

STATE OF MINNESOTA

IN SUPREME COURT

A21-0829

A21-0832

Court of Appeals

McKeig, J.

In the Matter of the Application of  
Timothy D. Moratzka, Trustee of the  
Nancy L. Mayen Residual Trust.

Filed: March 29, 2023  
Office of Appellate Courts

---

Keith Ellison, Attorney General, Peter J. Farrell, Assistant Attorney General, Saint Paul, Minnesota, for appellant Minnesota Department of Natural Resources.

Matti R. Adam, Itasca County Attorney, Michael J. Haig, Chief Assistant County Attorney, Grand Rapids, Minnesota; and

Kenneth H. Bayliss, Quinlivan & Hughes, P.A., Saint Cloud, Minnesota, for appellant Itasca County.

Allen E. Christy, Jr., Julie N. Nagorski, DeWitt LLP, Minneapolis, Minnesota, for respondent Timothy D. Moratzka.

Jay T. Squires, Rupp, Anderson, Squires, Waldspurger & Mace, P.A., Minneapolis, Minnesota, for amici curiae Association of Minnesota Counties, Minnesota County Engineers Association, and Minnesota Association of County Surveyors.

Patricia Y. Beety, Susan L. Naughton, League of Minnesota Cities, Saint Paul, Minnesota, for amicus curiae League of Minnesota Cities.

James J. Thomson, Michelle E. Weinberg, Kennedy & Graven, Chartered, Minneapolis, Minnesota, for amicus curiae Minnesota Association of Townships.

Howard A. Roston, Devin T. Driscoll, Fredrikson & Byron, P.A., Minneapolis, Minnesota, for amicus curiae Minnesota Society of Professional Surveyors.

Monte A. Mills, Aaron P. Knoll, Greene Espel PLLP, Minneapolis, Minnesota, for amicus curiae MN-FISH Sportfishing Foundation.

---

## S Y L L A B U S

The Marketable Title Act, Minn. Stat. § 541.023 (2022), does not apply to land dedicated to public use by plat.

Reversed and remanded.

## O P I N I O N

McKEIG, Justice.

This case concerns whether the Marketable Title Act (MTA), Minn. Stat. § 541.023 (2022), extinguished the public’s interest in an undeveloped road dedicated to public use by plat over 100 years ago. Respondent Timothy D. Moratzka, trustee of the Nancy L. Mayen Residual Trust, initiated a Torrens proceeding to register title to land including the undeveloped road. The court of appeals affirmed the district court’s summary judgment ruling that the public’s interest in the road had been extinguished by operation of the MTA. Appellants Minnesota Department of Natural Resources (DNR) and Itasca County argue that the MTA does not apply to roads dedicated to public use by plat. We agree with appellants and therefore reverse the decision of the court of appeals and remand to the district court.

## FACTS

This appeal involves a dispute over a strip of land abutting Trout Lake in Balsam Township in Itasca County. At issue is whether the land can be used by the public because it was dedicated to public use over 100 years ago by plat or whether the public interest was abandoned under Minnesota law because no “notice” was recorded under the process set forth in the MTA, Minn. Stat. § 541.023, subd. 1.

### A.

The parcel of land at issue was part of the Plat of Trout Lake Park, which was created in 1911. A plat is “a delineation of one or more existing parcels of land,” which “depict[s] the location and boundaries of lots, blocks, outlots, parks, and public ways.” Minn. Stat. § 505.01, subd. 3(f) (2022).<sup>1</sup> The Plat of Trout Lake Park borders Trout Lake, which is a lake fully contained within the Chippewa National Forest and is used for fishing, boating, and camping. The plat, which has been on file since 1912, states that the dedicator does “hereby dedicate to the public use forever the public roads [located on the plat].” The 1911–12 dedication included a north-south public road running between lots 15 and 16 of the plat.

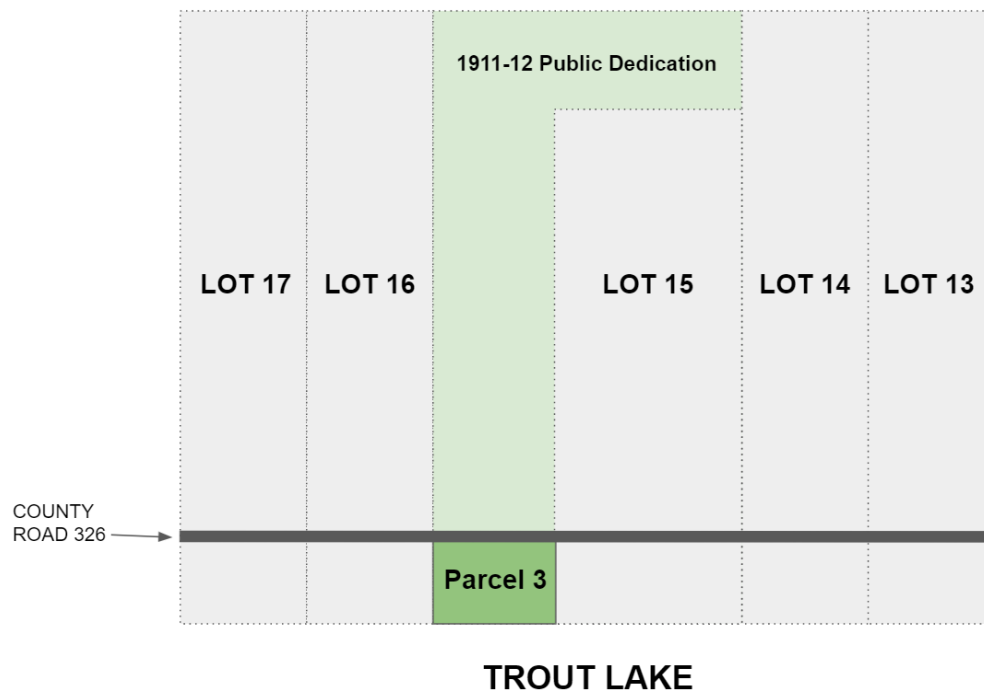
---

<sup>1</sup> Plats in Minnesota are governed by Minnesota Statutes chapter 505 (2022). Those seeking to create a plat must meet a number of requirements. *See* Minn. Stat. § 505.021 (2022). After a plat meets the preliminary requirements, the governing body of the area where the plat is located must approve it. Minn. Stat. § 505.03 (2022). All validly created plats “shall be recorded in the office of the county recorder or registrar of titles, or both, if the plat contains both nonregistered and registered property.” Minn. Stat. § 505.04 (2022). The recorded plat must “be open to inspection by the public.” *Id.*

Since dedication, some of the lots within the plat have been used as a resort—in particular, Lots 13, 14, 15, 16, and 17 (now known as Parcel 1), all of which abut Trout Lake. In the 1980s, the then-owners of the resort filed a petition to vacate the north-south public road that passes between Lots 15 and 16. As part of a settlement, the County agreed to vacate the road north of County Road 326, and the resort owners agreed to exclude the portion of the road south of County Road 326 from the petition to vacate. That portion of the original dedication south of County Road 326 is what is now known as Parcel 3. Although described in the plat as a “public road,” no physical road has been constructed there; it is instead a sandy beach. The drawing below shows Lots 13 through 17 (Parcel 1), the original public roadway dedication that was vacated in the 1980s, and the remaining portion of the original public roadway dedication (Parcel 3). Below is an illustration of the current boundaries of Parcel 1 and Parcel 3, which have remained the same since the partial vacation of the dedication in the 1980s.<sup>2</sup>

---

<sup>2</sup> The image here is not drawn to scale and is for reference purposes only. Moratzka also sought to register Parcel 2, which is not at issue here, nor is it depicted in the map above.



As part of resolving the dispute, the resort and the County created a license agreement that allowed the public to access Trout Lake through the resort. The County gave notice of its intent to terminate that license agreement in 1990 and decided to develop Parcel 3 into a public access to Trout Lake. The County never did so, but despite the termination of the license agreement, the resort continued to allow the public to access the lake through the resort.

