

SHERBURNE COUNTY PUBLIC WORKS PLATTING MANUAL

**** (Revised 12/2017) ****

PUBLIC WORKS CONTACTS

Public Works Department
Government Center
13880 Business Center Dr. Suite 100
Phone: 763-765-3300
800-594-5208
Fax: 763-765-3301
publicworks@co.sherburne.mn.us

PREFACE:

This document has been prepared by the Sherburne County Surveyor's Office, a division of the Public Works Department. It is also a supplement to the Subdivision Ordinance of Sherburne County, and is intended as a guideline to owners, developers, surveyors, engineers, and planners in the development process.

OVERVIEW:

The purpose of this document is to build continuity into the preparation of standard plats, Registered Land Surveys, and Common Interest Communities per respective Minnesota Statutes and commonly-accepted professional practices. These rules shall not operate to interfere with current State Statutes governing surveys.

Except where a waiver is granted due to undue hardship by formal Government proceedings, the words "shall" or "must" are County policies to be adhered to. "Should" or "may" depend on individual circumstances. Where there is a conflict between this Manual and the County Subdivision Ordinance, the more restrictive shall apply.

Chapter 1 explains County Surveyor requirements for Preliminary Plats.

Chapter 2 explains County Engineer requirements for Preliminary Plats

Chapter 3 explains County Surveyor requirements for Final Plats (including Registered Land Surveys and CIC plats) pursuant to Sherburne County Ordinance Number 006.

Preliminary and Final Plat-Checking Fees and Submittals:

Fees are reviewed and established by the Sherburne County Board twice each year. Public notice is given and public hearings held. (See separate "Fee Schedule").

The fee for Public Works review of "Preliminary" plats is collected by Planning & Zoning as a part of the preliminary plat application. Correspondence regarding Preliminary Plat checking and approval should be directed to the Zoning Department.

The fee for "Final" Plat Check" by the County Surveyor is due at the time of the first submittal of a Final Plat to this office for review. **Note:** The Public Works Department may charge an additional hourly fee when significant revisions are made (or repeated corrections are necessary) subsequent to the initial checking. The amount of this fee is also as established by the County Board.

To expedite FINAL plat checking, the following items must be submitted to the County Surveyor prior to conducting the plat check and/or of obtaining approval.

- 1) Check payable to Sherburne County Surveyor's Office for the total amount as calculated from the fee schedule. Consult this office for the amount due.
- 2) Two blue or black line copies of the final plat, RLS, or CIC.
- 3) "Current" Title Insurance Commitment, or an Attorney's Title Opinion, in favor of Sherburne County, and current within 30 days of obtaining Public Work's signatures, paid for by the applicant.

NOTE: Evidence of Title may be required during the preliminary approval process to identify all persons who have an interest in the property.

- 4) If applicable (or if required by the County or other government entity) miscellaneous previously-recorded or "ready-to-be-recorded" documents must also be submitted before final approval, including but not limited to: signed & notarized Consent-To-Plat form(s), Satisfaction of Mortgage documents, CIC Declarations, restrictive covenants, proposed private easements, proposed park, trail or right-of-way deeds or easements, and controlled-access agreements. Applicant or applicant's surveyor will be notified of such documents by this office.
- 5) The submitting surveyor shall also furnish one (1) paper print of the final plat containing calculated acreages for all lots, outlots, roadways, etc., within the plat for the needs of the County Auditor/Treasurer and Assessor's offices. Providing they are legible, they may be 11x17 in size.

NOTE: A point file (ASCII formatted coordinate) and a CAD (Civil 3D compatible) drawing

with the coordinate point numbers listed thereon may be required to expedite final plat checking.

The **County Attorney's Office** also checks final plats, Registered Land Surveys, and Common Interest Communities in the unincorporated areas of the county. They also require a copy of a Title Commitment or Attorney's Opinion, current within 30 days. To determine the fee for their plat checking, contact them @ 763-765-4725 or 1- 800-433-5244. Fax: 763-765-4747.

Sherburne County requires **two (2) sets** of transparent mylar plats by photographic process. Please check with the local governmental body (City or Township) to determine what additional items they require.

ATTENTION! The Recorder/Registrar **WILL NOT ACCEPT** any final plats that have any **ERASURE** (including chemical eradicators), **WHITE-OUT**, or other "cover-up", for recording. Where corrections are necessary, contact the County Recorder and/or this office.

Only after applicable fees are paid in full, all corrections have been made to the final plat, and all relevant documents have been provided, will the County Surveyor and County Engineer sign the mylars.

Upon signing, the County Surveyor may also prepare a Memo to the County Attorney and the Recorder /Registrar alerting them of any "to-be-recorded" documents that must precede the filing of the plat.

The County Engineer will sign Final Plats when all applicable County Road Access Permits have been approved and/or County Road dedication is satisfied.

Correspondence regarding final plat checking and approval should be directed to: Sherburne County Surveyor; Plat Checking, 13880 Business Center Drive, Suite 100; Elk River, Minnesota, 55330- 4601; Ph: 763-765-3300; Fax: 763-765-3301; Toll Free: 1-800-594-5208

NOTE: Regarding year-end filings: because of common year-end plat-check backlogs, we advise applicants to make an appointment for county signatures to insure your plat is recorded by the end of the year.

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CHAPTER 1

County Surveyor's Preliminary Plat Requirements:

A) Purpose:

Prior to the 1999 update of this Manual, there were instances where boundary surveys or description problems were discovered late in the Final Plat review stage, or where encroachments were discovered while staking the plat boundary. In some cases surveyors did not stake the boundaries of a plat until after the plat was recorded and only then were encroachments discovered, and when adjoining owners noticed stakes on what they believed to be "their land," the plat filings were delayed while adverse possession actions ensued. For these and other reasons, all preliminary plats in Township areas are reviewed per the preliminary plat checklist which includes a completed and signed boundary and topographic survey as explained below.

B) Sketch Plans:

Because of the significant investment required to gather the data and design subdivisions, the County encourages the use of Sketch Plans prior to submitting preliminary plats. A Sketch Plan can be prepared with minimal investment and will help the applicant obtain informal opinions as to the feasibility of a proposed project. At the Developers request, County Departments will conduct an informal review of a Sketch Plan.

The submittal requirements for a Sketch Plan are contained within the appropriate section of the Subdivision Ordinance. Some sources of low-cost information are: 1) The County's Soil Survey; 2) FEMA Flood Plain maps; 3) aerial photos; 4) Zoning-staff site visits; 5) County GIS and Parcel Mapping; 6) MNGEO LiDAR derived contours, etc.

Although other sources may be available, including information on the County's website at (www.co.sherburne.mn.us), Sherburne County does not warrant the accuracy of any information it provides the public.

C) Boundary & Topographic Survey with Proposed Plan:

Sections 7, 8, 9, and 10 of the Subdivision Ordinance each require a boundary survey to be prepared prior to submitting Preliminary Plats, Administrative Subdivisions and Registered Land Surveys and Standard Plats, respectively. In addition, Zoning requires a topographic survey and plan layout, explained below.

Boundary survey:

Standard point and line annotation per plat manual guidelines; bearing and intrinsic distances along all boundary lines and standard plat dimensioning of curves; bearing and intrinsic distance

ties from boundary to two or more G.L.O. (P.L.S.S.) corner monuments with their corresponding Affidavit or Certificate of Government Corner Document Number; depiction of monuments found and set along boundary together with “intermediate line” stakes with guard stakes where prudence dictates or where apparent encroachments exist, thus providing notice to adjoining; graphical depiction of apparent gaps or overlaps between the legal description of the subject property and of encroachments onto subject property, including adjoiner drives, fence lines, and other improvements; depiction of recorded easements and areas where utilities fall outside their described easements, and other apparent or possible easements by prescription; where applicable, surveyor notes and explanations as to steps taken or suggested-to-be-taken to resolve any actual or potential boundary problem; signed drawing indicating boundary survey was completed.

Topographic Survey with Existing Elevational and Planimetric:

Set-back lines, wetlands, flood-plain elevations, soils, adjacent land owners, 2-foot contours and benchmark, location of existing structures and other significant improvements, including septic areas, over-head and approximate under-ground utility locations, vegetation, etc

Proposed Plan:

Street and lot layout and lot areas; house footprints with lowest and first level floor elevations & buildable areas; easements, street plans and profiles & grading plans; etc.

Depending on the type of plat and the area, contact the Zoning Department for permissible allowances or possible additional requirements.

D) Disputed properties

Sec. 11 General Regulations, Subd. 1.7.C., of the Subdivision Ordinance provides for “limited” use of outlots where there is a dispute on a boundary line with an adjoining landowner

Where permitted, outlots must be properly conveyed for an appropriate use that will keep the property on the tax rolls.

Outlots are sometimes permitted for remnant tracts of land, such as a portion of an ownership that lies across a road from the main body of the plat, or for areas proposed to-be-developed in the future..

Contact the Zoning Department for restrictions.

E) Review process

The County Surveyor will review the boundary and topographic survey and proposed plan with the platting surveyor and/or the title company or attorney to help resolve any outstanding issues BEFORE the final plat stage. An hourly fee is established for review of any such problems by the County Surveyor's Office.

CHAPTER 2

County Engineer's Preliminary Plat Requirements (for all Township plats and all City plats abutting a County Road)

A) Purpose:

With continued growth, transportation planning has become a necessity to maintain a safe and efficient transportation network. Therefore, such issues as right-of-way dedication, access management, turn lanes and road connectivity must be considered during the preliminary plat process.

- 1) Right-of-way dedication required for future highway re-construction and expansion.
- 2) Access management to prevent congestion and accidents.
- 3) Right and left turn lanes to provide safer access at intersections.
- 4) Road connectivity to prevent future access problems, and to insure roads will efficiently move traffic per transportation plans.

