impact of the Rules on Small Businesses

Notice is hereby given that the Secretary of State is seeking information or opinions from persons outside the agency in preparing to promulgate new rules governing Uniform Commercial Code Standard Forms. Promulgation of these rules is authorized by Minnesota Statutes, section 336.9-403 subd. 5.

Outside opinion is also being solicited as to how these rules will affect small businesses as defined by Minnesota Laws 1983, ch. 188, codified as Minnesota Statutes section 14.115, subd. 1.

The Secretary of State requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing to Cheri Mattson at the address listed below or at (612) 296-2434 during regular business hours.

Cheri Mattson
Office of the Secretary of State
180 State Office Building
St. Paul, MN 55155

All statements of information and comment shall be accepted until December 5, 1984. Any written material received by the Secretary of State shall become part of the record in the event that the rules are promulgated.

Joan Anderson Growe
Secretary of State

STATE CONTRACTS

Pursuant to the provisions of Minn. Stat. § 16.098, subd. 3, an agency must make reasonable effort to publicize the availability of any consultant services contract or professional and technical services contract which has an estimated cost of over $2,000.

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over $10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal.

Commodities contracts with an estimated value of $5,000 or more are listed under the Procurement Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers by calling 296-6152. If the appropriate buyer is not available, contact Harvey Leach or Barbara Jolly at 296-3779.

Department of Administration Information Services Bureau

Contract Available for Technical Writing Services

The Information Services Bureau (ISB), Department of Administration, for the State of Minnesota is requesting a proposal from qualified firms to provide technical writing and documentation services.

The purpose of this request is to document the processing capabilities and computer services provided by the ISB for use by various State departments and agencies. It is intended that the progression of the computer hardware and software facilities supported by ISB be explained in past, present, and future terms with emphasis on present and future plans. Information required to accomplish this project will be provided in the form of project documents and designation of individuals to contact for information gathering and review.

B. If, after receiving the variance request, the commission determines that additional information must be submitted by the requesting person, it may direct the person seeking the variance to submit additional data regarding the variance request to the commission, or appear before the commission to provide additional information thereon.

C. To facilitate full consideration of a variance request the commission may, in its discretion, request that the person seeking the variance and other persons who have submitted written comments regarding the variance appear before the commission and make arguments to the commission. In such event, the commission shall provide the aforementioned persons notice of the appearance request at least seven days before the commission meeting at which the variance request is to be considered. This procedure shall not constitute a contested case as defined in Minnesota Statutes, section 14.02, subdivision 3.

D. If a person requesting a variance fails to follow the variance procedures specified in this chapter, the variance shall be denied.

E. The commission shall set forth in writing and submit to the person requesting the variance and other persons who have submitted written comments thereon the reasons why it has granted or denied the variance request within 30 days after its disposition of the request.

Subp. 4. Standards for granting and denying variance requests. The commission shall grant a variance to the application of any of its rules only if it determines that all of the following criteria have been met:

A. strict application of the rule to which a variance is being requested would cause undue and substantial hardship to the person applying for the variance;

B. the granting of the variance does not confer a benefit on the person requesting the variance which is not enjoyed by other persons similarly situated;

C. the granting of the variance does not substantially impair the intent and purposes of the commission's rules;

D. the variance may be granted without material detriment to the integrity of racing or the public health, welfare, or safety;

E. the granting of the variance does not allow violation of the standards or requirements in Minnesota Statutes, chapter 240; and

F. with respect to variances concerning part 7870.0500, subparts 5 to 9, demographic or geographic evidence supports the variance request.

Office of Secretary of State

Proposed Rules Relating to Uniform Commercial Code Standard Forms

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Secretary of State proposes to adopt the above-captioned rules without a public hearing. A previous notice was sent June 6, 1984, and published in the *State Register* on June 18, 1984, on these rules. These rules are being renoticed to comply with the Small Business Act. M.S. 14.115. The Secretary of State has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in M.S. 14.21-14.28 (1982).

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. Each comment should identify the portion of the rule addressed, the reason for the comment, and any change proposed. The proposed rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

Unless 25 or more persons submit written requests for a public hearing within the 30 day comment period, a public hearing will not be held. Any person requesting a public hearing should state his or her name and address and is encouraged to identify the portion of the rule addressed, the reason for the request, and any change proposed. In the event a public hearing is required, the agency will proceed according to the provisions of M.S. 14.14, Subd. 1.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or requests to:

Cheri Mattson
Office of the Secretary of State
180 State Office Building
St. Paul, MN 55155

Authority for the adoption of these rules is contained in M.S. 336.9-403 Subd. 5. A copy of the rules was sent out with the previous Notice of Intent to Adopt Rules Without a Public Hearing on June 6, 1984. Minor modifications have been made to the rules. A copy of these rules is available for review from Cheri Mattson at the above address. Additionally, a statement of need and reasonableness that describes the need and reasonableness of each provision of the proposed rules and amendments has been prepared and is available from Cheri Mattson upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the statement of need and reasonableness, all written comments received, and the final rules as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of request to Cheri Mattson.

Pursuant to M.S. 14.115 (Supp. 1983), the proposed rule will have an impact on small businesses as defined in M.S. 14.115. Subd. 1. When any small business files financing statements pursuant to the Uniform Commercial Code with the Secretary of State or the County Recorder, the small business, as with any other filer must submit the information on forms substantially in the form set out in the rules or it will have to pay a nonstandard filing charge.

The proposed rules were previously published in the *State Register*, volume 8, #51, June 18, 1984, p. 2712-2723.

Joan Anderson Growe
Secretary of State

ADOPTED RULES

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. § 14.33 and upon the approval of the Revisor of Statutes as specified in § 14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under § 14.18.

Department of Energy and Economic Development

Adopted Rules Governing Allocation of Industrial Development Bond Issuance Authority

The rule proposed and published at *State Register*, Volume 9, Number 15, pages 725-726, October 8, 1984 (9 S.R. 725) is adopted as proposed.

Department of Labor and Industry

Adopted Rules Relating to Workers' Compensation: Rehabilitation Claims Handling

The rules proposed and published at *State Register*, Volume 9, Number 15, pages 728-734, October 8, 1984 (9 S.R. 728) are adopted with the following modifications:

State of Minnesota

OFFICE OF THE SECRETARY OF STATE

St. Paul 55155

JOAN ANDERSON GROWE
Secretary of State

ELAINE V. VOSS
Deputy Secretary of State

180 STATE OFFICE BUILDING
Corporation Division: 612/296-2803
UCC Division: 612/296-2434
Election Division: 612/296-2805
Office of the Secretary: 612/296-3266
Office of Deputy Secy.: 612/296-2309

In the Matter of the Proposed Adoption of Rules of the Office of the Secretary of State Governing Uniform Commercial Code Forms

AFFIDAVIT OF MAILING NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

Cheri Mattson, being first duly sworn, deposes and says:

That on the Fourteenth day of December, 1984, in the City of St. Paul, County of Ramsey, State of Minnesota, the notice of the Secretary's intent to adopt the above-entitled rules without a public hearing was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes section 14.14, subdivision 1.

Cheri Mattson
Cheri Mattson
Supervisor, UCC Division

Subscribed and sworn to before me
this 24 day of Jan., 1985.