In 2013, the resort's then-owner Nancy Mayen passed away. At that point, Moratzka was appointed as trustee to wind up her estate, which included selling the resort. In 2015, Moratzka entered into a contract for deed for the sale of the resort. The contract for deed included a clause referencing Parcel 3, stating that "[t]he plat reflects a public road apparently not abandoned." The contract provided that "this burden must be resolved prior to Closing."

The resort no longer permits the public to freely access Trout Lake through its property. Therefore, Parcel 3 is currently the only year-round public access to the lake.

B.

In 2019, Moratzka filed an application to register Parcels 1, 2, and 3 as Torrens property.<sup>3</sup> He asserted that the trust possesses a fee-simple interest in the land. He acknowledged the platted public way on Parcel 3 but asserted that “no public road exists” because neither Balsam Township nor Itasca County had recorded “any interest in the road within 40 years of the road’s dedication,” which he claimed was required under the MTA, Minn. Stat. § 541.023. The MTA generally provides that an interest subject to the Act “cannot be asserted against a claim of title based on a source of title unless the interest is preserved by filing a notice within 40 years of the creation of the interest.” *State v. Hess*, 684 N.W.2d 414, 427 (Minn. 2004); Minn. Stat. § 541.023, subds. 1, 5. And any such interest barred by this 40-year requirement is presumed to have been abandoned. Minn. Stat. § 541.023, subd. 5.

---

<sup>3</sup> As we have previously explained:

In Minnesota, a parcel of land can be either “Torrens” or “abstract.” Ownership of abstract property depends upon the traditional process of researching the chain of title to determine who has the superior claim of right to the property. *See Hersh Props., LLC v. McDonald's Corp.*, 588 N.W.2d 728, 733 (Minn.1999) (describing the abstract system). Under the Torrens system, by contrast, an owner can seek to “register” the property by instituting a court action. *See generally* Minn. Stat. ch. 508 (2012). A registration action allows the owner to cure any defects in the title, to clarify the boundary lines of the property, and to establish conclusively its title to the property in question. *See* Minn. Stat. §§ 508.06, 508.10, 508.22 (2012).

*Mattson Ridge, LLC v. Clear Rock Title, LLP*, 824 N.W.2d 622, 626 n.1 (Minn. 2012).

The Itasca County Examiner of Titles issued a report and opinion on the application. The Examiner determined that Moratzka was essentially seeking a road vacation, which required him to notify the DNR, Itasca County, and Balsam Township of his intent to extinguish the public's interest in Parcel 3.

The DNR, County, and Township all objected to the registration of Parcel 3. They moved for summary judgment, claiming that (1) the MTA does not apply to extinguish the public interest to Parcel 3; (2) the road-vacation statute, Minn. Stat. § 505.14 (2022), provides the sole means to extinguish the public interest in Parcel 3; and (3) Moratzka was estopped from denying the existence of the public road. The district court agreed with Moratzka that any public interest in Parcel 3 was extinguished by operation of the MTA and therefore denied the summary judgment motions. Moratzka then filed his own motion for summary judgment, which the court granted, concluding that the public interest in the road was “abandoned” under the MTA, Minn. Stat. § 541.023, subd. 5.

The DNR and the County both appealed, and the court of appeals consolidated the appeals. The court of appeals affirmed the summary judgment ruling in favor of Moratzka. *In re Moratzka*, 974 N.W.2d 266, 278 (Minn. App. 2022). The court of appeals held that “the plain language of the MTA unambiguously encompasses dedications made by recorded plat.” *Id.* at 273. While recognizing that the landowner had created the public interest in the land “by recording the 1911-12 dedication with Itasca County,” the court of appeals stressed that “there was no act of *acceptance* by the claimant,” which under the MTA would require “ ‘a notice sworn to by the claimant or the claimant’s agent or attorney’ identifying the interest, the transaction upon which the interest is founded, and a description

of the property.” *Id.* at 274 (quoting Minn. Stat. § 541.023, subd. 1). The court of appeals therefore concluded that the public interest had been “extinguished.” *Id.* at 276. Because the MTA extinguished the public interest, the court of appeals determined that Moratzka was not required to seek vacation of the public road under the road vacation statute, Minn. Stat. § 505.14. 974 N.W.2d at 278. In addition, the court of appeals determined that Moratzka was not estopped from invoking the MTA to challenge the continued existence of the public interest in the land. *Id.* at 276.

The County and the DNR both filed petitions for review. Considered together, the petitions raised three issues: (1) whether public roads noted on a plat are deemed abandoned if no MTA preservation notice is filed; (2) whether a property owner can evade the requirements of the road vacation statute, Minn. Stat. § 505.14, by invoking the MTA to extinguish a road dedicated to the public by plat; and (3) whether common-law estoppel bars a property owner from using the MTA to extinguish the public’s interest in a road dedicated to the public by plat. We granted both petitions.

### **ANALYSIS**

This case is before us on a summary judgment motion. Summary judgment is appropriate when “there is no genuine issue as to any material fact and the movant is entitled to judgment as a matter of law.” Minn. R. Civ. P. 56.01. We review grants of summary judgment de novo, viewing the evidence in the light most favorable to the nonmoving party. *Justice v. Marvel, LLC*, 979 N.W.2d 894, 898 (Minn. 2022).

The district court’s decision to grant summary judgment was predicated on the reasoning that the MTA applies to public interests dedicated by plat, that the road vacation



statute is not the exclusive means to extinguish the public interest in a road, and that estoppel did not bar Moratzka's claim. Each of these three issues is now before us on appeal. Because we conclude the MTA does not apply to interests dedicated by plat, it is not necessary to consider the other arguments raised by the parties.

A.

The Legislature enacted the Marketable Title Act in 1943. Act of Apr. 20, 1943, ch. 529, §§ 1–5, 1943 Minn. Laws 752, 752–53 (codified as amended at Minn. Stat. § 541.023 (2022)). “The central tenet of the Marketable Title Act is that a determination of title should be possible from an examination of documents in the chain of title recorded in the 40-year period preceding the title search.” *Hess*, 684 N.W.2d at 427. The stated policy declared by the Legislature is that “ancient records shall not fetter the marketability of real estate.” Minn. Stat. § 541.023, subd. 5. The MTA forecloses an action affecting the title of real estate that is commenced to enforce a right, claim, or interest in land, which was “founded upon any instrument, event or transaction” that took place “more than 40 years” before the commencement of the action, unless a notice was recorded in the office of the county recorder within 40 years of the instrument, event or transaction:

As against a claim of title based upon a source of title, which source has then been of record at least 40 years, no action affecting the possession or title of any real estate shall be commenced . . . to enforce any right, claim, interest, incumbrance, or lien founded upon any instrument, event or transaction which was executed or occurred more than 40 years prior to the commencement of such action, unless within 40 years after such execution or occurrence there has been recorded in the office of the county recorder in the county in which the real estate affected is situated, a notice . . . setting forth the name of the claimant, a description of the real estate affected and of the instrument, event or transaction on which such claim is founded, and

stating whether the right, claim, interest, incumbrance, or lien is mature or immature. . . .

Minn. Stat. § 541.023, subd. 1. Any interest that falls under the language of subdivision 1 and is not recorded within the 40-year period is presumed abandoned. *Id.*, subd. 5.

The parties dispute whether the MTA applies to interests dedicated to the public by plat. The applicability of the MTA to public interests dedicated by plat is a question of statutory interpretation. We review questions of statutory interpretation de novo. *Hyatt v. Anoka Police Dep’t*, 691 N.W.2d 824, 826 (Minn. 2005).<sup>4</sup> In interpreting a statute, our purpose is to determine the intent of the Legislature. Minn. Stat. § 645.16 (2022). We start by determining whether the language in question is ambiguous, meaning that the language is subject to more than one reasonable interpretation. *Harkins v. Grant Park Ass’n*, 972 N.W.2d 381, 386 (Minn. 2022). “[I]f a statute is susceptible to only one reasonable interpretation, ‘then we must apply the statute’s plain meaning.’” *Cnty. of Dakota v. Cameron*, 839 N.W.2d 700, 705 (Minn. 2013) (quoting *Larson v. State*, 790 N.W.2d 700, 703 (Minn. 2010)).

