

(Top 3 inches reserved for recording data)

**NOTICE OF DECLARATORY CANCELLATION OF  
RESIDENTIAL PROPERTY PURCHASE AGREEMENT  
Minn. Stat. 559.217, subd. 4 (without right to cure)**

**Minnesota Uniform Conveyancing Blanks  
Form 110.1.2 (2023)**

YOU ARE NOTIFIED:

1. An unfulfilled condition exists after the date specified for fulfillment under the terms of the Purchase Agreement dated \_\_\_\_\_ in which \_\_\_\_\_  
(month/day/year) (insert names of all Sellers) \_\_\_\_\_ (“**Seller**”),  
agreed to sell to \_\_\_\_\_  
(insert names of all Purchasers) \_\_\_\_\_ (“**Purchaser**”), residential real  
property in \_\_\_\_\_ County, Minnesota, legally described as follows:

Check here if all or part of the described real property is Registered (Torrens) ☐

Identified in the Purchase Agreement as:

(insert property address, PID#, or other common identifier used in the Purchase Agreement, if any)

2. ☐ Seller ☐ Purchaser is serving this Notice of Declaratory Cancellation (“**Notice**”) on the other party, and on  
(check the applicable box)

\_\_\_\_\_, the third party who is holding the  
(insert name of holder of earnest money)  
earnest money paid pursuant to the Purchase Agreement for purposes of confirming the cancellation of the Purchase Agreement.

3. The unfulfilled condition referenced in paragraph 1 is as follows:

4. The Purchase Agreement has been canceled.

**Note: Affidavit of Service and Cancellation to follow on page 4.**

THIS NOTICE IS PURSUANT TO MINNESOTA STATUTES, SECTION 559.217, TO INFORM YOU THAT YOUR PURCHASE AGREEMENT FOR THE

(PURCHASE) (SALE)  
(STRIKE ONE)

OF THE ABOVE PROPERTY HAS BEEN CANCELED FOR THE REASONS SPECIFIED IN THIS NOTICE. THE CANCELLATION WILL BE CONFIRMED

\_\_\_\_\_ DAYS AFTER

(SERVICE OF THIS NOTICE UPON YOU) (THE FIRST DAY OF PUBLICATION OF THIS NOTICE)  
(STRIKE ONE)

UNLESS BEFORE THEN YOU SECURE FROM A DISTRICT COURT AN ORDER THAT THE CONFIRMATION OF CANCELLATION OF THE PURCHASE AGREEMENT BE SUSPENDED UNTIL YOUR CLAIMS OR DEFENSES ARE FINALLY DISPOSED OF BY TRIAL, HEARING, OR SETTLEMENT. YOUR ACTION MUST SPECIFICALLY STATE THOSE FACTS AND GROUNDS THAT DEMONSTRATE YOUR CLAIMS OR DEFENSES.

IF YOU DO NOT OBTAIN SUCH A COURT ORDER WITHIN THE TIME PERIOD SPECIFIED IN THIS NOTICE, THE CONFIRMATION OF CANCELLATION OF YOUR PURCHASE AGREEMENT WILL BE FINAL AT THE END OF THE PERIOD

(AND YOU WILL LOSE ALL EARNEST MONEY YOU HAVE PAID ON THE PURCHASE AGREEMENT)  
(STRIKE IF NOT APPLICABLE);

AND YOU MAY LOSE YOUR RIGHT TO ASSERT ANY CLAIMS OR DEFENSES THAT YOU MIGHT HAVE.

HOWEVER, IF WITHIN THE TIME PERIOD SPECIFIED IN THIS NOTICE YOU SERVE YOUR OWN NOTICE UNDER MINNESOTA STATUTES, SECTION 559.217, YOUR PURCHASE AGREEMENT WILL BE IMMEDIATELY CANCELED, BUT YOUR ENTITLEMENT TO EARNEST MONEY MUST BE DETERMINED BY A COURT OR DETERMINED BY ARBITRATION IF AGREED TO BY THE PARTIES.

IF YOU HAVE ANY QUESTIONS ABOUT THIS NOTICE, CONTACT AN ATTORNEY IMMEDIATELY.

5. The name, address, and telephone number of the party serving this Notice or an attorney authorized by that party to serve this Notice is:

Name: \_\_\_\_\_

Address for mailing or service:

Telephone: \_\_\_\_\_

THIS INSTRUMENT WAS DRAFTED BY:

*(insert name and address)*

**AFFIDAVIT OF SERVICE AND CANCELLATION**

State of Minnesota, County of \_\_\_\_\_

\_\_\_\_\_, being first duly  
sworn on oath states or under penalties of perjury affirms that:

I am the person named above as the party serving the Notice, or the attorney authorized by the party who is serving the Notice; that I caused the Notice to be served on the other party and on any third party that is holding earnest money under the Purchase Agreement; that the other party neither complied with the actions required in the Notice, if applicable, nor obtained a court order suspending the cancellation within the statutory time, and that the property is residential real property. I make this affidavit for the purpose of providing proof of the service of the Notice, canceling the described Purchase Agreement, and demanding that the person holding the earnest money release the earnest money to the party initiating the cancellation.

\_\_\_\_\_  
(signature)

Signed and sworn to (or affirmed) before me on \_\_\_\_\_, by \_\_\_\_\_  
(month/day/year)

\_\_\_\_\_  
(insert name of person making statement)

(Stamp)

\_\_\_\_\_  
(signature of notarial officer)

Title (and Rank): \_\_\_\_\_

My commission expires: \_\_\_\_\_  
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:  
(insert name and address)