Kathleen M. Hjelm

KATHLEEN HJELM
NOTARY PUBLIC-MINNESOTA
DAKOTA COUNTY
MY COMMISSION EXPIRES JULY 21, 1989

State of Minnesota

OFFICE OF THE SECRETARY OF STATE

St. Paul 55155

JOAN ANDERSON GROWE
Secretary of State

ELAINE V. VOSS
Deputy Secretary of State

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STATE OF MINNESOTA
COUNTY OF RAMSEY

MAILING LIST CERTIFICATE

In the Matter of the Proposed Adoption
of Rules of the Office of the Secretary
of State Governing Uniform Commercial
Code Forms

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minnesota Statutes, section 14.14 subdivision 1, that their names be placed on file with and maintained by the Office of the Secretary of State for the purpose of receiving notice of the proposed adoption of rules by this Department is accurate and complete as of 8:00 a.m. December 14, 1984.

Cheri Mattson

Cheri Mattson
Supervisor, UCC Division

State of Minnesota

OFFICE OF THE SECRETARY OF STATE

St. Paul 55155

JOAN ANDERSON GROWE
Secretary of State

ELAINE V. VOSS
Deputy Secretary of State

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In the Matter of the Proposed Adoption of Rules of the Office of the Secretary of State Governing Uniform Commercial Code Forms

FINDINGS OF FACT AND CONCLUSIONS

The above entitled matter was not required to be heard by a Hearing Examiner.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having considered all of the evidence adduced upon the records and files, I find the following:

The third page of the UCC-1 and the UCC-2 is used as a turn around document for the termination of liens. The act of termination requires a signature of the secured party releasing their interest in the lien. Consequently, additional language was added to the rules making it clear that the carbon between the second and third pages could not reproduce the signature from the first page in the area where the secured party would sign on the third page to terminate a lien.

STATE OF MINNESOTA

Joan Anderson Growe

Joan Anderson Growe
Secretary of State

State of Minnesota

OFFICE OF THE SECRETARY OF STATE

St. Paul 55155

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STATE OF MINNESOTA
COUNTY OF RAMSEY

In the Matter of the Proposed Adoption
of Rules of the Office of the Secretary
of State Governing Uniform Commercial
Code Forms

STATEMENT OF NEED AND REASONABLENESS

The need to adopt the above-captioned rules arises from (1) Minn. Stat. 336.9-403, subd. 5 (1982), which requires the Secretary of State to prescribe uniform forms for all statements dealing with the perfection of security agreements by public filing, and (2) Minn. Stat. 14.06 (1982), which requires adoption of rules to the extent that changes in procedures affect the rights of or procedures available to the public. Adoption of a rule governing dissemination of financing statements information or copies and Tax Lien information or copies is necessary to carry out Minn. Stat. 336.9-407, which provides for the issuance of a certificate by the filing officer.

Minn. Stat. 336.9-403, subd. 5 (1982), requires the Secretary of State to prescribe uniform forms for statements filed pursuant to the Uniform Commercial Code - Secured Transactions, Minn. Stat. 336.9-101 et seq. (1982).

1. Financing Statement and Fixture/Real Estate Forms
The proposed rule insures that all necessary information required by Minn. Stat. 336.9-402 is provided. The proposed form can be used at both County and Secretary of State Filing Offices. The rule provides standards for determining what constitutes the standard form prescribed by the Secretary of State, enabling users to avoid the higher fee imposed for using a non-standard form.

2. Statements of Continuation, Assignment, Amendment, Termination and Release
The following Minnesota Statutes (1982) provide for the described statements:

(a) 336.9-404 providing for a termination statement;
(b) 336.9-405 providing for a statement of assignment;
(c) 336.9-406 providing for a statement of release;
(d) 336.9-403, subd. 3, providing for a continuation statement; and
(e) 336.9-402, subd. 4, providing for a statement of amendment.

The proposed rule insures that all necessary information required by the above mentioned Minnesota Statutes is provided. Also, the form can be used at both the County and Secretary of State Filing Offices. All potential changes on, or additions to, a financing statement are included on this one form. The proposed rule sets down the standard for determining what constitutes a standard Minnesota form to enable users to avoid the higher fee imposed for using a non-standard form.

3. Financing Statement and Tax Lien Information or Copies

Minn. Stat. 336.9-407, (1982), requires the filing officer to provide a certificate containing certain information and photocopies of original documents on file to any person who requests them. Adoption of a rule governing dissemination of such information and photocopies is necessary to implement the statute.

4. Consideration of Small Business Needs

The Office of the Secretary of State has considered the requirements of Minn. Stat. 14,115 subd. 2, and has determined that no authority has been granted to the Agency to modify the reporting requirements of the Uniform Commercial Code, and that exemption of small businesses from requirements of the rule would be contrary to the statutory objectives that are the basis of the proposed rulemaking. In fact, these rules reduce the impact on a small business by providing that if the small business files the information in substantially the form set out inthe rule, a lesser fee will be charged.

To comply with Minn. Stat. 14.115, subd. 4, the Agency published in the State Register a Notice to Solicit Outside Opinion on how the rules will affect small businesses on November 5, 1984. In its Notice of Intent To Adopt Rules Without a Public Hearing, the Agency gave notice that the proposed rule will affect small businesses, and discussed the probable quantative and qualitive impact of rule in compliance with Minn. Stat. 14.115, subd. 4 (a).

In the Matter of the Proposed Adoption of Rules of the Office of the Secretary of State Governing Uniform Commercial Code Forms

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, MARTHA J. CASSERLY, Special Assistant Attorney General, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Dated: January 24, 1985

Martha J. Casserly

MARTHA J. CASSERLY
Special Assistant Attorney General

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : JOAN ANDERSON GROWE
Secretary of State

DATE: 10/1/84

ATTN: PETER M. ACKERBERG, Special Assistant Attorney General

FROM : LARRY D. STARNS
Special Assistant Attorney General

PHONE: 297-3493

SUBJECT: IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE OFFICE OF THE SECRETARY OF STATE GOVERNING UNIFORM COMMERCIAL CODE FORMS.

The above-referenced rules have not been approved by this office for the following reason: the requirements of Minnesota Statutes §14.115 have not been satisfied. Specifically, Minn. Stat. §14.115, subd. 4(c) requires that there be "direct notification of any small business that may be affected by the rule" (emphasis added). As stated in your Statement of Need and Reasonableness, the Secretary of State's Office mailed its Notice of Rulemaking to the first 200 small businesses that filed UCC documents after June 6, 1984. However, this fails to satisfy Section 14.115, subd. 4(c) in two respects. First, there is no evidence of your office having considered the probable quantitative and qualitative impact of the proposed rule upon small businesses. This should be documented in the Statement of Need and Reasonableness as implicitly required by Minn. Stat. §14.115, subd. 2. Secondly, to satisfy subdivision 4(c), the Notice of Rulemaking must be mailed directly to any small business potentially affected by these rules, which number will be determined by your office after conducting its impact analysis pursuant to subd. 2.

After consideration of the above comments and agency action, if any, these rules may be resubmitted for our review. Upon resubmission, please include a new or supplemental Order Adopting and four copies of the new Rules as Adopted. Also, please include a memorandum specifying that the rules are being resubmitted so that we may obtain our initial file in this matter.

If you have any questions concerning the issues raised in this memorandum, please do not hesitate to call me.

LDS:slz

cc: Duane Harves
Kathy Burek
Paul Marinac

AG copy.