---

<sup>4</sup> The County appears to agree that this is a question of statutory interpretation, but argues that this court has previously framed cases involving the MTA as focusing “on whether applying the MTA would be inconsistent with the MTA’s purposes.” See *Wichelman v. Messner*, 83 N.W.2d 800, 814 (Minn. 1957). Although statutory purpose is something this court may consider, it must first analyze the plain language of the MTA. See Minn. Stat. § 645.16 (2022) (“When the words of a law in their application to an existing situation are clear and free from all ambiguity, the letter of the law shall not be disregarded under the pretext of pursuing the spirit.”).

B.

We first determine whether the MTA plainly applies to interests dedicated by plat or if it is ambiguous. We have previously observed that “[t]he MTA is not a model of clarity.” *Hersh Props., LLC v. McDonald’s Corp.*, 588 N.W.2d 728, 736 (Minn. 1999). The parties focus their plain text arguments on the language that the MTA applies to “any right, claim, interest, incumbrance, or lien founded upon any instrument, event or transaction.” Minn. Stat. § 541.023, subd. 1. Appellants claim that a plat is not an instrument, event or transaction. Moratzka argues that a plat is plainly an instrument.

In determining the plain meaning of the statute, the court may turn to dictionary definitions for terms not otherwise defined in the statute. *See State v. Thonesavanh*, 904 N.W.2d 432, 436 (Minn. 2017). “[I]nstrument” is defined as “[a] written legal document that defines rights, duties, entitlements, or liabilities, such as a statute, contract, will, promissory note, or share certificate.” *Instrument*, *Black’s Law Dictionary* (11th ed. 2019). This term is extremely expansive, especially when combined with the word “any.” *Cf. White Bear Lake Restoration Ass’n ex rel. State v. Minn. Dep’t of Nat. Res.*, 946 N.W.2d 373, 379–80 (Minn. 2020) (concluding that the Legislature’s use of the word “any” was intended to be “broad” and “all-inclusive” (citation omitted) (internal quotation marks omitted)). Therefore, one reasonable interpretation—the interpretation adopted by the district court, court of appeals, and argued by Moratzka—is that this term is broad and extends to any document giving rise to a legal right or claim. Under this interpretation, the MTA plainly applies to land dedicated to public use by plat because plats are documents that give rise to legal rights and claims.

Moratzka further supports this interpretation by pointing out that the MTA does not specifically include platted interests in the exceptions listed in the MTA. *See* Minn. Stat. § 541.023, subd. 6. We have said that the expression of certain exceptions in a statute is the exclusion of others. *See State v. Caldwell*, 803 N.W.2d 373, 383 (Minn. 2011). The absence of plats from the exceptions listed under the MTA therefore supports Moratzka’s interpretation that plats are “instruments” subject to the MTA’s requirements. But it is not dispositive. While Moratzka is correct in pointing out that the MTA provides specific exceptions to the titles covered under the MTA, those exceptions relate to certain titles that otherwise would fall under the MTA. *See* Minn. Stat. § 541.023, subd. 6. Here we are attempting to determine if plats fall under the MTA at all. It is just as reasonable to conclude that, if plats are not instruments, the lack of a specific exception for property dedicated by plat is due to the fact that plats are simply not subject to the MTA in the first place.

Therefore, we must determine whether it is reasonable to read “instrument” as not including property dedicated by plat. Minn. Stat. § 541.023, subd. 1. We have said that “[t]he broad definition of [a term within the MTA] provides a reasonable basis for more than one interpretation.” *Hersh*, 588 N.W.2d at 736. In *Hersh*, we analyzed whether the plain language of the MTA applied to Torrens property. *See id.* at 734–35. We noted that the plain language of the MTA requires filing notice with “the office of the county recorder, which handles abstract property, *or* the office of the registrar of titles, which handles

Torrens property exclusively.”<sup>5</sup> *Id.* at 735. Because of this recording requirement, which specifically provided for filing with the office that exclusively handles Torrens property, we held that Torrens property was subject to the MTA. *See id.* We have therefore previously used the recording requirements of the MTA to determine which types of instruments are covered by the MTA. Consequently, “instrument” can be read as instruments that are recorded in the manner contemplated by the MTA. *See* Minn. Stat. § 541.023, subd. 1; *see also In re Schmidt ex rel. P.M.S. v. Coons*, 818 N.W.2d 523, 527 (Minn. 2012) (stating that we must construe a statute as a whole, with statutory phrases interpreted in light of their context).

Unlike the recording requirement for Torrens property at issue in *Hersh*, which was specifically included in the MTA, the process for recording plats at issue here *is not* included in the MTA. Plats have extensive recording requirements that substantially differ from the recording requirements under the MTA. *Compare* Minn. Stat. § 541.023, subd. 1 (listing the MTA’s recording requirements), *with* Minn. Stat. § 505.04 (listing the recording requirements for plats). For example, plats must be certified by a land surveyor and approved by the county surveyor, Minn. Stat. § 505.021, subd. 9 (2022), approved by the appropriate governmental body and certified by a city clerk or county auditor, Minn. Stat. § 505.03, and recorded in the office of the county recorder or registrar of titles, open to inspection by the public, Minn. Stat. § 505.04. The MTA, in contrast, requires a notice

---

<sup>5</sup> After our decision in *Hersh*, the Legislature amended the statute and removed the registrar of titles from the recording provision and added a provision exempting Torrens property. Act of Apr. 26, 2001, ch. 50, §§ 31, 33, 2001 Minn. Laws 119, 137–38 (codified as amended at Minn. Stat. § 541.023, subds. 1, 2a (2022)).

containing the name of the claimant, description of the property and instrument giving rise to the claim to the property, and a statement of whether the interest is mature or immature. Minn. Stat. § 541.023, subd. 1. In this way, the MTA's requirements for recording are altogether different from the more extensive recording requirements under chapter 505. It is therefore reasonable to interpret "instrument" in the MTA as not applying to plats when reading the phrase "instrument, event or transaction" in light of recording requirements contemplated by the MTA. *See* Minn. Stat. § 541.023, subd. 1. It would also be difficult to understand why the Legislature would include such a rigorous process for recording plats, only to put thousands of interests contained in those plats in jeopardy through enactment of the MTA.

Reading recording requirements as limiting the word "instrument" in the MTA is further supported by the stated purpose of the MTA. Though statutory purpose is typically only considered after a statute is determined to be ambiguous, here, the statutory purpose is part of the plain text of the MTA itself. *See* Minn. Stat. § 645.16; Minn. Stat. § 541.023, subd. 5. The policy of Minnesota, as stated in the MTA, is that "ancient records shall not fetter the marketability of real estate." Minn. Stat. § 541.023, subd. 5. But plats are not "ancient records" in the way that an unrecorded interest in land based on a legal document from over 40 years ago is. Plats must be kept available for inspection in the county offices in which they are maintained. Minn. Stat. § 505.04. References to plats are typically included in transfers of property interests within the plat. *See* Minn. Ass'n of Cnty. Surveyors & Minn. Soc'y of Pro. Surveyors, *Manual of Guidelines for Platting in*

[https://www.co.washington.mn.us/DocumentCenter/View/8141/MACS\\_MSPS\\_platmanual?bidId=](https://www.co.washington.mn.us/DocumentCenter/View/8141/MACS_MSPS_platmanual?bidId=) (last visited Feb. 27, 2023) [opinion attachment] (providing examples of property conveyances with references to plats); Joyce Palomar, *Patton and Palomar on Titles* § 120 (3d ed. 2003) (“It is so common in some states to be considered essential that a description by lot and block shall not only name the plat, but also identify it by some phrase . . .”). Platted interests are not “ancient records” that “fetter the marketability of real estate,” because they are highly visible and referenced when parcels within the plat are sold. Minn. Stat. § 541.023, subd. 5. Therefore, “instrument” could also be limited by those instruments that fit within the stated purpose of the MTA, which would not include interests created by plat.