B) Right-of-way

A minimum of 50 feet right-of-way measured from centerline is required to be dedicated on all plats adjacent to any County Road or County State Aid Highway. (Also see Part I, "Documentation", #3) In some cases, more right-of-way may be required due to topography, traffic volumes, urban design, or trails*.

*Also see Part II, "Graphics", #17 and #18 (Parks).

C) Access Management

Final determination of access spacing and turn lane requirements will be made by the County Engineer. Final determination will be made by Sherburne County Public Works Traffic Engineer.

D) Road Connectivity

All new roads will conform to the minimum design standards and future transportation plans of the local government unit.

CHAPTER 3

County Surveyor's Final Plat Requirements

PART I

DOCUMENTATION

PURPOSE: To adhere to M.S.A. Ch. 505, 508, 515; AND Minnesota Title Standards.

1) **INSTRUMENT OF DEDICATION**

A) The heading of a plat must, in "CAPS", read as follows: **KNOW ALL PERSONS BY THESE PRESENTS:** (preceding the **body** as in the examples below).

Body examples:

- 1) That John C. Doe and Mary H. Doe, husband and wife, fee owners of the following described property situated in the County of Sherburne, State of Minnesota, to wit:
- 2) That Hudson Development Company, a Minnesota Corporation, owners and proprietors of the following described property situated in the County of Sherburne, State of Minnesota, to wit:

NOTE: There are many different possibilities, such as types of partnerships, contracts for deed, powers of attorney, trusts, etc.

B) Interests in the property ("Signers"):

- 1) Owner(s) and all others who possess interest in the property must join in the plat as "fee owners", or as "owners and proprietors".
- 2) Marital status of all owners must be shown in both the heading and the acknowledgement areas on the plat. (Examples: husband and wife, his wife, single, widow, unmarried, etc.)
- 3) Contract purchasers, life estate holders, lease holders, and mortgagees must join in the body and acknowledgement of the plat and be labeled as such.

NOTE: In some situations a "Consent to Plat", as a separate document, may be prepared, executed, acknowledged, and recorded along with the plat. See "Part VII" for an example.

- 4) Separate parcels in the description must be listed separately as to the owners, mortgagees, etc., and not combined as one overall description (with multiple owners of portions thereof).
- 5) Companies shall show state or federal designation of the company in the heading and the acknowledgement portion of the plat.
- 6) Partnerships shall be shown in the heading, witness clause, and on the acknowledgement, and will be handled on a case by case basis.
- 7) Ownership by a Trustee. See Part X, Page 52.

2) **LEGAL DESCRIPTION:**

- A. The description shown on the face of the plat must match that given in the Title Commitment (or Title Opinion).
- B. In some instances differences may be accounted for on the drawing via "deed" versus "measured" dimensions. To resolve similar ambiguities with Torrens property, please contact this office for guidance or consult the Registrar of Titles.
- C. If an abstract legal description is ambiguous, the description may need to be judicially corrected.
- D. For mixed abstract and Torrens descriptions, each shall be preceded by a heading of: "Abstract property" or "Torrens property" as the case may be.

3) **DEDICATION CLAUSE:**

The County of Sherburne requires all right-of-ways on County Roads and County State Aid Highways to be dedicated to the County per current statute requirements together with right of access control. All other right-of-ways are to be dedicated to the local governing authority (or generically to "the public").

The "right to limit access" must be graphically shown on a plat as per Part. II, "Graphics", #22, and the following statement shall be added in the dedication clause as shown below:

Have (or Has) caused the same to be surveyed and platted as (**plat name in all CAPITAL LETTERS**) and do (or does) hereby dedicate to the County of Sherburne for public use forever County State Aid Highway (or County Road, as the case may be) No. ____ as shown on this plat. **Also dedicating to the County of Sherburne the right to limit access to said _____ Road No. _____ as shown on this plat.** Also dedicating to the City of _____ (or Township of _____), for public use forever, the public ways as shown on this plat. And also dedicating to the public for public use forever the easements as shown on this plat for drainage and utility (and/or drainage) purposes only.

NOTE: All parks are to be donated conveying fee title (see MN Statute 505.01), per the following statement:

...and do hereby (*or "also"*) donate to the County of Sherburne in fee title for public use forever the PARK as shown on this plat.

4) WITNESS CLAUSE:

A. All persons, Corporations, Partnerships, etc., listed in the heading must have a space for their signatures.

B. The witness clause shall read as follows:

1) Individuals:

In witness whereof said John C. Doe and Mary H. Doe have hereunto set our hands this _____ day of _____, 20__.

John C. Doe Mary H. Doe

(Note: Marital status not required)

2) Corporations:

Also in witness whereof said Hudson Development Corporation, has caused these presents to be signed by its proper officer(s) to be hereunto affixed this _____ day of _____, 20__.

(Note: Corporate "status" is not required here)

HUDSON DEVELOPMENT CORPORATION

Lyle O. Public, President

NOTE: There are many different possibilities, such as types of partnerships, powers of attorney, trusts, etc.

5) ACKNOWLEDGEMENTS ("NOTARIZATIONS"):

- A. The Acknowledgement shall follow each witness clause.
- B. The marital status, company, partnership, trusts designation, etc., shall be shown in the acknowledgement and read the same as in the heading of the plat.
- C. A certificate of notarial act includes:
 - The jurisdiction of the notarial act
 - The printed name of the notarial officer
 - The title of the notarial officer (i.e. Notary Public)
 - And, the date the notary commission expires
- D. The most common acknowledgements will read as follows:

Individual

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by (*names of persons acknowledged*), (*marital status*).

(*Printed name*)
Notary Public, _____ County, Minnesota
My Commission Expires _____

Corporation

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by (*names of officers or agents, titles of officers or agents*), of (*entity name*), a (*state or federal*) Corporation, on behalf of the Corporation.

(*Printed name*)
Notary Public, _____ County, Minnesota

My Commission Expires _____

NOTE: There are many different possibilities, such as types of partnerships, contracts for deed, powers of attorney, trusts, etc.

6) **SURVEYOR'S CERTIFICATION**

A) The platting surveyor's certification, signature, and notarization shall read as follows:

Note: If no delayed staking is to be shown on the plat, then eliminate reference to delayed staking in the certification.

I do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on the plat; that all monuments depicted on the plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat

(Name of Surveyor), Land Surveyor
Minnesota License No. _____

See "Part VI" for information regarding proposed delayed staking.

B) The Surveyor's acknowledgement shall read as follows:

STATE OF MINNESOTA
COUNTY OF _____

The foregoing Surveyor's Certificate was acknowledged before me this _____ day of _____, 20____ by (name of surveyor), Land Surveyor, Minnesota License No. _____.

(Printed name)
Notary Public, _____ County, Minnesota
My Commission Expires _____

7) **ADVISORY BODY:**

A) The Advisory Body signatures that are needed on the plat shall read as follows:

1) **City Planning Commission*:**

Approved by the Planning Commission of the City of (Name), Minnesota, at a meeting

held this _____ day of _____, 20____.

(Person or persons designated to sign)

*See "Order of Signatures" on page 19 & 20 for individual city requirements

2) County Planning Commission:

Approved by the Planning Commission of the County of Sherburne, Minnesota at a meeting held on the _____ day of _____, 20____.

Chairperson

Secretary

If a subdivision plat has been denied approval by the County Planning Commission but approved by the County Board, the following approval form should be substituted for the County Planning Commission.

I hereby certify that this plat has been approved in the manner required for the approval of subdivision plats in Sherburne County dated this _____ day of _____, 20____.

Sherburne County Zoning Administrator

8) GOVERNING BODY

A) The Governing Body Signatures:

1) Township Board of Supervisors:

We (or I) do hereby certify that on the _____ day of _____, 20____, the Board of Township Supervisors for _____ Township, Sherburne County, Minnesota, approved this plat.

(Person or persons designated to sign)

Please check with the Township on who is designated to sign.

2) **Board of Commissioners:** (NEEDED WITH #1 ABOVE)

We do hereby certify that on the _____ day of _____, 20____, the Board of Commissioners of Sherburne County, Minnesota, approved this plat.

_____ Attest: _____
Chairperson County Administrator

3) **City Council:**

Approved and accepted by the City Council of the City of (Name), Sherburne County, Minnesota at a meeting held this _____ day of _____, 20____.

(Person designated to sign - usually the Mayor)

Attest: _____
(Person designated to sign - usually City Administrator or Clerk)

NOTE: Some cities may require different or additional wording. **Always check with the City and/or Township in question for their latest wording requirements.**

9) **COUNTY SURVEYOR**

Pursuant to Sherburne County Ordinance Number 006, I hereby certify that this plat has been checked and approved as to compliance with Chapter 505, Minnesota Statutes this _____ day of _____, 20____.

Sherburne County Surveyor

10) **COUNTY ENGINEER** (will sign **all** plats within the County, except those within city limits where the plat does **not** adjoin or contain county roads)

I hereby certify that this plat has been reviewed by the office of the County Highway Engineer. Dated this _____ day of _____, 20____.

Sherburne County Highway Engineer

11) **ATTORNEYS**

A. **County Attorney**

Approved as to form and execution this _____ day of _____, 20____.
_____, Sherburne County Attorney

NOTE: The County Attorney signature shall come after the County Auditor/ Treasurer signature but before the County Recorder signature.

B. **City Attorney**

NOTE: Check with the city to see if City Attorney approval is required and for appropriate wording. For example:

City Attorney:

I hereby certify that proper evidence of title has been presented to and examined by me, and I hereby approve this plat as to form and execution this _____ day of _____, 20____.