Secretary of State

Adopted Rules Relating to Uniform Commercial Code Standard Forms

Rules as Adopted

8260.0100 FINANCING STATEMENT: FORM UCC-1.

Subpart 1. **Permitted use.** This form is for use when filing a financing statement pursuant to Minnesota Statutes, section 336.9-402, subsection (1), paragraphs (a) and (c). The use of any other form will result in a nonstandard fee charge.

Subp. 2. **Standard form.** To be considered a standard Minnesota uniform commercial code financing statement form, the following specifications must be met:

A. the size must be 8 inches by 5 inches, excluding the top perforated tab;

B. the form must be five carbon or carbon-less snap-out;

C. the first page must be between 24- and 28-pound white ledger paper, printed with black ink; and

D. the size of the type must not be less than 6 point.

Subp. 3. **Report form.** A standard financing statement form must be in substantially the following form:

APPROVED BY THE REVISOR OF STATUTES OFFICE BY:

1

STATE OF MINNESOTA UNIFORM COMMERCIAL CODE STANDARD FORM UCC-1

Print or Type in Black Ink **(Read Instructions on Back)**

This STATEMENT is presented for filing pursuant to the Uniform Commercial Code

Debtor(s) (Last Name First) and Address(es)	Secured Party(ies) and Address(es)	For Filing Officer

1. This financing statement covers the following types (or items) of property:

Assignee(s) of Secured Party

☐ If crops are covered describe the real estate and give the name of the record owner.

2. ☐ Products/Proceeds of Collateral are also covered by this Statement

_____ Additional sheets presented.
_____ Debtor is a transmitting utility as defined in M.S. 336.9-105.
_____ For Filing with the Secretary of State of Minnesota.
_____ For Filing with the County Recorder _____ County.
_____ For Filing in Uniform Commercial Code Records **(1) Filing Officer Copy Alphabetical**

(Rev. 6/84)

Signature(s) of Debtor(s): (Required in most cases — see Instruction # 5)

BY: _____ BY: _____

If the Debtor's signature is not present indicate the reason for its absence in the Debtor's signature block and sign the Secured Party's signature block

Signature of Secured Party

BY: _____

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

_____

Subp. 4. **Carbon pages.** The remaining four pages will be identical to the first page except:

A. The second page must be green and of 15-pound bond paper. The language "(2) Filing Officer Copy-Numerical" must appear at the bottom left.

B. The third page must be pink and of 12-pound bond paper. The signature on the first page should not be reproduced by carbon on the third page. This area on the third page requires an original signature when it is resubmitted as a termination statement. It must appear as follows:

FF

STATE OF MINNESOTA UNIFORM COMMERCIAL CODE STANDARD FORM UCC-1

Print or Type in Black Ink. (Read Instructions on Back)

This STATEMENT is presented for filing pursuant to the Uniform Commercial Code

Debtor(s) (Last Name First) and Address(es)	Secured Party(ies) and Address(es)	For Filing Officer

1. This financing statement covers the following types (or items) of property:

Assignee(s) of Secured Party

☐ If crops are covered describe the real estate and give the name of the record owner.

2. ☐ Products/Proceeds of Collateral are also covered by this Statement

TERMINATION STATEMENT: This Statement of Termination of Financing is presented to a Filing Officer pursuant to the Uniform Commercial Code. The Secured Party certifies that the Secured Party no longer claims a security interest under the financing statement bearing the file number shown above.

Date _____ 19___.

BY: _____
(Signature of Secured Party or Assignee of Record. Must be signed)

(3) Filing Officer Copy – Acknowledgment

(Rev. 6/84)

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

C. The fourth page must be white and of 12-pound bond paper. The language "(4) Secured Party Copy" must appear at the bottom left.

D. The fifth page must be white and of 12-pound bond paper. The language "(5) Debtor Copy" must appear at the bottom left.

Subp. 5. **Instructions.** On the back of the fifth page, beginning below the perforation, must appear the following:

"INSTRUCTIONS

1. This form must be typed or printed in black so that it is legible on the white, pink, and green copies.

2. Provide the true and complete name of the debtor; initials or abbreviations may not be sufficient to properly index your filing.

3. If the space provided for any items on this form is inadequate, the item(s) may be continued on additional sheets, preferably 8-1/2 inches by 11 inches. Only one copy of the additional sheets needs to be presented to the filing officer.

4. There is an additional fee, which you must include, when additional sheets are attached and/or when more than one debtor's name is listed.

5. If this filing does not include the debtor's signature, the secured party must sign and indicate on the front the reason for its absence. The possible reasons listed by Minnesota Statutes, section 336.9-402, subsection (2), are that the collateral listed is/was:

a. brought into this state already subject to a security interest in another jurisdiction;

b. subject to a security interest in another jurisdiction, and the debtor's location has changed to this state;

c. proceeds of some collateral in which a security interest was previously perfected in this state;

d. the subject of a financing statement which has lapsed;

e. subject to a security interest perfected under a prior name or identity of the debtor; or

f. a personal service lien.

APPROVED BY THE REVISOR OF STATUTES OFFICE BY:

IF THE REASON FOR NO DEBTOR'S SIGNATURE IS NOT INCLUDED ABOVE, PLEASE STATE THE REASON ON THE FRONT OF THE FORM. BE ADVISED THAT THE REASON YOU LIST MAY NOT BE CONSIDERED A SUFFICIENT REASON BY A COURT OF LAW.

6. When the form is completed, remove the Secured Party and Debtor copies and send the remaining three (white, pink, and green) copies with interleaved carbon paper intact (if applicable) to the proper filing officer:

Secretary of State U.C.C. Division 180 State Office Bldg. St. Paul, MN 55155	OR	County Recorder Courthouse _____ County _____MN_____

7. The pink copy will be stamped with the filing information and returned to you by the filing officer. If the lien is terminated prior to the regular five-year expiration, the secured party should sign the pink copy and return it to the filing officer so that the original can be removed from the files. There is no fee for filing a termination statement unless it is submitted on a "nonstandard" form or if it is for a fixture filing (form UCC-2).

NOTICE: INSTRUCTIONS ARE PROVIDED AS AN ACCOMMODATION AND SHOULD NOT BE CONSTRUED AS A COMPLETE STATEMENT OF THE UNIFORM COMMERCIAL CODE. ALWAYS CONSULT MINNESOTA STATUTES ON THE PROPER PREPARATION AND FILING OF THIS FORM."

8260.0200 FIXTURE/REAL ESTATE: FORM UCC-2.

Subpart 1. **Transactions covered.** This form is for use when filing a financing statement pursuant to Minnesota Statutes, section 336.9-402, subsection (1), paragraph (b). The use of any other form will result in a nonstandard fee.