### C.

Because the applicability of the MTA to dedications made by plat is subject to more than one reasonable interpretation, we may look beyond the statutory language and consider other indicia of legislative intent. *See* Minn. Stat. § 645.16 (describing the factors the court may consider when a statute is ambiguous). In particular, we may consider “the occasion and necessity for the law” and “the consequences of a particular interpretation.” *Id.* Finally, we are guided by the presumption that the Legislature does not intend an unreasonable or absurd result and intends to favor the public interest as against any private interest. Minn. Stat. § 645.17 (2022).

The occasion for the creation of the MTA was to simplify title searches, which as time passes become “more cumbersome and uncertain.” *Hersh*, 588 N.W.2d at 732–33 (“The mounting difficulties associated with transferring real property and the uncertainty

of title gave rise to enactment of reform measures intended to promote efficiency and certainty.”). These challenges gave rise to the creation of the MTA. *Id.* at 733. But interests recorded on plats do not increase the costs of title searches, while requiring re-recording would cut against the intention of the MTA to reduce burdens. *See* Restatement (Third) of Property, Servitudes § 7.16 cmt. a (Am. L. Inst. 2000); *see also* 51 Am. Jur. 2d *Limitation of Actions* § 111 (Feb. 2023 update) (“[A marketable title act] is designed to decrease the costs of title assurance by limiting the period of time that must be covered by a title search.”). The Restatement therefore does not include interests created by recorded plat maps because “[e]xempting [interests] created by notation on a plat . . . will not increase the costs of title searches and will preserve interests that frequently add significant value to property.” Restatement (Third) of Property, Servitudes § 7.16 cmt. a (Am. L. Inst. 2000). In short, “[t]here is no reason to subject the beneficiaries of obvious [interests] to the re-recording requirements of the marketable-title acts.” *Id.* The concern over burdensome title searches that prompted the creation of the MTA is simply not implicated by recorded, publicly available plats.

Moratzka argues that the MTA should apply to plats even in the case of ambiguity, reasoning that we have repeatedly recognized that the MTA applies to public roads. *See, e.g., Twp. of Sterling v. Griffin*, 244 N.W.2d 129, 133 (Minn. 1976) (“The fact that the owner of an old, outstanding interest is a public body is not a sufficient public interest to defeat the larger interest of the public in greater security in real estate transactions.”). But Moratzka overlooks the broader context of *Sterling*. In *Sterling*, we were tasked with determining whether the MTA barred an action by a township to enjoin respondents from



interfering with a road. *Id.* at 131–32. The Township argued that filing a copy of the order establishing the road with the county auditor provided sufficient notice of their interest to avoid application of the MTA. *See id.* at 132. We proceeded to conclude that the private interest defeated the larger public interest in that case. *Id.* at 133. But the holding in that case was based on the conclusion that no prudent person would have been put on notice that a public road existed. *Id.* at 135. *Sterling* did not involve an interest recorded on a plat, which clearly does put a party on notice of an existing interest.

The public interest is also particularly strong here, considering the consequences of upsetting well-settled expectations of towns, cities, and counties that would result by holding that the MTA can extinguish the public’s right to platted accesses. *See* Minn. Stat. § 645.16(6). As stated by both appellants and amici, these types of platted public interests exist throughout the state, with few, if any, recorded as contemplated by the MTA. The DNR points out that in Itasca County alone, there are 118 platted public accesses to lakes, 108 of which are undeveloped. Moratzka’s interpretation of the MTA has the potential to imperil platted public accesses not only in Itasca County, but throughout the state. Restricting the public’s access to Minnesota’s lakes is entirely contrary to the interests we have recognized in several cases. *See In re Baldwin*, 15 N.W.2d 184, 186 (Minn. 1944) (“The public rights in these lakes, with which this state abounds, are of great value and importance . . . .” (citation omitted) (internal quotation marks omitted)); *Schaller v. Town of Florence*, 259 N.W. 529, 534 (Minn. 1935) (“Whether this very desirably located area, solemnly dedicated to public use, should be restored to private ownership . . . is a matter that should receive our most careful consideration. The present trend of public opinion is

directed toward restoring to the public access to our lakes, our parks, and our forests for recreational and other proper uses.”); *In re Krebs*, 6 N.W.2d 803, 805 (Minn. 1942). We elaborated on the importance of protecting the public’s ability to access Minnesota’s many lakes in *In re Krebs*:

[W]e must not forget that the public includes persons other than those in the immediate vicinity. The general public has a true concern in the recreational facilities offered by the lakes which nature has so freely given us in this state. Their generous sharing by all will make for a healthier and happier people. The many not fortunate enough to be able to acquire the advantages of ownership of lake shore properties should not be deprived of these benefits. This we would do if we permitted streets leading to the lake shore to be vacated as here proposed.

6 N.W.2d at 805. In short, the consequences of adopting Moratzka’s position relative to Trout Lake would limit public access to the lake and potentially limit public access to many of our public waters in Minnesota and, in some cases, cut off public access to public waters altogether. These consequences of Moratzka’s interpretation are significant and support the interpretation that the Legislature did not intend for the MTA to apply to platted roads.

Not only does the interpretation urged by Moratzka potentially negatively impact access to our public waters, but it is also inconsistent with the flexibility that cities and counties have in developing and using platted roadways. *See* Minn. Stat. § 645.17(1) (explaining that, “[i]n ascertaining the intention of the legislature,” courts may presume that “the legislature does not intend a result that is absurd, impossible of execution, or unreasonable”). Parties creating a plat must follow a list of extensive requirements, including a statutory requirement to record and make the plat publicly available for inspection. Minn. Stat. ch. 505. And, as the amici point out, towns and counties have

relied on the plat dedication process for over 100 years. We have repeatedly recognized the flexibility that public entities have in developing dedicated land. *See In re Stein*, 99 N.W.2d 204, 206 (Minn. 1959) (“The dedication, being a good statutory dedication, did not have to be formally accepted by the town board.”); *Bryant v. Gustafson*, 40 N.W.2d 427, 434 (Minn. 1950) (“[W]here land . . . is dedicated to public use as a street . . . long continued nonuser of the street will constitute abandonment *only if accompanied by some affirmative or unequivocal acts of the trustee* which are indicative of an intent to abandon and which are inconsistent with a continuance of the easement.”); *Vill. of Medford v. Wilson*, 230 N.W.2d 458, 459 (Minn. 1975) (“[W]hen a street is dedicated by plat, a city may choose its own time to occupy, open, and use the street.”).

The statutory purpose, the consequences of Moratzka’s interpretation, and the presumption of favoring the public interest over a private interest all weigh heavily in favor of concluding that the MTA does not apply to platted roadways created under chapter 505. We therefore conclude that the MTA does not operate to extinguish public interests properly dedicated by plat.

## CONCLUSION

For the foregoing reasons, we reverse the decision of the court of appeals and remand to the district court for further proceedings consistent with this opinion.

Reversed and remanded.

# MANUAL OF GUIDELINES FOR PLATTING IN MINNESOTA



## **INTRODUCTION**

The objective of this manual is to produce a statewide guideline to assist land surveyors in the preparation and review of Subdivision Plats and Registered Land Surveys. Statutory requirements are cited along with recommendations in an effort to achieve quality and consistency in Subdivision Plats and Registered Land Surveys recorded in the State of Minnesota.

The procedures and guidelines outlined in this Manual are intended to supplement Minnesota Statutes, Chapters 505, 508, 508A as well as other statutes and local ordinances pertaining to platting. Careful consideration should be given to any statute, ordinance, administrative rule or policy that may be in conflict with the recommendations and guidelines contained within this manual.

This Manual of Guidelines for Platting in Minnesota is a joint publication of the Minnesota Society of Professional Surveyors (MSPS) and the Minnesota Association of County Surveyors (MACS) and will be reviewed periodically and revised as necessary.

