

SECTION 9 - REGISTERED LAND SURVEYS

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Subdivision 1: Purpose

- A. Registered Land Surveys (RLS) are required to convey a tract or tracts of registered property which are not full government subdivision or simple fractional or quantity part of a full government subdivision.
- B. Sherburne County recognizes that parcels of land have been split or divided using erroneous, overlapping or confusing legal descriptions. In some cases the lines of use and occupation of platted lands do not conform to the plat boundary lines. In other cases old survey descriptions are not correct. In order to assist landowners in correcting legal descriptions, the county policy will be to allow a Registered Land Survey of Parcels that otherwise do not meet the requirements of the County Zoning Ordinance or Subdivision Ordinance.

Subdivision 2: Restrictions

- A. A Registered Land Survey may only be considered to correct existing boundary lines, and for the purposes stated in Minnesota Statutes Section 508.47. A Registered Land Survey is not a substitute for a plat and may not create additional parcels or tracts.

Subdivision 3: Submission Information

- A. Preliminary drawing shall show the following:
 - 1. Boundary Survey (See Public Works Platting Manual as revised)
 - 2. Existing buildings
 - 3. Proposed and existing easements and driveways

4. Building setbacks
5. Existing encroachments.
6. Septic System Location
7. Location of Existing Well(s)

Subdivision 4: Procedure

A. Application

1. The required information must be submitted to the Zoning Administrator, along with the required fee. The Zoning Administrator may request additional or clarifying information.

B. Report of the County Surveyor and Public Works Department

1. The RLS must conform with the Sherburne County Public Works Platting Manual and Minnesota Statutes, Chapter 508.
2. The County Surveyor and Public Works Department shall submit a report to the County Zoning Administrator concerning the proposed RLS and its conformance with the requirements of this Ordinance and the Public Works Platting Manual.

C. County Attorney Review and Approval

1. The RLS as well as a certificate of title shall be submitted to the County Attorney and together with any additional information requested by the same.

D. All real estate taxes must be paid as a condition of approval of the RLS.

E. Recording

1. If approved, and upon obtaining necessary signatures, the RLS shall be registered in the office of the Registrar of Titles.

Subdivision 5: Conditions for Approval

- A. When that platting under the Subdivision and Zoning Ordinance is not possible or practical, the RLS may be used to correct or clarify legal descriptions. The Zoning Administrator may attach conditions to approval of the Registered Land Survey to assure compliance, as far as practical, with Zoning Ordinances and Subdivision Ordinances.

- B. As a condition of approval of a Registered Land Survey the County may require an existing public road be created as a tract and deeded to the Road Authority, concurrently with recording the RLS.
- C. Approval of the Registered Land Survey does not waive setback requirements, building standards, drainage, road frontage, septic or well ordinances, rules or regulations.
- D. The Zoning Administrator may require variances from the County Board of Adjustment as a pre- condition to consideration of a Registered Land Survey under this Section.
- E. All RLS tracts shall be treated as a platted lot for setbacks under this ordinance.