Subp. 2. **Standard form.** To be considered a standard Minnesota fixture/real estate form, the following specifications must be met:

A. the size must be 8 inches by 5 inches, excluding the top perforated tab;

B. the form must be five carbon or carbon-less snap-out;

C. the first page must be between 24- and 28-pound

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

white ledger paper, printed with black ink; and

D. the size of the type must not be less than 6 point.

Subp. 3. **Report form.** A standard fixture/real estate form must be in substantially the following form:

STATE OF MINNESOTA UNIFORM COMMERCIAL CODE STANDARD FORM UCC-2

Print or Type in Black Ink — FIXTURE/REAL ESTATE FINANCING STATEMENT (Read Instructions on Back)

This STATEMENT is presented for filing pursuant to the Uniform Commercial Code

Debtor(s) (Last Name First) and Address(es)	Secured Party(ies) and Address(es)	For Filing Officer

1. This financing statement covers the following types (or items) of property:
(Set forth legal description of property and name of record owner)

Assignee(s) of Secured Party

2. ☐ Products/Proceeds of Collateral are also covered by this Statement

3. ☐ This is a Fixture Filing or covers timber, minerals, or accounts subject to M.S. 336.9-103(5)

Provide Name and Address of Drafter:

4. ☐ Abstract Property ☐ Torrens Property
Title Number: _____
(Submit Owners Duplicate Certificate)

____ Additional sheets presented.
____ Debtor is a transmitting utility as defined in M.S. 336.9-105.
____ For Filing with the Secretary of State of Minnesota.
____ For Filing with the County Recorder _____ County.
____ For Filing in Uniform Commercial Code Records
____ For Filing in Real Estate Records

(1) Filing Officer Copy — Alphabetical

Rev. 6/84)

Signature(s) of Debtor(s): (Required in most cases — see Instruction # 5)

BY: _____ BY: _____

If the Debtor's signature is not present indicate the reason for its absence in the Debtor's signature block and sign the Secured Party's signature block.

Signature of Secured Party

By: _____

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

_____

Subp. 4. **Carbon pages.** The remaining four pages will be identical to the first page except:

A. The second page must be green and of 15-pound bond paper. The language "(2) Filing Officer Copy-Numerical" must appear at the bottom left.

B. The third page must be pink and of 12-pound bond paper. The signature on the first page should not be reproduced by carbon on the third page. This area on the third page requires an original signature when it is resubmitted as a termination statement. It must appear as follows:

FF

STATE OF MINNESOTA UNIFORM COMMERCIAL CODE STANDARD FORM UCC-2

Print or Type in Black Ink — **FIXTURE/REAL ESTATE FINANCING STATEMENT** (Read Instructions on Back)

This STATEMENT is presented for filing pursuant to the Uniform Commercial Code

Debtor(s) (Last Name First) and Address(es)	Secured Party(ies) and Address(es)	For Filing Officer

1. This financing statement covers the following types (or items) of property:
(Set forth legal description of property and name of record owner)

Assignee(s) of Secured Party

2. ☐ Products/Proceeds of Collateral are also covered by this Statement

3. ☐ This is a Fixture Filing or covers timber, minerals, or collateral in M.S. 336.9-103 (5)

Provide Name and Address of Drafter:

4. ☐ Abstract Property ☐ Torrens Property
Title Number: _____ (Submit Owners Duplicate Certificate)

TERMINATION STATEMENT: This Statement of Termination of Financing is presented to a Filing Officer pursuant to the Uniform Commercial Code. Th Secured Party certifies that the Secured Party no longer claims a security interest under the financing statement bearing the file number shown above.

Date _____ 19___.

BY: _____
(Signature of Secured Party or Assignee of Record. Must be signed)

(3) Filing Officer Copy – Acknowledgment

(Rev. 6/84)

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

_____

C. The fourth page must be white and of 12-pound bond paper. The language "(4) Secured Party Copy" must appear at the bottom left.

D. The fifth page must be white and of 12-pound bond paper. The language "(5) Debtor Copy" must appear at the bottom left.

Subp. 5. **Instructions.** On the back of the fifth page, beginning below the perforation, must appear the following:

"INSTRUCTIONS

1. This form must be typed or printed in black so that it is legible on the white, pink, and green copies.
2. Provide the true and complete name of the debtor; initials or abbreviations may not be sufficient to properly index your filing.
3. If the space provided for any items on this form is inadequate, the item(s) may be continued on additional sheets, preferably 8-1/2 inches by 11 inches. Only one copy of the additional sheets needs to be presented to the filing officer.
4. There is an additional fee, which you must include, when additional sheets are attached and/or when more than one debtor's name is listed.
5. This form should be used for filings that are to be made in the real estate records. The following types of collateral and/or transactions are covered by this form:

(a) if the collateral is timber to be cut;

(b) if the statement covers minerals or the like (including oil or gas);

(c) accounts subject to Minnesota Statutes, section 336.9-103, subsection (5); or

(d) when the statement is filed as a fixture filing and the collateral is goods which are or are to become fixtures, including crops.

DESCRIBE THE REAL ESTATE AFFECTED SUFFICIENT IF IT WERE CONTAINED IN A MORTGAGE OF THE REAL ESTATE TO GIVE CONSTRUCTIVE NOTICE OF THE MORTGAGE UNDER THE LAWS OF THIS STATE.

APPROVED BY THE REVISOR OF STATUTES OFFICE BY:

6. Include the name and address of the drafter. Also, if the debtor listed on the statement is not the record owner of the real estate, include the name of the record owner in the appropriate space.

7. You must indicate if the filing is to be made in the real estate records or both the real estate records and the Uniform Commercial Code.

8. If this filing does not include the debtor's signature, the secured party must sign and indicate on the front the reason for its absence. The possible reasons listed by Minnesota Statutes, section 336.9-402, subsection (2), are that the collateral listed is/was:

(a) brought into this state already subject to a security interest in another jurisdiction;

(b) subject to a security interest in another jurisdiction, and the debtor's location has changed to this state;

(c) proceeds of some collateral in which a security interest was previously perfected in this state;

(d) the subject of a financing statement which has lapsed; or

(e) subject to a security interest perfected under a prior name or identity of the debtor.

IF THE REASON FOR NO DEBTOR SIGNATURE IS NOT INCLUDED ABOVE, PLEASE STATE THE REASON ON THE FRONT OF THE FORM. BE ADVISED THAT THE REASON YOU LIST MAY NOT BE CONSIDERED A SUFFICIENT REASON BY A COURT OF LAW.

9. When the form is completed, remove the Secured Party and Debtor copies and send the remaining three (white, pink, and green) copies with interleaved carbon paper intact (if applicable) to the proper filing officer. Generally, statements of this nature will be filed in the Secretary of State's Office only if the debtor is a transmitting utility. However, you should consult Minnesota Statutes as to the proper place to file.

APPROVED BY THE
REVISOR OF STATUTES
OFFICE BY:

FILING OFFICER ADDRESSES:

Secretary of State U.C.C. Division 180 State Office Bldg. St. Paul, MN 55155	OR	County Recorder Courthouse _____ County _____MN_____

10. The pink copy will be stamped with the filing information and returned to you by the filing officer. If the lien is terminated prior to the regular five-year expiration, the secured party should sign the pink copy and return it to the filing officer so that the original can be removed from the files. There is no fee for filing a termination statement unless it is submitted on a "nonstandard" form or if it is for a fixture filing.

NOTICE: INSTRUCTIONS ARE PROVIDED AS AN ACCOMMODATION AND SHOULD NOT BE CONSTRUED AS A COMPLETE STATEMENT OF THE UNIFORM COMMERCIAL CODE. ALWAYS CONSULT MINNESOTA STATUTES ON THE PROPER PREPARATION AND FILING OF THIS FORM."