Please direct questions regarding the use of this manual to the county surveyor or the plat recording authority in the county where the project is located.

This manual has been reviewed and adopted for use by:

Minnesota Society of Professional Surveyors

Minnesota Association of County Surveyors

**December, 2009**

## Table of Contents

<b>PART I</b>	<b>DOCUMENT SUBMITTAL</b> .....	1
	PLAT/REGISTERED LAND SURVEY APPROVAL PROCEDURES.....	2
	MEDIA REQUIREMENTS FOR RECORDING A PLAT.....	2
	MEDIA REQUIREMENTS FOR RECORDING A REGISTERED LAND SURVEY.....	2
	PLAT MONUMENTS FIELD VERIFICATION.....	2
<b>PART II</b>	<b>DOCUMENTATION</b> .....	3
1.	PLATS.....	4
	A. PLAT NAME.....	4
	B. ALL PLATS MUST CONTAIN.....	4
	NOTES.....	5
	C. NOTIFICATION OF INTEREST, DEDICATION OR DONATION, AND OWNER(S) ACKNOWLEDGEMENT(S).....	
	Example 1: Individual.....	6
	Example 2: Contract Purchaser.....	7
	Example 3: Married Persons.....	8
	Example 4: Mortgagee's Consent.....	9
	Example 5: Corporate.....	10
	Example 6: Limited Liability Company.....	11
	Example 7: Partnership.....	12
	Example 8: Trust.....	13
	Example 9: Life Estate.....	14
	Example 10: Attorney-In-Fact.....	15
	D. SURVEYOR CERTIFICATE AND ACKNOWLEDGEMENT.....	16
	E. ADVISORY REVIEW AND/OR APPROVAL FORMS.....	17
	F. GOVERNING BODY APPROVAL CERTIFICATES.....	18
	G. TAXATION FORMS.....	20
	H. COUNTY SURVEYOR APPROVAL.....	20
	I. RECORDING CERTIFICATES.....	21
2.	REGISTERED LAND SURVEYS.....	22
	A. REGISTERED LAND SURVEY REQUIREMENTS.....	22
	B. CERTIFICATES.....	23
<b>PART III</b>	<b>GRAPHICS</b> .....	27
1.	MEDIA TYPE.....	28
2.	PLAT SIZE.....	28
3.	BORDER.....	28
4.	SHEET NUMBERING.....	28
5.	PLAT SCALE.....	28
6.	ORIENTATION OF BEARINGS AND PLATS.....	29
	A. BEARING ORIENTATION.....	29
	B. PLAT ORIENTATION.....	29

C. BEARINGS OR DIRECTIONS.....	29
7. LEGAL DESCRIPTION DEPICTION.....	30
8. ADJOINING AND/OR UNDERLYING PLAT DIMENSIONS.....	30
9. MONUMENTATION .....	31
10. LINE WIDTHS.....	33
11. LETTERING SIZE.....	33
12. BLOCK AND LOT NUMBERS .....	33
13. PARKS .....	34
14. OUTLOTS.....	34
15. DETAILS.....	34
16. MATCH LINES, OVERVIEWS AND INSETS .....	35
17. PUBLIC WAYS .....	35
18. DIMENSIONS.....	36
19. CURVE DATA.....	37
20. WATER BOUNDARIES .....	38
A. WATER BOUNDARY LINES .....	38
B. SURVEY LINE.....	38
C. BENCHMARK AND ELEVATIONS .....	38
D. WET LAND.....	39
21. EASEMENTS.....	40
A. EXISTING DRAINAGE AND UTILITY EASEMENTS.....	40
B. CREATED DRAINAGE AND UTILITY EASEMENTS .....	40
22. ADJOINING PROPERTY.....	43
23. REPLATS .....	43
24. LEGEND .....	43
25. VICINITY OR LOCATION MAP .....	43
26. NOTARIAL ACT .....	44
27. LEGIBILITY .....	44
28. ABBREVIATIONS .....	44
29. SIGNATURES .....	45
30. PLATTING REGISTERED LAND (TORRENS) .....	45
<b>PART IV   SURVEYOR'S CERTIFICATE OF PLAT CORRECTION.....</b>	<b>47</b>
1. Minn. Stat. § 505.174 SURVEYOR'S CERTIFICATE OF OWN PLAT ERRORS; CORRECTION .....	48
2. Minn. Stat. § 505.175 CERTIFICATES BY OTHER SURVEYORS .....	50

# **PART I**

## **DOCUMENT SUBMITTAL**



## GENERAL REVIEW and MEDIA SUBMISSION REQUIREMENTS and GUIDELINES

### PLAT/REGISTERED LAND SURVEY APPROVAL PROCEDURES

1. Check with the appropriate County Officials in the County in which your plat is located for:
  - A. Number of prints
  - B. Plat review fee
  - C. Copies of acceptable ownership and interest documents [Minn. Stat. § 505.03, Subd. 1]
  - D. Copies of recorded documents of all relevant public easements encumbering the property that are known to the surveyor or disclosed in a title commitment provided to the surveyor
  - E. Mathematical solutions for closure of all lots, outlots, parks, easements, boundaries and ties to lot clusters
  - F. Other documents relevant to the plat

### MEDIA REQUIREMENTS FOR RECORDING A PLAT

1. Submit the required 22 inch x 34 inch x 4 mil, film transparencies of the approved final plat. [Minn. Stat. § 505.021, Subd. 1] All film transparencies presented for filing shall be made by a photographic reproduction process only. The transparency that is to be the official plat shall be labeled "OFFICIAL PLAT" and any copy shall be labeled "copy." [Minn. Stat. § 505.04] Common practice has been to place the labels near the center of the top 1/2 inch margin along the 34 inch side.
2. Check with the local County Recorder/Registrar of Titles for any additional transparencies, paper prints, reductions, etc. Failure to use a photographic process may result in rejection of the plat.

### MEDIA REQUIREMENTS FOR RECORDING A REGISTERED LAND SURVEY

1. Submit a minimum of three [Minn. Stat. § 508.47, Subd. 2] 22 inch x 34 inch x 4 mil, film transparencies of the final registered land survey. All film transparencies presented for filing shall be made by a photographic process only. [Minn. Stat. § 508.47, Subd. 4] Failure to use a photographic process may result in rejection of the transparencies.

### PLAT MONUMENTS FIELD VERIFICATION

**The existence of outside boundary plat monuments may be field verified prior to approval of the final plat.** The local governmental unit may require a financial guarantee to ensure the placement of monuments that were not set prior to recording.

Plat monuments shall be set at all angle and curve points on the outside boundary lines of the plat prior to recording. Plat monuments shall be set at all other block, lot, outlot, park, survey line, and witness corners within one year after recording the plat. A financial guarantee may be required for the placement of monuments. [Minn. Stat. § 505.021, Subd. 10]

## **PART II**

### **DOCUMENTATION**

## 1. PLATS

### A. PLAT NAME

- 1) The plat name shall be in capital letters in all locations that the name appears on the plat. [Minn. Stat. § 505.021, Subd. 2] Place the name of the plat across the top (34 inch side) of the plat in CAPITAL LETTERS without underlines, identical to the name of the plat as recited in the dedication paragraph and recording certificate(s). Do not show the name of the municipality adjacent to the plat name on the sheet (*unless it is part of the official plat name*). This will eliminate the possibility of someone assuming that the municipal name is part of the official name of the plat.
- 2) The plat name shall not duplicate or be similar to the name of any plat that is in the office of the county recorder or registrar of titles in the county in which the land is located. [Minn. Stat. § 505.021, Subd. 2] Examples of unacceptable similarities:

ANDERSENS ADDITION  
FISCHER ADDITION  
HAYES ADDITION

ANDERSONS ADDITION  
FISHER ADDITION  
HAYS ADDITION

- 3) Keep plat names short and simple, using the English alphabet only. Do not use hyphens, apostrophes, commas, etc. in the plat name.
- 4) Plat names similar to the examples below are discouraged:

REPLAT OF BLOCK 2, CIRCLE ADDITION  
and  
REARRANGEMENT OF BLOCK 2, CIRCLE ADDITION

### B. ALL PLATS MUST CONTAIN

- Notification of Interest (*page 6*)
- Owner(s) Acknowledgement(s) (*pages 6-15*)
- Surveyor Certificate and Acknowledgement (*page 16*)
- Advisory Review and/or Approvals (*page 17*)
- Governing Body Approval Certificates (*page 18*)
- Taxation Forms (*page 20*)
- County Surveyor Approval (*page 20*)
- Recording Certificates (*page 21-25*)
- Graphic Representation of Survey (*pages 28-45*)

(see next page for notes)

**NOTES:**

The plat shall contain a complete and accurate description of each tract of land being platted.