(Name of City) City Attorney

NOTE: The City Attorney signature shall come after the Governing Body signatures but before the County Surveyor signature.

12) **TAX/FILING STATEMENTS**

A. **County Auditor/Treasurer Statement:**

I hereby certify taxes payable in the year _____ on lands herein described are paid in full, and there are no delinquent taxes, and that transfer was entered this _____ day of _____, 20__ .

Sherburne County Auditor/Treasurer

13) RECORDING CERTIFICATES

A) County Recorder:

I hereby certify that this instrument was filed in the Office of the County Recorder for record on this _____ day of _____, 20____, at _____ o'clock _____.M., and was duly recorded as Document No. _____.

Sherburne County Recorder

B) County Registrar of Titles

If property is Torrens, change "Sherburne County Recorder" to "Sherburne County Registrar of Titles".

C) Separate recording statements required if both Torrens and abstract property.

14) ORDER OF SIGNATURES FOR CITIES IN SHERBURNE COUNTY

NOTE: The requirements of individual cities can, and often do, change. Be sure to always consult with that city or township to get their latest requirements.

A) Cities of Becker, Big Lake and Elk River

- 1) City Council Mayor. Clerk
- 2) City Attorney
- 3) County Surveyor
- 4) County Engineer (if required)
- 5) County Auditor/Treasurer
- 6) County Recorder/County Registrar of Titles

B) City of Princeton

- 1) City Planning Commission Chairperson Secretary
- 2) City Council. Mayor, City Administrator
- 3) City Attorney
- 4) County Surveyor
- 5) County Engineer (if required)
- 6) County Auditor/Treasurer
- 7) County Recorder/County Registrar of Titles

C) City of Clear Lake

- 1) City Council Mayor. Clerk
- 2) 4 through 7 as listed in B above

D) City of Zimmerman

- 1) City Planning Commission Chairperson. Secretary
- 2) City Council. Mayor. Clerk
- 2) 3-7 as listed in B above

E) City of St. Cloud

Plats

- 1) City Council

Approved by the City Council of the City of St. Cloud, Minnesota,
this ____ day of _____, 20____.

_____ Attest _____
 Mayor (or the Mayor's designee) City Clerk

- 2) City Planning Commission Planning Director

Approved by the Planning Commission of the City of St. Cloud,
Minnesota, this ____ day of _____, 20____.

Planning Director

Administrative Plats

- 3) City Planning Commission.....Planning Director

Pursuant to Article 8. Section 1 of the St Cloud Subdivision Ordinance,
this administrative plat has been approved by the Planning Director of the
City of St. Cloud, Minnesota.

Planning Director

Attest: City Clerk

- 4) 4-7 as listed in B above

15) **ORDER OF SIGNATURES NEEDED FOR TOWNSHIPS IN SHERBURNE COUNTY**

A) Needed for all Townships in the County, EXCEPT Becker Township and portions of Haven Township.

- 1) County Planning Commission... Chairperson. Secretary
- 2) Township Board of Supervisors. . . (Person or persons designated to sign)
- 3) Board of Commissioners... Chairperson. Administrator
- 4) County Surveyor
- 5) County Engineer
- 6) County Auditor/Treasurer
- 7) County Attorney
- 8) County Recorder/County Registrar of Titles (if Torrens property)

16) **SIGNATURES & DATES**

- A. All of the above signatures must be in permanent black ink - not ball point.
- B. Near the end of the calendar year, leave the last digits of the year's line blank.

PART II GRAPHICS

1) **PLAT SIZE:**

Per governing Statutes, all plats and Registered Land Surveys shall be 22 inches by 34 inches from outer edge to outer edge. (NO EXCEPTIONS WILL BE MADE).

2) **BORDER:**

The border line shall be a heavy black line placed 1/2 inch inside from the outer edge on the top, bottom, and right-hand side of the plat; and a border line shall be placed two inches in from the outer edge on the left-hand side of the plat to be reserved for binding.

3) **NAME OF PLAT:**

- A. Check with the Recorder's Office or the Public Works plat database on our website to make certain a name has not already been used for a filed plat. Names which are spelled differently but sound the same are **not** permitted. (Example - HAYES ADDITION and HAYS ADDITION) A possessive " s " added to the name of a filed plat is **not** acceptable for a new plat name. (For example: "Olsons Addition" when there already is an "Olson Addition" of record) Any other names likely, in the opinion of the Recorder, to cause confusion will **not** be allowed.
- B. All plat names must be in all capital letters.
- C. Do not use hyphens, commas or slashes in a new plat name.
- D. Do **not** underline a plat name.
- E. Apostrophes are acceptable only when used in a later addition of a filed plat already with an apostrophe in the original plat name.
- F. Do not use the name of the municipality and the County in which it was surveyed along with the plat name; but it may be placed elsewhere, not adjacent to the plat name, such as in the upper right-hand corner of the plat.
- G. Numbers in plat names must be spelled out. (Example: SECOND)
- H. Do not use numbers at the beginning of a plat name.
- I. Numerals may be allowed within the body of a plat name only if previous adjoining phase used a numeral.
- J. Do not use roman numerals in new plat names.
- K. The words REPLAT or REARRANGEMENT are strongly discouraged in the plat name. Possible plat names are at the discretion of the County Attorney and the County Recorder.
- L. The letters on new plat names should be large in size and filled in (solid letters) so as to be easily read.

- M. The name of the plat should be placed near the top of the page.
- N. If a plat name such as SMITH ADDITION is recorded, the next "Smith Addition" would be SMITH SECOND ADDITION.

4) SCALE OF DRAWING:

- A. The scale of a plat drawing shall be confined to those used on a standard engineer's scale, up to 1 inch = 100 feet, and providing the drawing is legible.
- B. Under special circumstances non-standard or smaller scales may be used (i.e: 1" = 80', or 1" = 200'). Consult with this office before using these.
- C. The bar scale must be shown on the plat and the numerical values shown at every one inch interval.
- D. The scale of the drawing must also be in written form (i.e. **SCALE: 1 inch = _____ feet.**)

5) LEGEND:

A) North Arrow:

- 1) A North Arrow must be shown on each page of the graphics.
- 2) Whenever possible and reasonable the orientation of North on the plat should be straight up the page or to the left.
- 3) All dimensions, bearings, designations, lot or block numbers, etc., shall read from the bottom or right-hand side of the page.
- 4) All details shall have a separate North arrow.

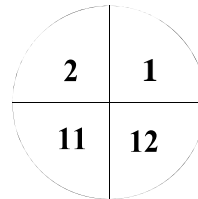
B) Monuments

- 1) The "Denotes" part of the legend for iron monuments shall identify the diameter, length and type of monument set, and where marked, the registration number of the surveyor.
- 2) The symbol for a set monument shall be an open circle followed by a written description of the monument. Example: "Denotes a 1/2 inch x 14 inch iron monument set with a plastic cap marked R.L.S. No. _____."
- 3) The symbol for delayed monumentation shall be an open circle with an "x" inside followed by a written description of the monument. Example: "Denotes a 1/2 inch by 14 inch iron monument with a plastic cap marked R.L.S. No. _____, to be set within one year of the recording date of this plat."
- 4) The Symbol for a found monument shall be a solid (filled in) circle followed by the statement "Denotes an iron monument found." If known, identify the L.S. number on the found monument. Example: "Found 1/2 inch iron pipe capped with L.S. No. ____."

- 5) A found monument shown on a drawing that is not part of the plat or whose point is not called-out in the description, should be either sufficiently dimensioned to the plat boundary or be removed from the drawing.
- 6) Different symbols for found section corner monuments, right-of-way monuments, JLM's etc., may either be labeled on the drawing or shown in the legend. For instance, for a granite monument we suggest using a diamond, orientated in cardinal direction.
- 6) The surveyor shall take necessary steps to identify and protect existing Federal, State or County "Horizontal and Vertical control" monuments that fall within the platted property; OR to provide written notification to the appropriate government agency whose monument may be "endangered" from construction activities. Said notification shall be done sufficiently early so as to allow that agency time to respond and protect it.
- 7) In order to properly check and map the plat, bearing (or angle) and distance ties from the boundary to two or more located Government (G.L.O) Corner monuments are required, together with their corresponding Affidavit number or Certificate of Government Corner Document Number.
- 8) Except where rigorous survey methods were employed and where corner-ties were checked by the platting surveyor, it should be assumed that small measurement differences between County-published Government Corner positions are either due to the underlying plat survey, or to small ground movement of the monument, etc, and therefore should generally be disregarded. But where said measurement differences are deemed to be significant, the surveyor should notify this office prior to plat submission.
- 9) Where significant differences in section breakdown dimensions exist between that portrayed by the plat and that computed by the County Surveyor, an inset of the section breakdown dimensions is required.

Where applicable, it is preferable to show an "index circle" denoting adjoining sections per the following example:

**SW corner of Sec. 1,
T.33, R.26 A Sherburne
County (granite) monument
Per Document No. (document number)**



6) JUDICIAL LANDMARKS (M.S. 559.25):

- A. If a J.L.M is called for in the description, an attempt must be made to locate the same. Any Judicial Landmark that helps determine a boundary of a plat must be shown whether or not it is along or within the plat boundary.

- B. Found J.L.M.'s should be shown with an open circle and center dot symbol, together with an explanation thereof in the legend, that includes the Case No. _____.
- C. Found J.L.M.'s should be labeled as "**J.L.M. set per Torrens Case No. _____**".
- D. Destroyed or missing J.L.M.'s should have no graphical symbol, but the point should be labeled thus: "**J.L.M. set per Torrens Case No. _____(not found)**".