8260.0300 STATEMENT OF CONTINUATION, ASSIGNMENT, AMENDMENT, RELEASE, AND TERMINATION: FORM UCC-3.

Subpart 1. **Permitted use.** This form may be used to continue, assign, amend, release, or terminate a financing statement. The use of any other form will result in a nonstandard fee charge. Only one transaction may be accomplished per form.

Subp. 2. **Standard form.** To be considered a standard Minnesota statement of continuation, assignment, amendment, release, and termination form, the following specifications must be met:

A. the size must be 8 inches by 5 inches, excluding the top perforated tab;

B. the form must be five carbon or carbon-less snap-out.

C. the first page must be between 24- and 28-pound white ledger paper, printed in black ink; and

D. the size of type must not be less than 6 point.

Subp. 3. **Report form.** A standard statement of continuation, assignment, amendment, release, and termination

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

1 must appear in substantially the following form:

State of Minnesota Uniform Commercial Code Standard Form UCC-3
Statements of Continuation, Assignment, Release, Etc. (Read Instructions on Back)

This STATEMENT is presented to a filing officer for filing pursuant to the Uniform Commercial Code

1. Debtor(s) (Last Name First) and Address(es)	2. Secured Party(ies) and Address(es)	For Filing Officer

3. This statement refers to original Financing Statement bearing File No.

Filed with _____ Date Filed _____ 19___

4. ☐ Continuation. The original financing Statement between the foregoing Debtor and Secured Party, bearing file number above, is still effective.
5. ☐ Assignment. The Secured Party's right under the Financing Statement bearing file number shown above to the property described in Item 9 has been assigned to the assignee whose name and address appears in Item 9.
6. ☐ Amendment. Financing Statement bearing file number shown above is amended as set forth in Item 9.
7. ☐ Release. Secured Party maintains a security interest in financing statement bearing file number shown above but releases the collateral shown in Iten
8. ☐ Termination. Secured Party no longer claims a security interest under the Financing Statement bearing file number shown above.

9.

By: _____ By: _____
Signature(s) of Debtor(s) (necessary only if Item 6 is applicable.) Signature(s) of Secured Party(ies)

(1) Filing Officer Copy – Alphabetical
(Rev. 6/84)

Approved by Secretary of State of Minnes

APPROVED IN THE REVISOR OF STATUTES OFFICE BY: _____

Subp. 4. **Carbon pages.** The remaining four pages are identical to the first except that:

A. the second page must be green and of 15-pound bond paper;

B. the third page must be pink and the fourth and fifth pages must be white; all three must be of 12-pound bond paper;

C. the language at the bottom far left of the second page (green) must read "(2) Filing Officer Copy-Numerical";

D. the language at the bottom far left of the third page (pink) must read "(3) Filing Officer Copy-Acknowledgement";

E. the language at the bottom of the fourth page (white) must read at the far left "(4) Secured Party Copy," and across the center and to the right as far as necessary, "Remove this copy and forward balance of form intact for filing"; and

F. the language at the bottom far left of the fifth page must read "(5) Debtor Copy."

Subp. 5. **Instructions.** The following must be printed in black ink on the back of page five below the perforated tab:

"INSTRUCTIONS

1. Please type this form with black ribbon.

2. If the space provided for any item(s) on this form is inadequate, the item(s) may be continued on additional sheets, preferably 8-1/2 inches by 11 inches. Only one copy of such additional sheets needs to be presented to the filing officer. There is an additional fee for the additional sheets.

3. If the collateral is timber to be cut or covers minerals or the like (including oil or gas) or accounts subject to Minnesota Statutes, section 336.9-103, subsection (5), or goods which are or are to become fixtures or is crops growing or to be grown, and this is an amendment or release, provide a description of the real estate sufficient to identify it and give the name(s) of the record owner.

4. Remove secured party and debtor copies (fourth and fifth copies) and send the other three copies with interleaved carbon paper intact (if applicable) to the filing officer. The filing

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

officer will return the third copy as an acknowledgment.

5. Only one filing can be processed per form. Submit one form for each type of filing.

FILING OFFICER ADDRESSES:

Secretary of State U.C.C. Division 180 State Office Bldg. St. Paul, MN 55155	OR	County Recorder Courthouse _____ County _____MN_____"

8260.0400 FINANCING STATEMENT INFORMATION OR COPIES FORM: FORM UCC-11.

Subpart 1. **Permitted use.** This form is for obtaining financing statement information or copies. The use of any other form will result in a nonstandard fee charge.

Subp. 2. **Standard form.** To be considered a standard Minnesota request for copies or information form, the following specifications must be met:

A. the size must be 8 inches by 5 inches, excluding the top perforated tab;

B. the form must be three carbon or carbon-less snap-out;

C. the first page must be between 24- and 28-pound ledger paper, printed with black ink; and

D. the size of the type must not be less than 6 point.

Subp. 3. **Report form.** A standard financing statement information or copies request form must be in substantially the following form:

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

State of Minnesota Uniform Commercial Code Standard Form UCC-11
Request for Information or Copies (Read Instructions on Back)

Request for copies or information. Present in duplicate to filing officer.

1. Debtor(s) (Last Name First) and Address(es)	2. Party requesting information or copies: (Name and Address)	For Filing Officer

☐ Information request ☐ Copy request
Filing officer please furnish certificate showing whether there is on file as of ☐ the date of processing:
☐ other _____, any presently effective financing statement, naming the above named debtor(s) and any statement of assignment thereof, and if there is, giving the date and hour of filing of each such statement and the name(s) and address(es) of the secured party(ies) therein.

Date _____ (Signature of Requesting Party) _____

File Number	Date and Hour of Filing	Name(s) and Address(es) of Secured Party(ies) and Assignees, if any

CERTIFICATE: The undersigned filing officer hereby certifies that:
☐ The above listing is a record of all presently effective financing statements and statements of assignment which name the above debtor(s) and which are on file in my office as of _____ 19___ at _____ _____ M.
☐ The attached _____ pages are true and exact copies of all available financing statements or statements of assignment listed in the above report.
ADDITIONAL FEE DUE $_____

_____ Date

_____ Signature of Filing Officer
Approved by Secretary of State of Minnesota

COPY 1 (Rev. 6/84)

Subp. 4. **Carbon pages.** The remaining pages must be identical to the first page except:

A. Both pages must be of 12-pound bond paper, printed with black ink.

B. The second page must have "Copy 2" printed in the lower left-hand corner in black ink.

C. The third page must have "Copy 3" printed in the lower left-hand corner in black ink.

Subp. 5. **Instructions.** The following must be printed below the perforation on the back of the third page in black ink:

"INSTRUCTIONS

1. Please type this form with black ribbon.
2. Place an "x" in the appropriate box to indicate a request for copies or for information.
3. Place an "x" in the appropriate date-of-search box and fill in "other" if applicable. If no date-of-search is indicated, the information will be given up to the date of processing.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

4. If information or copies are requested from different filing offices, separate requests must be submitted to each filing officer.

5. Sign the form in the space provided.

6. Send in only the original and duplicate copies. Retain the third copy for your files. The original will be returned to you with the information or copies requested.

7. There is an additional fee if more than one debtor name is listed in box 1. Always provide the complete and full name of the debtor; list all possible ways in which the debtor name may appear, including individual names, corporate names, assumed names, initials, and/or abbreviations.