**[Minn. Stat. § 505.021, Subd. 2]** Although Minn. Stat. § 505.021 Subd. 5 states “Bearings, azimuths, and central angles shall be expressed in degrees, minutes, and seconds and labeled with the respective symbols”, Minn. Stat. § 505.021, Subd. 2 provides no specific direction in regard to the legal description. A common reference is the composition standard in Fant, Freeman and Madson, *Report Four Meters and Bounds Descriptions – 2004*, which recommends that “Bearings are capitalized and spelled out with no punctuation between bearing directions.” It is recommended that legal descriptions shown on plats of land registered in the Torrens system be identical to the Certificate of Title.

In the plat description, use English letters and Arabic numerals to designate distances, degrees, minutes, seconds, government lots, sections, townships and ranges, etc.

The marital status of individual owners shall appear on the plat. **[Minn. Stat. § 505.021, Subd. 3]**

The marital status of the owner must be stated in the first paragraph of the dedication, and in the acknowledgement. **[Atty. Gen. Opinion, Aug. 30, 1961] [Minn. Stat. § 505.021, Subd. 3]**

The names and signatures of all fee owners, contract for deed vendees and mortgage holders of record of the land being platted shall appear on the plat, together with a statement as to their interest. **[Minn. Stat. § 505.021, Subd. 3]**

Entities shall identify the specific type of entity and the jurisdiction in which the entity is organized. **[Minn. Stat. § 505.021, Subd. 3]**

C. NOTIFICATION OF INTEREST, DEDICATION OR DONATION, AND OWNER(S)  
ACKNOWLEDGEMENT(S)

*Example 1: Individual owner*

KNOW ALL PERSONS BY THESE PRESENTS: That John M. Doe, a single person, fee owner of the following described property:

The South Half of the South Half of the Northeast Quarter of Section 15,  
Township 30 North, Range 22 West, \_\_\_\_ Principal Meridian, \_\_\_\_ County

Has caused the same to be surveyed and platted as INDEPENDENT ESTATES PLAT TWO and does hereby dedicate to the public for public use the public way(s) and/or the drainage and utility easement(s) as created by this plat.

In witness whereof said John M. Doe, a single person, has hereunto set his hand this \_\_\_\_  
day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
John M. Doe

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_ (date) \_\_\_\_ by John M. Doe.

(Signature of person taking acknowledgement)

(Print Notary's name)

Notary Public, \_\_\_\_\_

My commission expires \_\_\_\_\_

*Example 2: Contract Purchaser*

KNOW ALL PERSONS BY THESE PRESENTS: That John M. Doe, a single person, fee owner, and Ryan D. Smith, a single person, contract purchaser, of the following described property:

The South Half of the South Half of the Northeast Quarter of Section 15,  
Township 30 North, Range 22 West, \_\_\_\_Principal Meridian, \_\_\_\_County

Have caused the same to be surveyed and platted as INDEPENDENT ESTATES PLAT TWO and do hereby dedicate to the public for public use the public way(s) and/or the drainage and utility easement(s) as created by this plat.

In witness whereof said John M. Doe, a single person, has hereunto set his hand this \_\_\_\_day  
of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
John M. Doe

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_ (date) \_\_\_\_ by John M. Doe.

(Signature of person taking acknowledgement)

(Print Notary's name)

Notary Public, \_\_\_\_\_

My commission expires \_\_\_\_\_

In witness whereof said Ryan D. Smith, a single person, has hereunto set his hand this \_\_\_\_day of  
\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Ryan D. Smith

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_ (date) \_\_\_\_ by Ryan D. Smith.

(Signature of person taking acknowledgement)

(Print Notary's name)

Notary Public, \_\_\_\_\_

My commission expires \_\_\_\_\_

*Example 3: Married Persons with mortgage signing plat*

KNOW ALL PERSONS BY THESE PRESENTS: That John W. Doe and Mary K. Doe, husband and wife, owners, and Premier Banks, a Minnesota corporation, mortgagee, of the following described property:

Lot 1, Block 1, ABC ADDITION, \_\_\_\_\_ County, Minnesota.

Have caused the same to be surveyed and platted as XYZ ADDITION and do hereby dedicate to the public for public use the public way(s) and/or the drainage and utility easement(s) as created herewith, and do hereby donate to the Township of \_\_\_\_\_ the park(s) as shown on this plat.

In witness whereof said John W. Doe and Mary K. Doe, husband and wife, have hereunto set their hands this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
John W. Doe

\_\_\_\_\_  
Mary K. Doe

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_ (date) \_\_\_\_ by John W. Doe and Mary K. Doe.

(Signature of person taking acknowledgement)

(Print Notary's name)  
Notary Public, \_\_\_\_\_  
My commission expires \_\_\_\_\_

In witness whereof said Premier Banks, a Minnesota corporation, has caused these presents to be signed by its proper officer this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed: Premier Banks

\_\_\_\_\_  
Douglas A. Schultz, President

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_ (date) \_\_\_\_ by Douglas A. Schultz, President of Premier Banks, a Minnesota corporation.

(Signature of person taking acknowledgement)

(Print Notary's name)  
Notary Public, \_\_\_\_\_  
My commission expires \_\_\_\_\_

*Example 4: Mortgagee's Consent*

A mortgage holder may consent to the plat by a written acknowledged statement in lieu of the mortgage holder's name and signature appearing on the plat. [Minn. Stat. § 505.021, Subd. 3]

**CONSENT TO FILE PLAT**

DATE: *(month day, year)*

*(lender's name)*, holder of that certain mortgage dated *(month day, year)* and filed for record *(month day, year)*, as document number *(for the recorded mortgage)*, in the office of the county recorder/Registrar of Titles of *(county name)* county, Minnesota, hereby consents to the filing of that certain plat of *(name of plat to be recorded)*, described as follows:

*(insert legal description)*

and hereby joins in and agrees that its interest in the land platted is subject to easements and dedications set forth in the plat as recorded in the office of the County Recorder/Registrar of Titles.

*(lender's name)*

BY \_\_\_\_\_  
*(officer's name and title)*

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ *(date)* by \_\_\_\_\_ *(name(s) of person(s))* as \_\_\_\_\_ *(type of authority, e.g., officer, trustee, etc.)* of \_\_\_\_\_ *(name of party on behalf of whom the instrument was executed)*.

*(Signature of person taking acknowledgement)*

*(Print Notary's name)*  
Notary Public, \_\_\_\_\_  
My commission expires \_\_\_\_\_

This instrument was drafted by:  
*(name)*  
*(address)*



*Example 5: Corporate*

KNOW ALL PERSONS BY THESE PRESENTS: That National Realty Company, a Minnesota corporation, owner of the following described property:

Tract A, Registered Land Survey No. 500, \_\_\_\_\_ County, Minnesota.

Has caused the same to be surveyed and platted as DAISY LANE ADDITION and does hereby dedicate to the public for public use the public way(s) and/or the drainage and utility easement(s) as created herewith, and does hereby donate to the City of \_\_\_\_\_ the park(s) as shown on this plat.