7) BEARING ORIENTATION:

- A. The basis of bearings shall be stated in reference to a particular line contained within the description of the plat. (Example - "The west line of the SW 1/4 of Sec. 33, Twp. 33, Rge. 26, is assumed to bear North 0° 06' 00" West." **The directions (i.e: "north", etc.) in the bearing statement shall all be spelled out.**
- B. Whenever reasonable and practicable to do so, and to aid in our plat checking and parcel mapping, the bearings (and coordinates) should be based upon the present County's Coordinate System. Re-surveyed Section Corner coordinates are published on our Public Works web-site.

8) SHEET NUMBERING:

Plats consisting of more than one sheet shall have the sheet number and the total number of sheets in the lower right hand corner below the border. The dedication portion of the plat shall begin on page 1. Example: SHEET 1 OF 3 SHEETS

9) SURVEYOR'S EMBLEM/LOGO:

Where used, place logo on the lower half of the page so as not to conflict with the title of the plat, etc.

10) VICINITY MAP (Required by the Recorder/Registrar as an aid in proper indexing, and to aid the general public):

- A. A vicinity map, showing the location of the property being platted shall, at a minimum, include a north arrow, section, township and range, and sufficient information to locate the property within the quarter-quarter section, together with a North Arrow and labeling of roadways (State, County, and Township names/numbers) around the perimeter and through the section. Standard highway symbols ("shields"), as used on the County's Highway map, are acceptable. Other local roads (example: within adjoining plats) can be shown with lines but need not be labeled as to name or number.
- B. If the map is not drawn to scale, it should so state.

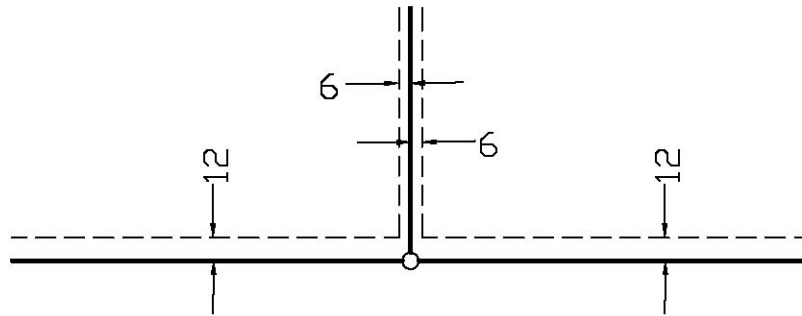
11) EASEMENTS:

- A. Drainage and utility easement lines shall be a short dashed line. Easement lines shall connect at all angle points.
- B. The right angle width of an easement with respect to adjoining lot lines, boundary lines, and right-of-way lines may be depicted in an "example" and in a written statement in the example. The wording "Drainage and Utility Easements are shown thus:" must appear above the illustration of the example. (See Examples 1 through 4, Pages 27 & 28) On multi-page plats a separate legend will be required for each additional page.
- C. Drainage and Utility easement widths that differ from those shown on the typical shall be dimensioned with extrinsic distance on the drawing.
- D. Vacated drainage and utility easements shall be shown as dotted and refer to the Document Number vacating same. Such vacated easements may be lightly cross-hatched if desired to aid delineating the limits thereof.
- E. Where easements overlap, the crossing easement line should become a dotted line. Also use a dotted line to represent the extension of an easement line to intersect a lot line for dimensioning purposes (See Example #4, Page 28).
- F. Large easements areas shall be labeled inside with arrowed lines to the easement limits.
- G. Existing utility easements such as powerlines, pipelines, etc., and drainage easements, shall be shown on the plat. The Document Number of such existing easements shall be shown and its location tied to the new plat boundaries. The legal description dimensions leading to the easement, as well as the width thereof shall be shown in solid Arabic numerals. "Deed" and "measure" may be used to explain dimensional differences with the legal description for the easement.
- H. Irregular-shaped easements (or strip easements that do not parallel lot lines), shall be sufficiently dimensioned with bearings and/or distances to provide mathematical closure within each lot.
- I. With few exceptions, "Private" easements (i.e. ingress and egress), as opposed to public or quasi-public easements, should not be shown.

EXAMPLE 1:

Statement and typical illustration to be used where widths of the easements vary and the boundaries of the easements are lines parallel with lot lines:

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

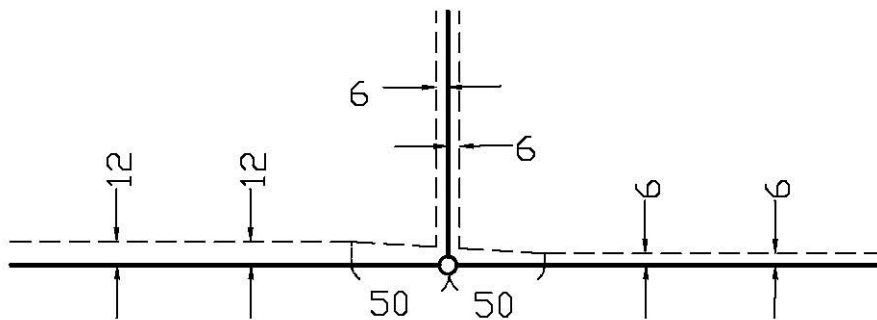


Being 6 feet in width, unless otherwise indicated, and adjoining lot lines, and 12 feet in width and adjoining street lines, as shown on the plat.

EXAMPLE 2:

Statement and typical illustration to be used where widths of the easements may not be uniform and easements may not parallel the lot lines throughout the plat.

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

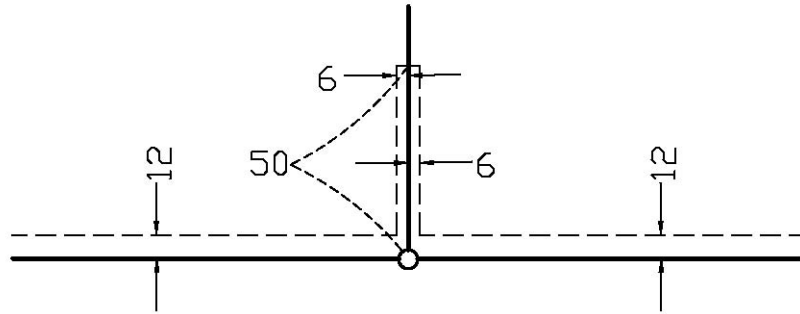


Being 6 feet in width and adjoining lot lines, unless otherwise indicated on the plat.

EXAMPLE 3:

Statement and typical illustration to be used where widths of the easements are uniform in width throughout the plat. Length of anchor easements shall be shown.

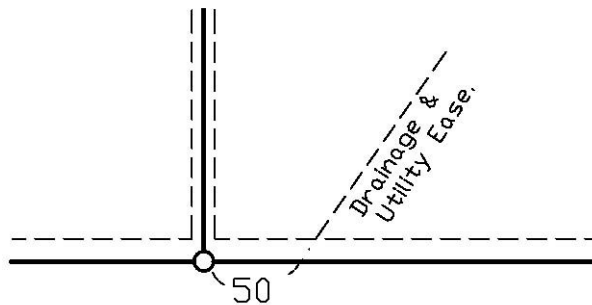
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



Being 6 feet in width and adjoining lot lines, and 12 feet in width and adjoining street lines, as shown on the plat.

EXAMPLE 4:

Typical drafting method to be used where an easement (typically a drainage easement) is determined from a lot corner.



13) LINE WEIGHTS:

The plat shall have four distinct line weights, starting from heaviest to lightest.

- 1) Boundary
- 2) Streets, blocks and outlots
- 3) Lots
- 4) Easements

14) LETTERING SIZE:

Lettering size in a plat shall vary according to the following list from large to small, and with few exceptions, eight point type is the minimum permitted.

- 1) Plat Name
- 2) Block Numbers
- 3) Street Names
- 4) Lot Numbers
- 5) Boundary Dimensions
- 6) Lot Dimensions and Curve Data
- 7) Easement and Street Dimensions

15) BLOCK AND LOT NUMBERS:

- A. All in-lots shall be numbered by beginning with the number one and numbering each lot progressively through the block they are situated within.
- B. All blocks shall be labeled progressively beginning with the number one and numbering each block progressively throughout the plat.
- C. Physical boundaries such as streets, highways, rivers, outlots, etc., are normal block boundaries.
- D. When a plat only consists of one block and one lot, the words LOT and BLOCK will be spelled out and precede the Arabic numeral 1. ("ONE" may also be used if preferred)
- E. If the developer has chosen to include both abstract and Torrens property in a new plat and an individual lot is part abstract/part Torrens, a legal description for the Torrens portion will be written by the surveyor who has prepared the plat. This legal must be submitted to the Office of the County Surveyor prior to recording.

16) OUTLOTS:

- A. All outlots shall be designated in "letter-order" beginning with Outlot A .
- B. Outlots should be lettered in a clockwise manner so their location can be easily found on the plat.

17) PARKS (within cities):

- A. If a plat contains more than one park they shall be numbered progressively beginning with Park 1.
- B. Parks shall be donated in the "Donate and Dedicate" clause, and shall be conveyed to the City in fee.

18) PARKS, TRAILS, OPEN SPACES (within Organized Township areas only):

- A. Parks and/or Open Spaces shall be designated as Parks and/or Outlots on the plat and conveyed to the County in fee title pursuant to MN Statute 505.01, at the time the final plat is recorded.
- B. Trails **not** adjacent to County Highways, County State Aid Highways, and/or Township roads shall be designated as Outlots on the plat and may need to be deeded, in fee title to the County, by a separate conveyance.
- C. For Trails adjacent to County Highways and/or County State Aid Highways: If the land to be designated is adjacent to existing or proposed right-of-way of county roads, the trails shall be shown on the plat as an additional ten (10) feet of right-of-way.
- D. For Trails adjacent to Township Roads: If the land to be designated is adjacent to existing or proposed right-of-way of township roads, the trails shall be shown on the plat as an additional ten (10) feet of right-of-way. The County and Township will then work together on an arrangement for the County to use the strip as a trail.