FILING OFFICER ADDRESSES:

Secretary of State U.C.C. Division 180 State Office Building St. Paul, MN 55155	OR	County Recorder Courthouse _____County _____MN_____"

8260.0500 TAX LIEN INFORMATION OR COPIES: FORM UCC-12.

Subpart 1. **Permitted use.** This form is for use in obtaining tax lien information and copies. The use of any other form will result in a nonstandard fee charge.

Subp. 2. **Standard form.** To be considered a standard Minnesota tax lien information or copies form, the following specifications must be met:

A. the size must be 8 inches by 5 inches, excluding the top perforated tab;

B. the form must be three carbon or carbon-less snap-out;

C. the first page must be between 24- and 28-pound white ledger paper, printed with black ink; and

D. the size of type must not be less than 6 points.

Subp. 3. **Report form.** A standard tax lien information or copies form must be in substantially the following form:

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

State of Minnesota Uniform Commercial Code Standard Form UCC-12

Request for Tax Lien Information or Copies (Read Instructions on Back)

Request for copies or information. Present in DUPLICATE TO FILING OFFICER.

1. Taxpayer(s) (Last Name First) and Address(es)	2. Party requesting information or copies (Name and Address)	For Filing Officer

☐Information Request ☐Copy Request

Filing officer please furnish your certificate showing whether there is on file as of

☐The date of processing or ☐Other _____ 19___, any presently effective.

☐State and/or ☐Federal Tax Liens naming the taxpayer indicated above.

Date _____ Signature of Requesting Party _____

File Number	Date and Hour of Filing	Amount of Lien	Government Authority and Address

CERTIFICATE: The undersigned filing officer hereby certifies that:

☐The above listing is a record of all presently effective state and/or federal tax liens, as indicated above, which name the above taxpayer(s) and which are on file in my office as of _____ 19___ at _____ _____ M.

☐The attached _____ pages are true and exact copies of all available tax liens listed in above report.

ADDITIONAL FEE DUE: $_____ _____ Date _____ Signature of Filing Officer

COPY 1 (Rev. 6/84) Approved by Secretary of State of Minnesota

Subp. 4. **Carbon pages.** The remaining pages must be identical to the first page except:

A. both pages must be of 12-pound white bond paper, printed with black ink;

B. the second page must have "Copy 2" printed in the lower left-hand corner in black ink; and

C. the third page must have "Copy 3" printed in the lower left-hand corner in black ink.

Subp. 5. **Instructions.** The following must be printed below the perforation on the back of the third page in black ink:

"INSTRUCTIONS

1. Please type this form with black ribbon.

2. Place an "x" in the appropriate box to indicate the following items:

(a) a request for copies or information;

(b) the date of search; and

(c) a request for state or federal tax liens.

3. If no "x's" are made, information will be given on both state and federal tax liens up to the date of processing.

4. If information or copies are requested from different filing

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

offices, separate requests must be submitted to each filing officer.

5. Sign the form in the space provided.

6. Send in only the original and duplicate copies. Retain the third copy for your files. The original will be returned to you with the information or copies requested.

7. There is an additional fee if more than one taxpayer name is listed in box 1. Always provide the complete and full name of the taxpayer; list all possible ways in which the debtor name may appear, including individual names, corporate names, assumed names, initials, and/or abbreviations.

FILING OFFICER ADDRESSES:

Secretary of State U.C.C. Division 180 State Office Bldg. St. Paul, MN 55155	OR	County Recorder Courthouse _____County _____MN_____"

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

State of Minnesota

OFFICE OF THE SECRETARY OF STATE

St. Paul 55155

JOAN ANDERSON GROWE
Secretary of State

ELAINE V. VOSS
Deputy Secretary of State

180 STATE OFFICE BUILDING
Corporation Division: 612/296-2803
UCC Division: 612/296-2434
Election Division: 612/296-2805
Office of the Secretary: 612/296-3266
Office of Deputy Secy.: 612/296-2309

In the Matter of the Proposed Adoption of Rules of the Office of the Secretary of State Governing Uniform Commercial Code Forms

ORDER ADOPTING RULES

Notice of the Secretary's intent to adopt the above-entitled rules without a public hearing was published in the State Register on June 18, 1984, and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes section 14.14, subdivision 1 on June 6, 1984. After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, receiving fewer than seven written requests for a public hearing within the 30-day comment period, reviewing and considering the comments, and determining the need for and reasonableness of the above-captioned rules,

NOW, THEREFORE, IT IS ORDERED that these rules identified as Relating to Uniform Commercial Code Standard Forms are adopted this Sixth day of September, 1984, pursuant to authority vested in me by Minnesota Statues sections 336.9-403 Subd. 5.

STATE OF MINNESOTA

Joan Anderson Growe

Joan Anderson Growe
Secretary of State

State of Minnesota

OFFICE OF THE SECRETARY OF STATE

St. Paul 55155

JOAN ANDERSON GROWE
Secretary of State

ELAINE V. VOSS
Deputy Secretary of State

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UCC Division: 612/296-2434
Election Division: 612/296-2805
Office of the Secretary: 612/296-3266
Office of Deputy Secy.: 612/296-2309

PROPOSED RULES RELATING TO UNIFORM COMMERCIAL CODE STANDARD FORMS

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Secretary of State proposes to adopt the above-captioned rules without a public hearing. The Secretary of State has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. 14. 21-14.28(1982).

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing within the 30 day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minn.Stat. 14.21-14.28(1982).

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to: Tom Durand, Office Director
Office of the Secretary of State
180 State Office Building
St. Paul, MN 55155

Authority for the adoption of these rules is contained in Minn. Stat. 336.9-403 Subd. 5. Additionally, a statement of need and reasonableness that describes the need and reasonableness of each provision of the proposed rules and amendments has been prepared and is available from Tom Durand upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the statement of need and reasonableness, all written comments received, and the final rules as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of sbustantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to Tom Durand.

Joan Anderson Growe
Secretary of State

State of Minnesota

OFFICE OF THE SECRETARY OF STATE

St. Paul 55155

JOAN ANDERSON GROWE
Secretary of State

ELAINE V. VOSS
Deputy Secretary of State

180 STATE OFFICE BUILDING
Corporation Division: 612/296-2803
UCC Division: 612/296-2434
Election Division: 612/296-2805
Office of the Secretary: 612/296-3266
Office of Deputy Secy.: 612/296-2309

In the Matter of the Proposed Adoption of Rules of the Office of the Secretary of State Governing Uniform Commercial Code Forms

AFFIDAVIT OF MAILING NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

Tom Durand, being first duly sworn, deposes and says:

That on the Sixth day of June, 1984, in the City of St. Paul, County of Ramsey, State of Minnesota, the notice of the Secretary's intent to adopt the above-entitled rules without a public hearing was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes section 14.14, subdivision 1.

Tom Durand
Office Director

Subscribed and sworn to before me this 26th day of September, 1984.

Donna M. Scott

DONNA M. SCOTT
NOTARY PUBLIC
RAMSEY COUNTY, MN
MY COMMISSION EXPIRES
JUNE 22, 1987

State of Minnesota

OFFICE OF THE SECRETARY OF STATE

St. Paul 55155

JOAN ANDERSON GROWE
Secretary of State

ELAINE V. VOSS
Deputy Secretary of State

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UCC Division: 612/296-2434
Election Division: 612/296-2805
Office of the Secretary: 612/296-3266
Office of Deputy Secy.: 612/296-2309

PROPOSED RULES RELATING TO UNIFORM COMMERCIAL CODE STANDARD FORMS

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Secretary of State proposes to adopt the above-captioned rules without a public hearing. A previous notice was sent June 6, 1984, and published in the State Register on June 18, 1984, on these rules. These rules are being renoticed to comply with the Small Business Act M.S. 14.115. The Secretary of State has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in M.S. 14.21 - 14.28 (1982).