In witness whereof said National Realty Company, a Minnesota corporation, has caused these presents to be signed by its proper officers this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed: National Realty Company

\_\_\_\_\_  
John Q. Smith, President

\_\_\_\_\_  
James L. Lake, Vice President

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_ (date) \_\_\_\_ by John Q. Smith, President, and James L. Lake, Vice President, of National Realty Company, a Minnesota corporation, on behalf of the corporation.

(Signature of person taking acknowledgement)

(Print Notary's name)  
Notary Public, \_\_\_\_\_  
My commission expires \_\_\_\_\_

*Example 6: Limited Liability Company (LLC)*

KNOW ALL PERSONS BY THESE PRESENTS: That Apache Redevelopment, LLC, a Minnesota limited liability company, owner of the following described property:

Lot 7, Block 1, SILVER LAKE CENTER, \_\_\_\_\_ County, Minnesota;

And

That part of vacated 39th Avenue N.E. lying easterly of the southerly extension of the west line of said Lot 7, Block 1, SILVER LAKE CENTER, \_\_\_\_\_ County, Minnesota.

Has caused the same to be surveyed and platted as SILVER LAKE VILLAGE and does hereby dedicate to the public for public use the public way(s) and/or the drainage and utility easement(s) as created by this plat.

In witness whereof said Apache Redevelopment, LLC, a Minnesota limited liability company, has caused these presents to be signed by its proper officer this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signed: Apache Redevelopment, LLC

\_\_\_\_\_, Chief Manager

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ (date) by \_\_\_\_\_, Chief Manager of Apache Redevelopment, LLC, a Minnesota limited liability company.

(Signature of person taking acknowledgement)

(Print Notary's name)

Notary Public, \_\_\_\_\_

My commission expires \_\_\_\_\_

**NOTE:** The above example reflects the requirements of Minnesota Statutes, Section 322B.673, which is the governing statute regarding Minnesota limited liability companies.

*Example 7: Partnership*

KNOW ALL PERSONS BY THESE PRESENTS: That Falcon Heights Town Square Limited Partnership, a Minnesota limited partnership, owner of the following described property:

OUTLOT A, FALCON HEIGHTS TOWN SQUARE, \_\_\_\_\_ County, Minnesota;

And

Tract A, Registered Land Survey No. 73, \_\_\_\_\_ County, Minnesota.

Has caused the same to be surveyed and platted as FALCON HEIGHTS TOWN SQUARE SECOND and does hereby dedicate to the public for public use the public way(s) and/or the drainage and utility easement(s) as created by this plat.

In witness whereof said Falcon Heights Town Square Limited Partnership, a Minnesota limited partnership, has caused these presents to be signed by its proper partner this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed: Falcon Heights Town Square Limited Partnership  
By: Sherman Associates, Inc., a Minnesota corporation, General Partner

\_\_\_\_\_  
George E. Sherman, President

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ (date) by George E. Sherman, President of Sherman Associates, Inc., a Minnesota corporation, General Partner of Falcon Heights Town Square Limited Partnership, a Minnesota limited partnership, on behalf of the partnership.

*(Signature of person taking acknowledgement)* \_\_\_\_\_

*(Print Notary's name)* \_\_\_\_\_  
Notary Public, \_\_\_\_\_  
My commission expires \_\_\_\_\_

*Example 8: Trust*

KNOW ALL PERSONS BY THESE PRESENTS: That Richard M. Hansen and Jane A. Hansen as Trustees of the Richard M. Hansen and Jane A. Hansen Revocable Trust, dated \_\_\_\_\_, owners of the following described property situated in the City of \_\_\_\_\_, County of \_\_\_\_\_, State of Minnesota:

The North 293 feet of Lots 4 and 5, CITY VIEW GARDEN LOTS, except the East 56 feet of said Lot 4, and except the West 3.34 feet of said Lot 5.

Have caused the same to be surveyed and platted as DICK AND JANE'S COMMERCIAL CENTER, and do hereby dedicate to the public for public use the public way(s) and/or the drainage and utility easement(s) as created by this plat.

In witness whereof said Richard M. Hansen and Jane A. Hansen, Trustees of the Richard M. Hansen and Jane A. Hansen Revocable Trust, dated \_\_\_\_\_, have hereunto set their hands this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Richard M. Hansen, Trustee of the  
Richard M. Hansen and Jane A. Hansen  
Revocable Trust, dated \_\_\_\_\_  
STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

\_\_\_\_\_  
Jane A. Hansen, Trustee of the  
Richard M. Hansen and Jane A. Hansen  
Revocable Trust, dated \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ (date) by Richard M. Hansen and by Jane A. Hansen, Trustees of the Richard M. Hansen and Jane A. Hansen Revocable Trust, dated \_\_\_\_\_.

(Signature of person taking acknowledgement)

(Print Notary's name)

Notary Public, \_\_\_\_\_

My commission expires \_\_\_\_\_

**NOTE:** Whenever a plat is executed by trustees, the Trust Instrument or a Certificate of Trust must be filed; an Affidavit of Trustee must also be filed in the office of the County Recorder and/or Registrar of Titles.

*Example 9: Life Estate*

KNOW ALL PERSONS BY THESE PRESENTS: That John W. Doe and Mary K. Doe, husband and wife, owners, of the following described property subject to the life estate of Beverly J. Taber, widow:

Lot 1, Block 1, ABC ADDITION, \_\_\_\_\_ County, Minnesota.

Have caused the same to be surveyed and platted as XYZ ADDITION and do hereby dedicate to the public for public use the public way(s) and the drainage and/or utility easement(s) as created herewith, and do hereby donate to the Township of \_\_\_\_\_ the park(s) as shown on this plat.

In witness whereof said John W. Doe and Mary K. Doe, husband and wife, have hereunto set their hands this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
John W. Doe

\_\_\_\_\_  
Mary K. Doe

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_ (date) \_\_\_\_ by John W. Doe and Mary K. Doe.

(Signature of person taking acknowledgement)

(Print Notary's name)

Notary Public, \_\_\_\_\_

My commission expires \_\_\_\_\_

In witness whereof said Beverly J. Taber has hereunto set her hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Beverly J. Taber

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_ (date) \_\_\_\_ by Beverly J. Taber, a widow.

(Signature of person taking acknowledgement)

(Print Notary's name)

Notary Public, \_\_\_\_\_

My commission expires \_\_\_\_\_

*Example 10: Attorney-In-Fact*

KNOW ALL PERSONS BY THESE PRESENTS: That John Q. Public, a single person, owner of the following described property:

Government Lot 2, Section 12, Township 30 North, Range 22 West, Ramsey County,  
Minnesota.

Has caused the same to be surveyed and platted as GARDEN OF EDEN ADDITION and does hereby dedicate to the public for public use the public way(s) and/or the drainage and utility easement(s) as created by this plat.

In witness whereof, Katherine Randolph, Attorney-In-Fact for John Q. Public, a single person, has hereunto set her hand this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Katherine Randolph, Attorney-In-Fact for  
John Q. Public, a single person

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_ (date) \_\_\_\_ by Katherine Randolph, Attorney-In-Fact for John Q. Public.

(Signature of person taking acknowledgement)

(Print Notary's name)

Notary Public, \_\_\_\_\_

My commission expires \_\_\_\_\_

**NOTE:** When executed by an Attorney-In-Fact, the original Power of Attorney must be filed in the office of the County Recorder/Registrar of Titles.

D. SURVEYOR CERTIFICATE AND ACKNOWLEDGEMENT (Certification must comply with Minnesota Administrative Rules 1800.4200 Certification And Signature on Plans.

I (*surveyor's name*) 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 this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 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.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(*Print name of surveyor*), Licensed Land Surveyor  
Minnesota License No. \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ (*date*) by (*name of surveyor*).

\_\_\_\_\_  
(*Signature of person taking acknowledgement*)

\_\_\_\_\_  
(*Print Notary's name*)  
Notary Public, \_\_\_\_\_  
My commission expires \_\_\_\_\_

E. ADVISORY REVIEW AND/OR APPROVAL FORMS

**NOTE:** Some jurisdictions require plats to be signed by advisory bodies or individuals. Included below are examples of typical forms. Check with local platting authorities in the County, City and/or Township in which the plat is located for the exact form(s) and the appropriate number of signature blocks to use.