19) DETAILS:

- A. "Crowded or congested" areas usually require a detail to properly interpret. If more than one is required, each shall be labeled progressively with a letter.
- B. Details **not** drawn to scale shall state: "No scale". A north arrow shall be included in each detail.

20) MATCH LINES:

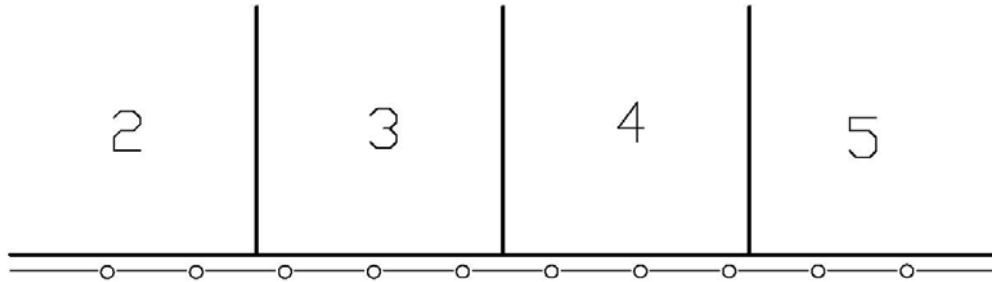
- A. The graphics portion of the plat may be separated by match lines and continued on another page. Match lines shall follow obvious divisions within the plat that are easily recognizable, and sufficient technical data shall be shown to eliminate confusion.
- B. Where more than one is required, match lines shall be labeled "Match Line A", "Match Line B", etc.. "Match Lines" shall also contain a cross-reference to that sheet containing the continuation of the map, (i.e: "See Sheet 2 of 3 sheets").
- C. Depending on complexity, a "Vicinity Map" may be used to break down and explain the locations of the various sheets, or a separate "index" (cover) sheet, showing the entire plat boundary, can be created to help explain this.

21) EXISTING R/W OR STREETS

- A. The name of any public thoroughfare adjoining the plat shall be shown in stippled letters. The width shall be shown in solid Arabic numerals.
- B. When a thoroughfare has had a previous name appearing in the underlying legal description, they shall also be stippled in parentheses with the current name.
- C. Railroads shall be treated in the same manner as roads. Consult this office for the correct, historic, legal names of the railroads within the County.
- D. All vacated R/W within or adjoining plat shall be shown on the drawing, along with the Document Number vacating the same. If desired, vacated right-of-way may be lightly cross-hatched to aid in interpreting the limits thereof.

22) LIMITED ACCESS:

With few exceptions, limited access symbols shall be placed within the right of way, not within the interior of the lots. Designation of the "right to limit access" shall follow standard practice as in the following:



23) CENTERLINES AND CURVE DATA:

- A. If the centerline is called out in the legal description, it is required to be shown with all corresponding mathematical data.
- B. When centerlines of curvilinear streets are shown or required, the central angle or delta (computed to the nearest second of arc), radius, and arc length (computed to the nearest hundredth of a foot) shall be shown.
- C. When curvilinear centerline data is shown, the radius of concentric right-of-way lines need not be shown, but extrinsic right-of-way widths are required at PC's, block corners, etc., to "prove" that said lines are concentric to centerline.
- D. Standard abbreviations for tangential curve data:
 - 1) Δ = delta of curve
 - 2) R = radius
 - 3) L = length of curve
- E. Non-tangential curves shall show the radius, delta, length of curve, chord bearing and chord length. Said curve shall be labeled as "Not Tangent"; and shall also include the following chord abbreviations:
 - 1) C. Brg. = chord bearing
 - 2) Chd. = chord length

- F. The central angle and length of curve shall be shown on all curved lot lines.
- G. Dashed radial lines at the end of curves shall be sufficiently drawn across the street and into the lot to clearly indicate the direction of the curve.
- H. For cul-de-sacs, the total curve delta, length, and the bearing and radius distance to the center of circle from at least one point of curvature, must be shown.
- I. Individual deltas and lengths along curve segments shall equal the overall delta and length of the overall curve.
- J. Curve data should generally be oriented with and near the mid-point of, the curve it is referencing.
- K. Use of "crows-feet" may be required where curve data is crowded and/or subject to possible misinterpretation, and shall consist of dashed lines or curves.
- L. To avoid over-crowding, "Curve Tables" may sometimes be used, and curve segments shall be labeled on the drawing as: C1, C2, etc. The use of tables must be discussed between the platting surveyor and this office prior to submission.

24) BEARINGS:

- A. All bearings shall be computed to the nearest second of arc.
- B. Bearings must agree with tangency, in and out of tangential curves.
- C. Degrees, minutes and seconds symbols are permitted.
- D. Bearings shown on centerline normally do not have to be repeated on the R/W if these lines are clearly parallel to each other. Extrinsic right-of-way widths are required at PC's, block corners, etc., to clearly indicate parallelism with the centerline.
- E. See #25 below, re "orientation," crows-feet," and "tables".

25) DISTANCES:

- A. Distances shall be shown for each individual line of each lot to the nearest hundredth of a foot (intrinsic).
- B. Distances recited in the description such as chains, rods, etc., shall be shown along with their equivalent distance in feet [Example: 10 chains (660 feet) deed].
- C. Do not use foot mark symbols.
- D. "Deed" and "Measured" may be required to explain differences between deed calls and the actual measurements. "Plat" and "measured" may be necessary to explain differences between record plat dimensions and the actual measurements.
- E. When street lines or road lines are parallel with each other (or to centerline), their widths (or half-widths) shall be shown as small extrinsic distances at all street intersections and points of curve. When easement lines are parallel with lot lines, their widths shall be shown as extrinsic values also. This may also apply to certain deed distances such as 330, 660, etc, where the decimal point, and values to the right of that, are omitted from the legal description.
- F. Individual intrinsic distances of line segments shall add up to the overall intrinsic

distance of the overall line. This rule would require that where street lines intersect plat boundaries, their widths (or half-widths) shall be shown to the nearest hundredth of a foot also.

- G. Distances (and bearings also) should generally be oriented with, and near the mid-point of, the line it is referencing.
- H. Use of “crows-feet” may be required where line data is crowded and/or subject to possible misinterpretation, and shall consist of dashed lines or curves.
- I. To avoid over-crowding, "Line (Tangent) Tables" may sometimes be used. Line-number segments shall be labeled on the drawing as: L1, L2, etc, and said table shall provide a bearing and distance for each line-number segment shown thereon. The use tables must be discussed between the platting surveyor and this office prior to the plat being submitted.

26) EXCEPTIONS AND DIMENSIONS:

- A. The word EXCEPTION shall be shown in thin solid capital letters within the exception area.
- B. All exceptions in the description will be shown as separate entities. When multiple exceptions are contiguous to each other and where clarity is not compromised, the single-word “EXCEPTION” can be spaced out so as to cover all of them.
- C. All dimensions called out in each described “exception” and, in most cases, the combined exception area, must be shown on the drawing. Leadered arrows drawn from the exception boundaries to the label may also be necessary.
- D. When used, all leader lines shall be dashed.
- E. If necessary, exceptions may be numbered on the map and within the legal description.

27) REPLATS:

Underlying, previously-platted property must be shown with light-dashed lines that include lot and block numbers, plat names, street names, etc., with dashed or stippled lettering.

28) IDENTIFICATION OF PLATS WITHIN THE SECTION:

- A. All quarter-quarter sections, or Govt. Lots called-out in the legal description shall be labeled by stippled lettering, at places where they do not also coincide with platted lot or block lines.
- B. All sixteenth and Govt. Lot lines called-out in the legal description shall be shown as dashed lines.
- C. Government Corners that determine plat boundaries, whether or not a part of the plat, shall be shown and labeled. (*Example: NE corner of the NE 1/4 of the NE 1/4 of S. 19, T. 33, R. 27. A Sherburne County Cast Iron Monument per Certificate of Location of Government Corner (or per Affidavit) recorded as Doc. No. _____*).

- D. See above Part II, “Graphics”, #5), B, 7: Requires bearing and distance ties to two or more located Government (G.L.O.) Corner monuments together with corresponding document numbers.

29) WATER BOUNDARIES (SURVEY LINE):

- A. Water Boundary Lines: Any water boundary abutting or lying within the plat boundaries shall be shown and identified on the plat as a solid line delineating the existing shore line.
- B. Survey Line:
- a. When a plat includes water as a boundary, or where lot corners fall into a un-meandered lake, a river or a pond, a survey line shall be shown near and along the water body or course, together with sufficient mathematical data to compute primary (or secondary) means of closure of each lot it intersects..
 - b. Said survey line shall be dashed and must be labeled “SURVEY LINE”.
 - c. Bearing (or azimuths) shall be shown along on each course, or angles shall be shown at each angle-point thereon.
 - d. The overall distances between angle-points shall be shown, together with intermediate distances between angle points and any intersecting lot lines.
 - e. A plus-or minus, extrinsic distance shall be shown along each lot line from the survey line to the water boundary, together with the same approximate distance from all angle-points on the survey line to the water boundary.
 - f. The date of survey and the measured water elevation shall be shown.
 - g. Monuments must be placed at any location where the survey line intersects plat boundary, lot or block lines and at all angle-points thereon.
 - h. That portion of a survey line that intersects a plat (exterior) water boundary shall be monumented “prior” to recording the plat. All other survey line monuments may be set when interior block, lot and witness monuments are set as provided by MN Statute.