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. Each comment should identify the portion of the rule addressed, the reason for the comment, and any change proposed. The proposed rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

Unless 25 or more persons submit written requests for a public hearing within the 30 day comment period, a public hearing will not be held. Any person requesting a public hearing should state his or her name and address and is encouraged to identify the portion of the rule addressed, the reason for the request, and any change proposed. In the event a public hearing is required, the agency will proceed according to the provisions of M.S. 14.14, Subd. 1.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or requests to:

Cheri Mattson
Office of the Secretary of State
180 State Office Building
St. Paul, MN 55155

Authority for the adoption of these rules is contained in M.S. 336.9-403 Subd. 5. A copy of the rules was sent out with the previous Notice of Intent to Adopt Rules Without a Public Hearing on June 6, 1984. Minor modifications have been made to the rules. A copy of these rules is available for review from Cheri Mattson at the above address. Additionally, a statement of need and reasonableness that describes the need and reasonableness of each provision of the proposed rules and amendments has been prepared and is available from Cheri Mattson upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the statement of need and reasonableness, all written comments received, and the final rules as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of request to Cheri Mattson.

Pursuant to M.S. 14.115 (Supp. 1983), the proposed rule will have an impact on small businesses as defined in M.S. 14.115. Subd 1. When any small business files financing statements pursuant to the Uniform Commercial Code with the Secretary of State or the County Recorder, the small business, as with any other filer must submit the information on forms substantially in the form set out in the rules or it will have to pay a nonstandard filing charge.

The proposed rules were previously published in the State Register, volume 8, #51, June 18, 1984, p. 2712-2723.

Joan Anderson Growe
Secretary of State

State of Minnesota

OFFICE OF THE SECRETARY OF STATE

St. Paul 55155

JOAN ANDERSON GROWE
Secretary of State

ELAINE V. VOSS
Deputy Secretary of State

180 STATE OFFICE BUILDING
Corporation Division: 612/296-2803
UCC Division: 612/296-2434
Election Division: 612/296-2805
Office of the Secretary: 612/296-3266
Office of Deputy Secy.: 612/296-2309

STATE OF MINNESOTA
COUNTY OF RAMSEY

MAILING LIST CERTIFICATE

In the Matter of the Proposed Adoption
of Rules of the Office of the Secretary
of State Governing Uniform Commercial
Code Forms

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minnesota Statutes, section 14.14 subdivision 1, that their names be placed on file with and maintained by the Office of the Secretary of State for the purpose of receiving notice of the proposed adoption of rules by this Department is accurate and complete as of 8:00 a.m. June 6, 1984.

Tom Durand
Office Director

(6) submitted a revised operation and maintenance manual; and

(7) submitted a start-up report.

Subp. 6. Step 3 grants. The agency shall make periodic payments of a Step 3 grant in accordance with the procedures and requirements in subpart 5.

Subp. 7. Step 3 grant with allowance. The agency shall pay the allowance for facilities planning and design immediately after the grant is awarded provided the municipality has submitted a payment request.

The agency shall make periodic payments of the Step 3 grant in accordance with the procedures and requirements in subpart 5.

7075.04213 [Emergency] PAYMENT OF ADVANCES OF ALLOWANCE.

Subpart 1. Sewered communities. The agency shall pay Step 1 advances of allowance for sewered communities in accordance with the procedures and requirements in part 7075.04212 [Emergency], subpart 1.

Subp. 2. Unsewered communities. The agency shall pay Step 1 advances of allowance for unsewered communities in accordance with the procedures and requirements in part 7075.04212 [Emergency], subpart 2.

Subp. 3. Step 2 advances of allowance. The agency shall pay Step 2 advances of allowance for unsewered communities in accordance with the procedures and requirements in part 7075.04212 [Emergency], subpart 3.

7075.04214 [Emergency] GENERAL REQUIREMENTS.

Subpart. 1. EPA payment. The agency shall not make any payments of a state matching grant until the Environmental Protection Agency has paid the corresponding federal grant payment.

Subp. 2. Reduction in independent state grant payments. For independent state grants, if the actual costs are less than the amount on which the grant was based, the agency shall reduce the grant proportionately.

Subp. 3. Payment request. The agency shall not make any grant payments unless the municipality submits a written payment request.

REPEALER. Minnesota Rules, part 7075.0422 is repealed.

EFFECTIVE DATE. Notwithstanding any rule or law to the contrary, upon expiration of the emergency amendments to parts 7075.0100, 7075.0200, 7075.0400, 7075.0401, 7075.0405, 7075.0406, 7075.0409, 7075.0411, 7075.0412, 7075.0413, 7075.0414, 7075.0416, 7075.0417, 7075.0419, 7075.0425, and 7075.2000 and the repealer of part 7075.0422, the permanent parts amended and repealed are reinstated.

Secretary of State

Proposed Rules Relating to Uniform Commercial Code Standard Forms Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Secretary of State proposes to adopt the above-captioned rules without a public hearing. The Secretary of State has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. 14. 21-14.28 (1982).

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing within the 30 day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. 14.21-14.28 (1982).

Persons who wish to submit comments or a written request for a public hearing should submit such comments or requests to:

Tom Durand, Office Director
Office of the Secretary of State
180 State Office Building
St. Paul, MN 55155

Authority for the adoption of these rules is contained in Minn. Stat. 336.9403 Subd. 5. Additionally, a statement of need and reasonableness that describes the need and reasonableness of each provision of the proposed rules and amendments has been prepared and is available from Tom Durand upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the statement of need and reasonableness, all written comments received, and the final rules as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to Tom Durand.

Joan Anderson Growe
Secretary of State

Rules as Proposed (all new material)

8260.0100 FINANCING STATEMENT: FORM UCC-1.

Subpart 1. Permitted use. This form is for use when filing a financing statement pursuant to Minnesota Statutes, section 336.9-402, subsection (1), paragraphs (a) and (c). The use of any other form will result in a nonstandard fee charge.

Subp. 2. Standard form. To be considered a standard Minnesota uniform commercial code financing statement form, the following specifications must be met:

A. the size must be 8 inches by 5 inches, excluding the top perforated tab;

B. the form must be five carbon or carbon-less snap-out;

C. the first page must be between 24- and 28-pound white ledger paper, printed with black ink; and

D. the size of the type must not be less than 6 point.

Subp. 3. Report form. A standard financing statement form must be in substantially the following form:

STATE OF MINNESOTA UNIFORM COMMERCIAL CODE STANDARD FORM UCC-1

Print or Type in Black Ink (Read Instructions on Back)

This STATEMENT is presented for filing pursuant to the Uniform Commercial Code

Debtor(s) (Last Name First) and Address(es)

Secured Party(ies) and Address(es)

For Filing Officer

1. This financing statement covers the following types (or items) of property:

Assignee(s) of Secured Party

☐ If crops are covered describe the real estate and give the name of the record owner.