30) WATER ELEVATION:

- A. Water surface elevations shall be shown for all lakes, rivers, and significant ponds within the boundary of a plat. For plats with considerable frontage on a river or large stream, more than one water elevation will normally be necessary.
- B. Water surface elevations on minor creeks, brooks, ponds, etc., are required if the property lies in a flood plain.
- C. Water Elevations shall be referenced to a bench mark described on the plat, with appropriate vertical datum, and shall be current (within a year).
- D. Water Elevation shall be shown to the nearest tenth of a foot followed by the word feet. (example: 988.3 feet, N.G.V.D. 1929)
- E. A solid line denoting the present shoreline and the date of the survey shall be shown. (Example: Shoreline on October 23, 2000)

- F. When available, the Highest known water elevation shall be shown with appropriate vertical datum (Information available from the MN D.N.R. or U.S. Corps of Engineers) or, if not available, the plat shall so state.
- G. Highest water elevation may not be known for smaller bodies of water and thus will not be required.
- H. Where shown, flood plain elevations shall clearly state the source (such as the number and date of the FEMA map).

31) BENCH MARK:

- A. For plats along lakes, rivers, etc, at least one durable* bench mark shall be shown with its physical description, location, and datum.
- B. Said bench mark shall be either nearby or within the plat.

Benchmarks shown as "top of survey monuments" are **not permitted because they are not visually-obvious (or easily located without metal detection equipment), and also because they are relatively non-permanent (i.e. vertically unstable, are easily disturbed or destroyed by earth-moving equipment, etc).*

32) WETLANDS

- A. Wetlands shall be shown as a dashed line.
- B. When delineated, it shall be labeled "DELINEATED WETLAND" in fine lined capital letters.

NOTE: Development of this land may be subject to special conditions or limitations. (i.e.: 1991 Wetland Conservation Act)

- C. Wetlands shall be labeled with stippled letters within the wetland area. Dashed leadered lines may be required to clearly depict the extents of the same.

33) PROBLEM IN PLATS TO BE DISCUSSED:

Where descriptions disagree with the graphics; resurvey measurements significantly disagree with the underlying plat; descriptions are ambiguous or un-survey-able; gaps and overlaps exist; etc; the County Surveyor and the Platting Surveyor shall discuss the same until resolved. Said problems should be discovered early by the platting surveyor and resolved by landowner before submitting the Final Plat. This office will **not** be responsible for delays caused by the platting surveyor's failure to comply with above procedure, or from the owner's/developer's failure to take timely and prudent corrective measures. The County Surveyor, and/or County Attorney will **not** sign a plat where these issues have not been reasonably resolved to the County's satisfaction.

PART III

REGISTERED LAND SURVEYS

1) **DEFINITION & PURPOSE:**

Pursuant to an order from the Tenth Judicial District Court dated January 10, 1980, Minnesota Statutes Section 508.47, Subdivision 2, as currently amended, were placed in operation in Sherburne County. Said order states "The registrar of titles may require that the owner of a parcel of unplatted Registered Land, who conveys any part thereof which is not a full government subdivision, or simple fractional or quantity part of a full government subdivision, shall first file with the Registrar of Titles a drawing in triplicate of said parcel of unplatted land, showing the Tract or Tracts being or to be conveyed, which drawing shall be known as a "Registered Land Survey" (i.e."R.L.S.").

The original intent of the above statute was to provide a means of simplifying lengthy and complicated descriptions found in many Certificates of Title (Registered or Torrens property), and to prevent the compounding of even more complicated descriptions. Another important use of a Registered Land Survey is to revise existing boundaries among similarly-registered lands and to resolve existing boundary conflicts among the same.

Unlike the Minnesota Statutes Chapter 505 Subdivision Plat, a Registered Land Survey cannot be used to dedicate public rights and are not signed by the landowners or mortgagees, etc. Where public roads (or public drainage and utility easements) are required, or where subdivision of new parcels is requested, the best and overall-simplest instrument to use to achieve this is the subdivision plat. Like subdivision plats, Registered Land Surveys require very similar approvals and acknowledgments, and are subject to the Sherburne County Subdivision Ordinance.

With Torrens lands, applicants for minor (or administrative) subdivision may be required by Zoning or the Registrar to submit an RLS. Existing Torrens descriptions cannot be changed except by a County Title Examiner's Directive or by Proceedings Subsequent.

2) **SURVEYOR' S CERTIFICATE** (shall read as follows:)

A. I hereby certify that in accordance with the provisions of Minnesota Statutes, Section 508.47, I have surveyed the following described property in the County of Sherburne, State of Minnesota, to wit: (Include the legal description of the property EXACTLY as it appears on the face of the Certificate of Title).

B. Certification: (shall read as follows)

I hereby certify that this Registered Land Survey is a correct delineation of said survey. Dated this _____ day of _____, 20____.

(Name of Surveyor), Land Surveyor
Minnesota License No. _____

STATE OF MINNESOTA

COUNTY OF _____

The foregoing Surveyor's Certificate was acknowledged before me this _____ day of _____, 20____, by (name of surveyor), Land Surveyor, Minnesota License No. _____

(Printed name) _____
Notary Public, County, Minnesota
My Commission Expires _____

3) **ADVISORY BODY**

A. For Registered Land Surveys not subject to the “normal” subdivision process, the advisory approval shall read as follows:

I hereby certify that this Registered Land Survey has been approved in the manner required for approval of subdivision plats in Sherburne County dated this _____ day of _____, 20____.

_____ Sherburne County Zoning Administrator

B. Same wording as used on plats (see page 15 & 16).

4) GOVERNING BODY

Same wording as used on plats (see page 16 & 17), except change the word "plat" to Registered Land Survey.

5) COUNTY SURVEYOR

Pursuant to Sherburne County Ordinance Number 006, I hereby certify that this Registered Land Survey has been checked and approved as to compliance with Chapter 508, Minnesota Statutes this _____ day of _____, 20_____.

_____ Sherburne County Surveyor

6) COUNTY ENGINEER

Same as Plat (see pages 17, 19 & 21)

7) ATTORNEYS

Same as Plat (see pages 18, 19 & 21)

8) TAX AND FILING STATEMENT

Sherburne County Auditor/Treasurer (same as plat, see page 18, 19 & 21)

9) RECORDING STATEMENT

I hereby certify that this instrument was filed in the Office of the Registrar of Titles for record on this _____ day of _____, 20____, at _____ o'clock _____.M. and was duly filed as Torrens Document No. _____.

_____ Sherburne County Registrar of Titles

10) SURVEY REQUIREMENTS

- A. Correctly show the legal description EXACTLY the same as that on face of the Certificate of Title. The Certificate of Title Number shall be stated on the RLS before the description.
- B. Dimensions described from Point of Commencement to the Point of Beginning.
- C. Easements shall be labelled and dimensioned.
- D. Descriptive labels for all monuments, lines, etc., called-out in the legal description.
- E. Exterior distances of boundary and distances of all tracts within.
- F. Direction of all lines by bearings or angles as called for in the legal description.
- G. All tracts are to be lettered beginning with "A".

- H. No tracts may be dedicated to the public on the face of the instrument. However, tracts created for such purposes may be conveyed for public use after the RLS is filed.
- I. Size shall be 22" x 34".
- J. The border on the mylar shall be 1/2 inch on top, bottom, and right-hand side, and a 2 inch border on the left-hand-side (22" side) of the mylar.
- K. **All graphical and scale standards herein that apply to MSA Ch. 505 Subdivision Plats shall also apply to the RLS.**
- L. Approvals shall be shown in the correct order as on a subdivision plat.
- M. Questions regarding the RLS should be addressed to the County Surveyor and/or the Registrar prior to preparing the RLS.

11) NOTE: At time of recording, the Registrar will assign the next consecutive RLS number.

PART IV

Common Interest Community (C.I.C's)

- 1) CIC's in Sherburne County must adhere to the current version of the "CIC PLAT MANUAL OF MINIMUM GUIDELINES" as prepared by the Minnesota Society of Professional Surveyors (MSPS) and the Minnesota Association of County Surveyors (MACS). See that document.
- 2) After recording, the Common Interest Community is created by the recording of the necessary declaration complying with M.S.A. Ch. 515B.2-105.
- 3) The CIC plat is a part of the declaration in condominiums, in cooperatives in which the unit owners interest are characterized as real estate and in planned communities complying with Ch. 515B.2-110(c), and therefore the information shown on the CIC Plat must depict information recited in that declaration.
- 4) CIC numbers are pre-assigned by calling the Recorder/Registrar at 763-765-4420; toll-free 1-800-719-2826; or fax: 763-765-3002. (As part of the plat checking process, the Surveyor's Office shall verify the proposed number with the Recorder/Registrar's office).
- 5) Our office requests that when the first Ch. 515 plat is submitted for checking that it is accompanied by a "Master Plan" for the development/project to include building/unit placement and including which buildings would be included on each proposed Supplement yet to be platted. All units will be required to be numbered consecutively throughout the development/project. Said numbering system would then continue throughout the development/project utilizing the system according to the "Master Plan even if certain buildings were constructed out of order.

PART V

Right - Of -Way Plats

- 1) Definition: The 1969 Legislature revised M.S.A. Ch. 160 to allow State and County Highway authorities; and home rule charter cities or township authorities, to facilitate the acquisition of highway right-of-way by reference to a plat which designates all tracts or parcels of land affected by the acquisition. These revised statutes improve the methods of defining highway rights-of-way. Prior to this law, highway rights-of-way were described by strip descriptions and were difficult to write and understand. Often these strip descriptions would start from a P.L.S.S. corner and run for miles before tying into another P.L.S.S. corner.
- 2) Ch. 160.085 allows road authorities to prepare a plat that designates all the affected tracts or parcels in the proposed acquisition. The plat shall show the boundary lines of the rights-of-way proposed to be acquired. Such maps or plats are for delineation purposes only, and the plats themselves do not operate to transfer title of the property described and designated thereon by parcel number. Land acquired by the road authorities may be by an instrument of conveyance, or by eminent domain proceedings, and may refer to the plats as the only description necessary for such acquisition. Also, other existing rights of interests may be shown as deemed necessary by the road authorities.