2. ☐ Products/Proceeds of Collateral are also covered by this Statement

_____ Additional sheets presented.
_____ Debtor is a transmitting utility as defined in M.S. 336.9-105.
_____ For Filing with the Secretary of State of Minnesota.
_____ For Filing with the County Recorder _____ County.
_____ For Filing in Uniform Commercial Code Records (1) Filing Officer Copy Alphabetical

(Rev. 6/84)

Signature(s) of Debtor(s): (Required in most cases — see Instruction # 5)

BY: _____ BY: _____

If the Debtor's signature is not present indicate the reason for its absence in the Debtor's signature block and sign the Secured Party's signature block

Signature of Secured Party

BY: _____

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike~~ ~~outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike~~ ~~outs~~ indicate deletions from proposed rule language.

State of Minnesota

OFFICE OF THE SECRETARY OF STATE

St. Paul 55155

JOAN ANDERSON GROWE
Secretary of State

ELAINE V. VOSS
Deputy Secretary of State

180 STATE OFFICE BUILDING
Corporation Division: 612/296-2803
UCC Division: 612/296-2434
Election Division: 612/296-2805
Office of the Secretary: 612/296-3266
Office of Deputy Secy.: 612/296-2309

STATE OF MINNESOTA
COUNTY OF RAMSEY

In the Matter of the Proposed Adoption
of Rules of the Office of the Secretary
of State Governing Uniform Commercial
Code Forms

STATEMENT OF NEED AND REASONABLENESS

The need to adopt the above-captioned rules arises from (1) Minn. Stat. 336.9-403, subd. 5 (1982), which requires the Secretary of State to prescribe uniform forms for all statements dealing with the perfection of security agreements by public filing, and (2) Minn. Stat. 14.06 (1982), which requires adoption of rules to the extent that changes in procedures affect the rights of or procedures available to the public. Adoption of a rule governing dissemination of Financing Statement information or copies and Tax Lien information or copies is necessary to carry out Minn. Stat. 336.9-407, which provides for the issuance of a certificate by the filing officer.

Minn. Stat. 336.9-403, subd. 5 (1982), requires the Secretary of State to prescribe uniform forms for statements filed pursuant to the Uniform Commercial Code - Secured Transactions, Minn. Stat. 336.9-101 et seq. (1982).

1. Financing Statement And Fixture/Real Estate Forms

The proposed rule insures that all necessary information required by Minn. Stat. 336.9-402 is provided. The proposed form can be used at both County and Secretary of State Filing Offices. The rule provides standards for determining what constitutes the standard form prescribed by the Secretary of State, enabling users to avoid the higher fee imposed for using a non-standard form.

2. Statements of Continuation, Assignment, Amendment, Termination and Release

The following Minnesota Statutes (1982) provide for the described statements:

(a) 336.9-404 providing for a termination statement;
(b) 336.9-405 providing for a statement of assignment;
(c) 336.9-406 providing for a statement of release;
(d) 336.9-403, subd. 3, providing for a continuation statement; and
(e) 336.9-402, subd. 4, providing for a statement of amendment.

The proposed rule insures that all necessary information required by the above mentioned Minnesota Statutes is provided. Also, the form can be used at both the County and Secretary of State Filing Offices. All potential changes on, or additions to, a Financing Statement are included on this one form. The proposed rule sets down the standard for determining what constitutes a standard Minnesota form to enable users to avoid the higher fee imposed for using a non-standard form.

3. Financing Statement and Tax Lien Information or Copies

Minn. Stat. 336.9-407, (1982) requires the filing officer to provide a certificate containing certain information and photocopies of original documents on file to any person who requests them. Adoption of a rule governing dissemination of such information and photocopies is necessary to implement the statute.

4. Consideration of Small Business Needs

The Office of the Secretary of State has considered the requirements of M.S. 14.115 Subd 2 and has determined that no authority has been granted to the Agency to modify the reporting requirements of the Uniform Commercial Code; therefore they are unable to make any of the changes suggested by that section.

Pursuant to M.S. 14.115 Subd 4(c) the Agency mailed notice of the proposed rules to the first 200 small businesses that filed Uniform Commercial Code documents with it after June 6, 1984.

In the Matter of the Proposed Adoption of Rules of the Office of the Secretary of State Governing Uniform Commercial Code Forms

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, Peter M. Ackerberg, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Dated: Sept. 13, 1984

Peter M. Ackerberg

PETER M. ACKERBERG
Special Assistant
Attorney General

State of Minnesota

OFFICE OF THE SECRETARY OF STATE

St. Paul 55155

JOAN ANDERSON GROWE
Secretary of State

ELAINE V. VOSS
Deputy Secretary of State

180 STATE OFFICE BUILDING
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Office of Deputy Secy.: 612/296-2309

In the Matter of the Proposed Adoption of Rules of the Office of the Secretary of State Governing Uniform Commercial Code Forms

AFFIDAVIT OF MAILING NOTICE OF SUBMISSION TO THE ATTORNEY GENERAL

STATE OF MINNESOTA)
)ss.
COUNTY OF RAMSEY)

Tom Durand, being first duly sworn, deposes and says:

That on the Sixth day of September, 1984, in the City of St. Paul, County of Ramsey, State of Minnesota, he served the attached Notice of Submission to the Attorney General by depositing in the United States Mail at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who requested notice that the rules in the above-entitled matter have been submitted to the Attorney General.

Tom Durand
Office Director

Subscribed and sworn to before me this 6th day of September, 1984.

Michael S. Nelson

MICHAEL S. NELSON
NOTARY PUBLIC-MINNESOTA
ANOKA COUNTY
MY COMMISSION EXPIRES MAY 15, 1991

State of Minnesota

OFFICE OF THE SECRETARY OF STATE

St. Paul 55155

JOAN ANDERSON GROWE
Secretary of State

ELAINE V. VOSS
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In the Matter of the Proposed Adoption of Rules of the Office of the Secretary of State Governing Uniform Commercial Code Forms

NOTICE OF SUBMISSION TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, sections 14.05 to 14.36:

PLEASE TAKE NOTICE that the above-captioned rules have been submitted to the Office of the Attorney General on this date, September 6, 1984, for review as to form and legality. Pursuant to part 2000.1000, the Attorney General will not approve the rules for at least 10 calendar days after receipt to allow any person or association time to comment on the legality of the rules, after which that Office will complete its review. If you desire to comment on the legality of the above-captioned rules, you should direct your comments to the Office of the Attorney General, G-25 State Administration Building, 50 Sherburne Avenue, Saint Paul, Minnesota 55155, telephone (612) 296-7030. Please note that the above-cited rule of the Attorney General also provides that a copy of any written comments submitted to the Attorney General must be submitted simultaneously to this agency.

If you are interested in determining what change was made in the proposed rules after the publication in the State Register and before submission to the Attorney General, you may contact Tom Durand, Office of the Secretary of State, 180 State Office Building, Saint Paul, Minnesota 55155, telephone (612) 296-2434.

A description of the change is as follows:

The third page of the UCC 1 and the UCC 2 is used as a turn around document for the termination of liens. The act of termination requires a signature of the secured party releasing their interest in the lien. Consequently, additional language was added to the rules making it clear that the carbon between the second and third pages could not reproduce the signature from the first page in the area where the secured party would sign on the third page to terminate a lien.

Joan Anderson Growe

Joan Anderson Growe
Secretary of State