Ch. 160.14 provides for the marking of the boundary lines of highways to preserve existing right-of-way. The procedure for the service of notice and preservation of rights of abutting land owners is also described.

Ch's 505.1792 and .1793 determine the applicable platting requirements. Otherwise, these plats need not conform to the provisions of M.S.A. Ch. 505.

- 3) Right-Of-Way (ROW) plats in Sherburne County must adhere to the current version of the "COUNTY HIGHWAY RIGHT-OF-WAY PLAT MANUAL OF MINIMUM GUIDELINES" as prepared by the Minnesota Society of Professional Surveyors (MSPS) and the Minnesota Association of County Surveyors (MACS).

PART VI

Delayed Staking

- 1) The current State Platting Statute allows delayed staking within one year of recording, or sooner. A financial guarantee may be required for the placement of monuments.
- 2) The County's Subdivision Ordinance states the following at Sec. 11 – General Regulations, Subd. 1, 5: Plat monumentation, and identification of monuments, shall be as required by Minnesota Statutes regarding platting and registered land surveys. The County may require a financial guarantee to assure that delayed plat staking takes place.
- 3) Administration:
 - A. This decision to require a financial guarantee shall be made at the sole discretion of the County (through its agents, the County Surveyor, County Attorney and Zoning Administrator). The original passbook, cashier's check or letter of credit shall be held in the files of the County Attorney and shall be a condition to obtaining the County Attorney's signature.
- 4) Boundaries must be monumented: At a minimum, the boundary corners of a plat must be staked prior to the recording of the plat and as required per the Sherburne County Subdivision Ordinance and Minnesota State Statute 505.021 Subd. 10.

Part VII

Consent to Plat

1) The suggested format for a typical "Consent" is as follows":

NOTE: There must be a minimum of 3" between top of page and the following title. We encourage you to submit the Consent to this office for review prior to obtaining signatures

CONSENT TO PLAT

Name of Mortgagee , a (State where organized) (Type of entity) , the holder of mortgagee's interest in that certain Mortgage dated (month day year) , filed (month day year) , and recorded as Document No. _____, in the office of the County Recorder, Sherburne County, Minnesota, and covering property legally described as follows:

Insert mortgaged property's description here, OR: "See attached Exhibit A"

hereby consents to the making and filing of the plat of (PLAT NAME IN ALL CAPITAL LETTERS) including the above described property, and hereby joins in and agrees that its interest in the land platted is subject to easements and dedications set forth in the plat of (PLAT NAME IN ALL CAPITAL LETTERS) as recorded in the office of the County Recorder in and for Sherburne County, Minnesota.

NAME OF MORTGAGEE IN ALL CAPITAL LETTERS

(Name) (Title)

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20 __ , by (name) , (title) , of (mortgagee) , a (state where organized) (type of entity) , on behalf of (entity) .

_____, Notary Public

_____ County, _____

My commission expires: _____

2) The "Consent" must also contain the following:

“This instrument was drafted by: ”

(must be filled out)

- 3) Where the property is Torrens, "County Recorder" must be changed to "County Registrar Of Titles", and change "recorded" to "filed". Where the mortgaged property contains both Abstract and Torrens property, both "Recorder" and "Registrar" must be included along with the respective dates and document numbers.
- 4) The "Consent" presented for recording/filing shall contain original signatures. Copies will not be allowed. When it is known beforehand that a "Consent" is allowed; such "Consent" shall be obtained so as to be recorded at the same time as the plat. A signed and notarized copy of the "Consent" must be provided to this office prior to signing of mylars.

Part VIII

Certificates of (Plat) Correction

- 1) A "Certificate Of Correction" may be prepared by the original surveyor in accordance with M.S. Ch. 505.174. Where the original surveyor is no longer "available" (Certificate must state why); a Certificate may be prepared by a subsequent surveyor in accordance with Ch. 505.175. Said Certificate shall then be approved, etc., in accordance with Ch's. 505.176, and 505.177.
- 2) Although Ch. 505.174 states "- - filed in the office of the County Recorder - -", it has been the practice in this county to also allow such Certificates to also be filed for Torrens property plats. However, if there is an error in a Registered Land Survey, a "Proceedings Subsequent" is the only method now available for such a correction.
- 3) When corrections are numerous, a graphical exhibit that circles the corrected dimensions and lines-out the original dimensions is preferable to a wordy document. A graphic exhibit is also preferable where easement line corrections are either numerous or difficult to describe.
- 4) A suggested format for a "Certificate Of Correction", containing both abstract and torrens lands, within a City, is as follows"

NOTE: There must be a minimum of 3" between top of page and the following title

CERTIFICATE OF CORRECTION

CERTIFICATE OF CORRECTION TO PLAT OF (name of plat in all CAPITAL LETTERS), City (or Township) of, Sherburne County, Minnesota.

I, the undersigned _____, a Licensed Land Surveyor, Minnesota License Number _____, do hereby certify that I am the surveyor who prepared the plat of (name of plat in all CAPITAL LETTERS), City (or Township) of _____, Sherburne County, Minnesota, which was recorded (month day, year), as Abstract Document No. _____, in the office of the County Recorder; and was filed (month day, year), as Torrens Document No. _____, in the office of the County Registrar of Titles; in and for said Sherburne County.

I do hereby also certify that said plat is incorrect as follows:

(State errors in plat)

I do hereby also certify that the correct _____ is as follows:

(State corrections)

NOTE: The above "incorrect" and "correction" can take several formats. Samples are:

A) " - - is incorrect in that the distance along the south line of Lot 1, Block 1 is wrong." " - - the correct distance is as follows: 100.35 feet."

B) Line:	Incorrect distance:	Correct distance:
North boundary:	632.95 feet	632.50 feet
North line of Lot 1, Block 1:	210.46 feet	210.01 feet

(and so on)

C) " - - is incorrect in that the drainage easement over and across Block 1 of said plat contains wrong distances and bearings."

" - - the correct distances and bearings are as shown on the attached Exhibit A."

"Exhibit A" being a portion of the map portion of the plat showing said corrected dimensions.

John Q. Doe, Land Surveyor
Minnesota License No. 00000
Dated: (month day, year)

*Per MSA Ch. 505.174 thru .177, a notarization of the surveyor's signature is **not** required. However it will be acceptable should you prefer to use one.*

The above certificate of correction to the plat of (name of plat in CAPITAL letters), City of _____, Sherburne County, Minnesota, was approved by the City Council of the City of _____, at a regular meeting thereof held this _____ day of _____, 20__.

By: _____ Mayor

Attest: _____ City Clerk

NOTE: For corrections to plats in the Townships, the final "governing body", as intended in Ch. 505.176, is the County Board. Thus the Township need not sign. Please substitute "Board of Commissioners, Sherburne County, Minnesota"; "Chairperson"; and "Attested" and "County Administrator" in the appropriate places above.

- 5) The "Certificate Of Correction" shall be submitted to the County Surveyor's Office:
- a. To check the need for same and the correctness of the document;
 - b. To determine if the corrections also affect parcel areas;
 - c. The following acknowledgment shall be included:

This Certificate of Correction has been reviewed and approved this _____ day of _____, 20__.

Sherburne County Surveyor

- 6) The "Certificate" must also contain the following:

This instrument was drafted by:

name and address

NOTE: Although MSA Ch. 507.091 only requires the drafters name and address for instruments that "conveyed, created, encumbered, assigned, or otherwise disposed of" lands, the Sherburne County Recorder's Office prefers this being included on all documents.

- 7) The "Certificate" presented for recording/filing shall contain all original signatures. Copies will not be allowed.
- 8) *For CIC's, signatures from the governing body are not necessary since they don't approve CIC's to begin with.*

Part IX

Conservation Easements

INTRODUCTION: Conservation easements are defined under Minnesota Statutes Chapter 84C. In Sherburne County, such easements are either required, or requested, in order to protect open space, sensitive prairies, wooded areas, wetlands, or water bodies from potential impacts caused by changes in land use. Conservation Easements are required in Cluster Plats and may be requested as part of the EAW process and the platting process.

- 1) As authorized by said Ch. 84C, Sherburne County has elected to require Conservation Easements along certain bodies of water and/or wet lands. This Chapter deals with the technical standards of how to implement this.
- 2) The final location and dimensions of said easement(s) are determined by the County Board with the recommendation of the Planning Commission and the Planning and Zoning Staff. Consult with Staff with any questions as to those issues.

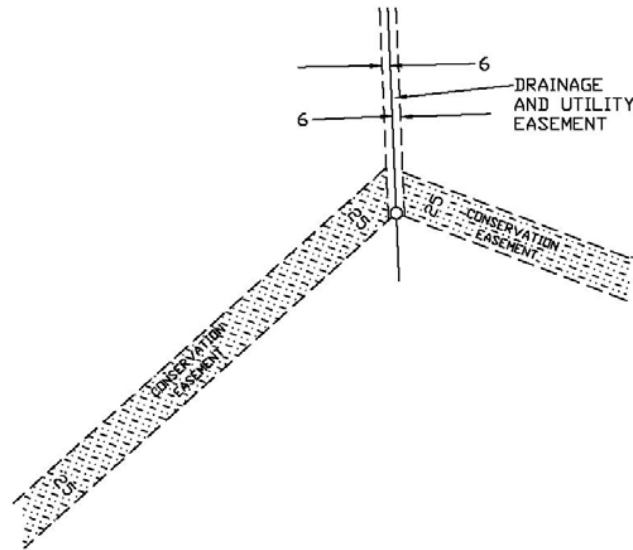
During the plat approval procedure, copies of the proposed Conservation Easement and Exhibits (if necessary) shall be provided to Planning & Zoning, County Surveyor, and County Attorney for review.

- 3) The platting law (M.S. Ch. 505) states that the only easements that can be shown on a final plat are those for utility and/or drainage purposes. Thus “Conservation Easements” cannot be shown on a final plat. However, additional copies of the final plat can be utilized as an “Exhibit” to map said easements – thus making long, involved, metes and bounds easement descriptions unnecessary.
- 4) The Recorder/Registrar recommends that two (2) such additional maps containing said easements be recorded immediately after the final plat as a part of a “Declaration of Restrictive (or: ‘Protective’) Covenants”, with said map being “Exhibit___” thereof. These two copies should also be transparent mylars by photographic process, with an additional copy* of same to be furnished to Planning & Zoning for their enforcement purposes.

*Planning & Zoning also requires additional information in map form to delineate certain other information needed for enforcement purposes. This could, for example, include delineating unbuildable areas, minimum lowest floor entry elevations, and other information as found on the Final Grading Plan. It is suggested that such information be included on 11” by 17” transparent mylar copies of the above ‘Exhibit’ for Planning & Zoning’s reproduction purposes.

- C. We also recommend there be a ‘Detail’ to depict the relationship between the Conservation Easement, the Drainage and Utility Easements, and the Drainage Easements, as per the following example:

The relationship between the conservation easement and the Drainage and Utility Easements, and the Drainage Easements are shown thus:



Being 25 feet wide and adjacent to the upland edge of the drainage easement. The upland line being prolonged or shortened to terminate at the drainage and utility easements, unless otherwise indicated, as shown on the plat.

- 7) In order for the edge of such a Drainage Easement (and thus the location of said Conservation Easement) to be recoverable on the ground, it may be necessary for the surveyor to monument said edge of the Drainage Easement. In such a case, the traditional “Survey (or: ‘Traverse’) Line” may now have to be moved from where it was convenient (for the surveyor to stake) to lie along the edge of the Drainage Easement.
- 8) In order to compensate the surveyor and/or developer for any additional field staking costs, as well as for the costs for the above mylar “Exhibit”, the County may allow a deduction in the per lot Park Land Dedication Fee. Said reduced fee however will apply to only those lots subject to said Conservation Easement(s).
- 9) The Conservation Easement shall conform to Minnesota Statutes Chapter 84C and shall provide:
 - A. The Easement shall run in favor of the County of Sherburne or other authorized entity.
 - B. The Easement may run in perpetuity at the County’s discretion unless otherwise provided for in final plat approval.

- C. The County, or other authorized entity, has the right to enforce the same.
- D. The language shall refer to any Exhibit(s) setting forth the dimensions of the Conservation Easement(s).
- E. The Declaration of Restrictive Covenants also needs wording to indicate its acceptance by the County as follows:

The Conservation Easement set forth in (section / paragraph) herein was accepted by the Sherburne County Board of Commissioners as part of the final plat approval on the _____ day of _____, (year) .

Dated: _____

On behalf of the County of Sherburne:

 Sherburne County Zoning Administrator

10) Per M.S.A. Ch. 507.091, the “Declaration of Restrictive Covenants” **must** also contain the following:

This instrument was drafted by: *Must be filled out*

PART X

Trusts

Where fee title is held in a Trust the following language shall be contained in the plat dedication:

1. **KNOW ALL PERSONS BY THESE PRESENTS:** That John A. Doe, Trustee, for the Jane Doe Living Trust, dated _____, fee owner of the following described property situated in the County of Sherburne, State of Minnesota, to wit:

(legal description)

Has caused the same to be surveyed and platted as (*PLAT NAME IN CAPITAL LETTERS*) and does hereby dedicate to the County of Sherburne...(etc.)

2. The witness clause shall read as follows:

In witness whereof John A. Doe has hereunto set his hand this _____ day of _____, 20__.

John A. Doe

3. The notary acknowledgment:

The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by John A. Doe, Trustee for Jane Doe Living Trust, dated _____.

4. An **Affidavit of Trustee** must accompany the plat mylars for recording. A **Certificate of Trust** will also be needed if the trust instrument has not been previously recorded.

5. **If the property is Torrens** Minn. Stat. 508.62 requires a court order (a proceeding subsequent) or a written certification by the Examiner of Titles that the instrument is legally sufficient to transfer title.

Submit the following to the Examiner of Titles:

- A. Fully executed and dated Trustee's Deed or plat.
- B. One of the following:
 - a. An original copy of the document creating the trust,
 - b. A certified copy of the document creating the trust, OR
 - c. A Certificate of Trust authorized by Minn. Stat. 501B.56.
- C. An Affidavit of Trustee.

NOTE: If the trust is supervised by the District Court, the Court Case No. should be given to the Examiner who will then review the court file and the trust instrument/Certificate of Trust need not be given to the Examiner.

- D. The following wording shall be placed just prior to the Recording Certificate for the Registrar of Titles (see Chapt. 3, Part I, page 19):

I hereby certify this _____ day of _____, 20____, that this plat is executed in accordance with a power conferred in the foregoing described Trust as represented by said Trust or Certificate of Trust and Trustee Affidavit as heretofore filed

Sherburne County Examiner of Titles

PART XI

County Ditches

County Ditches are authorized by M.S.A. Ch. 103E –“Drainage”.

The ditches in this county are numbered from #1 through #36. Ditches #7 and #9 have since been vacated and ditches #24, #26 and #36 were never constructed. Ditch maps are on file in the Auditor’s Office. There has been some subsequent survey/engineering work done on selected ditches, which information is also on file with the Auditor's Office. The County will also develop methods to update ditch location via sub-meter GPS.

In Sherburne County the “Ditch Authority” is the County Board, represented by the County Auditor (@ 763-765-4351). There is a Ditch Inspector who can be contacted through the Public Works’ or Auditor’s Office.

When platting in the township* the procedure is as follows: The Planning & Zoning Dept. (P&Z) furnishes copies of all preliminary plats to the Auditors Office who then identifies whether or not that plat contains “benefited lands”.

*Cities in the county that contains County Ditches are Elk River and Zimmerman. The County Board remains the Ditch Authority. Plats will be checked by the Surveyor’s Office at the final plat checking phase.

The Auditor then has the Ditch Inspector inspect the ditch(es) in question and prepares an opinion. The developer/owner is billed for the cost of this process.

Private or public crossings of drainage ditches must be approved by the Ditch Authority or their designated representative (Ditch Inspector), and all costs incurred for permit, materials, labor and equipment must be paid by the applicant.

Due to the age of the existing system of ditches, it is the County’s position that an easement (by usage) already exists for each ditch (even though there may be no easement of record) to a minimum width of 16.5 feet from each side of the top edge of ditch, Ch. 103e.021, Subd. 1, discusses the planting of grasses on spoil banks and to do so “on a strip 16.5 feet in width or to the crown of the leveled spoil banks, whichever is greater, on each side of the top edge of the channel of the ditch, and that: “The additional property required for the planting may be acquired by the authority having jurisdiction”.

There shall be no in ground utilities allowed to cross the ditch without prior written permission of the ditch authority. Overhead utilities shall be allowed, providing guide lines, etc. are not placed within the ditch easement. Buried utilities must be a minimum of 4 feet below ditch bottom and overhead. Utilities must have a two wire height of 22 feet above top edge of ditch.

The developer must provide an engineering report (as part of the existing engineering report for

surface water drainage) that there is no net increase in rate or flow of waters from the proposed development into the county ditch.

New plats containing county ditches or tile lines must delineate and label the ditch or tile line easement from the entry point of the ditch onto the property to the exit point. At least 16.5 feet, or wider as determined by the County Ditch Inspector, from the top of the ditch or tile line must be dedicated to the County. Further width may be required if the soil conditions are such that said further width is reasonably required to support the ditch cleaning or tile repair equipment. (a tracked backhoe, for example).

The County reserves the right to request, or require, additional easement(s) as necessary to access said ditch(es). Further, the County reserves the right to restrict the placement of temporary or permanent structures within 50 feet from the crown of the spoil pile or top edge of the ditch. Furthermore the County reserves the right to request developers of subdivisions to clean any portion of the county drainage ditch that passes through a proposed plat. The need for cleanout is to be determined by the Ditch Inspector.

Labeling of ditches should be thus: “Drainage easement No. X (County Ditch No. XX)” and be nearby or within said easement whenever possible. Said easement must be conveyed to the County, either by dedication on the plat, or by a separate conveyance which must be recorded, subsequent to, but at the same time as the plat. Conveyance by platting is the preferred method and the following wording is recommended:

“Also dedicating to the County of Sherburne Drainage Easement No. _____ as shown on this plat for drainage and ditch maintenance purposes.”

For a separate conveyance, the following wording is recommended:

“Drainage Easement No. ___ as shown on the duly recorded plat of _____, for drainage and ditch maintenance purposes for County Ditch No. , Sherburne County, Minnesota.

Monuments must not be placed within the channel of the ditch, as they are “obstructions” and illegal. Reference monuments shall be placed on line together with reference distances to the actual corner location. If practical, these should be placed on the edge of the ditch easement and along the subject property or lot line. If there is an accompanying wetland and drainage easement between the ditch and “high ground”, said reference monuments may be placed on line where the same intersects the outer limits of the platted drainage easement.