1. CITY PLANNING COMMISSION

(City Name) Planning Commission

Be it known that at a meeting held on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Planning Commission of the City of (Name), Minnesota, did hereby (review and/or approve) this plat of (Plat Name).

Planning Commission, City of (Name), Minnesota

By \_\_\_\_\_, Chairman      By \_\_\_\_\_, Secretary

2. TOWNSHIP OR CITY PLANNING COMMISSION

Approved by the Planning Commission of the (Township or City) of \_\_\_\_\_, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By \_\_\_\_\_, (title)      By \_\_\_\_\_, (title)

3. COUNTY PLANNING COMMISSION APPROVAL

(County Name) Planning Commission

Be it known that at a meeting held on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Planning Commission of the County of (Name), Minnesota, did hereby (review and/or approve) this plat of (Plat Name).

Planning Commission, County of (Name), Minnesota

By \_\_\_\_\_, Chairman      By \_\_\_\_\_, Secretary



4. CITY ATTORNEY APPROVAL

(City Name) Attorney

This plat of (Plat Name) was reviewed and approved by the City Attorney for the City of (Name), Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

City Attorney, City of (Name), Minnesota

By \_\_\_\_\_, City Attorney

Approved as to form and execution this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

By \_\_\_\_\_, City/County Attorney

5. TITLE OPINION

I, (name of attorney), Licensed Attorney, State of Minnesota, do hereby certify that the owners as indicated hereon represent all ownership interest in the land encompassed by this plat.

\_\_\_\_\_  
(name of attorney), Licensed Attorney

F. GOVERNING BODY APPROVAL CERTIFICATES

Plats that subdivide land are subject to the approval of the elected body of the local governmental units exercising authority over the subdivision of the land. **[Minn. Stat. § 505.03, Subd. 1]**

Plats that only delineate existing parcels or comply with a minor subdivision procedure may be approved by a local government official designated by the governing body of the local governmental unit exercising authority over the subdivision of land. **[Minn. Stat. § 505.03, Subd. 1]** The intent of this section is to clarify that local governmental units have the option of defining a minor subdivision; the authority to adopt approval procedures for plats of minor subdivisions and plats that only delineate the boundaries of existing parcels; and the authority to designate a plat approval official.

**NOTES:**

Consult with the local governing body for appropriate language used in a certificate of approval by a local government official on a plat of a minor subdivision or a plat used only to delineate the boundaries of an existing parcel.

Provide a 2 inch by 2 inch space for the application of the governing body seal adjacent to the governing body approval certificate, when it is required.

The following examples are for city council or township board of supervisors' approval:

1. City Council

City Council, City of (Name), Minnesota

This plat of (Plat Name) was approved and accepted by the City Council of the City of (Name), Minnesota at a regular meeting thereof held this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of (Name), Minnesota

By : \_\_\_\_\_  
(Signature of person and title  
designated by approving authority)

By : \_\_\_\_\_  
(Signature of person and title  
designated by approving authority)

2. Town Board or City Council

This plat was approved by the (Town Board or City Council) of (Town or City), Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subd. 2.

By : \_\_\_\_\_  
(Signature of person and title  
designated by approving authority)

By : \_\_\_\_\_  
(Signature of person and title  
designated by approving authority)

3. Township Board of Supervisors

Township of (Name)

I/We do hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Board of Supervisors for the Township of (Name), (Name) County, Minnesota, approved this plat of (Plat Name) and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

\_\_\_\_\_  
(Signature of person or person and title(s)  
designated by approving authority)

4. (Name) County Board

I/We do hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Board of Commissioners of (Name) County, Minnesota, approved this plat of (Plat Name), and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

\_\_\_\_\_  
(Signature of person or persons and title(s)  
designated by approving authority)

Attest: \_\_\_\_\_

G. TAXATION FORMS

**NOTE:** Each county determines how taxation issues are handled. These are some examples of typical forms. Check with the local governing body for appropriate language used in the county in which the plat is located.

1) Example for a county with a separate Auditor and Treasurer:

County Auditor, (Name) County, Minnesota

Pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes on the land hereinbefore described on this plat and transfer entered this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(County Name) County Auditor

\_\_\_\_\_, Auditor By \_\_\_\_\_, Deputy

County Treasurer, (Name) County, Minnesota

Pursuant to Minnesota Statutes, Chapter 505.021, Subd. 9, taxes payable for the year 20\_\_ on the land hereinbefore described have been paid this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

(County Name) County Treasurer

\_\_\_\_\_, Treasurer By \_\_\_\_\_, Deputy

2) Example for a county with combined Auditor and Treasurer duties:

Department of Property Records and Revenue

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20\_\_ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_, Director  
Department of Property Records and Revenue

By \_\_\_\_\_, Deputy

H. COUNTY SURVEYOR APPROVAL

- 1) All plats prepared for recording are subject to approval by the county surveyor in accordance with Minnesota Statute section 389.09, subdivision 1, and/or as authorized by their respective county board of commissioners. [Minn. Stat. § 505.021, Subd. 11]

- 2) In any county that requires review and approval of plats by the county surveyor or another land surveyor, the plat shall contain a certification of approval executed by the county surveyor or land surveyor that this plat is in compliance with this section. **[Minn. Stat. § 505.021, Subd. 9(c)]**

**NOTE:** These sections provide for plat review and approval by the county surveyor or by another licensed land surveyor when authorized by the county board.

County Surveyor

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
County Surveyor

For plats that are reviewed and approved by a Licensed Land Surveyor other than a County Surveyor, as authorized by the county board of commissioners, the following example may be used:

Licensed Land Surveyor

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Print name of surveyor), Licensed Land Surveyor

Minnesota License No. \_\_\_\_\_

**NOTE:**

Some counties may have specific enabling legislation or a county ordinance that provides for review and/or approval of plats and may require a reference to the legislation or ordinance within the approval statement.

**I. RECORDING CERTIFICATES**

- 1) County Recorder. **NOTE:** check with each individual county.

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

I hereby certify that this plat of *(name of plat in CAPITAL LETTERS, exactly as it appears in the dedication paragraph)* was filed in the office of the County Recorder for public record on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_ o'clock \_\_\_\_M. and was duly filed in Book \_\_\_\_\_ of Plats, Page \_\_\_\_\_, as Document Number \_\_\_\_\_.

\_\_\_\_\_, County Recorder      By \_\_\_\_\_, Deputy

Registrar of Titles. **NOTE:** check with each individual County.

Registrar of Titles, County of \_\_\_\_\_, State of Minnesota

I hereby certify that this plat of *(name of plat in CAPITAL LETTERS, exactly as it appears in the dedication paragraph)* was filed in the office of the Registrar of Titles for public record on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ .M. and was duly filed in Book \_\_\_\_\_ of Plats, Page \_\_\_\_\_, as Document Number \_\_\_\_\_.

\_\_\_\_\_, Registrar of Titles By \_\_\_\_\_, Deputy

**NOTES:**

If a plat consists of more than one sheet, provide a sufficient number of blanks to indicate one page for each sheet of the plat in the County Recorder/Registrar of Titles Book of Plats.

*Examples:* ..... Book \_\_\_\_\_ of Plats, Pages \_\_\_\_\_ and \_\_\_\_\_,  
..... Book \_\_\_\_\_ of Plats, Pages \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_,

If a plat consists of both abstract and Torrens property, a recording certificate for both the County Recorder and the Registrar of Titles must be provided.

**2. REGISTERED LAND SURVEYS**

**NOTE:** Check with each individual county for specific requirements.

Registered Land Surveys identify registered (Torrens) lands in accordance with Minnesota Statutes, Section 508.47. Registered Land Surveys shall be approved in the manner required for the approval of subdivision plats, except registered land surveys are not signed by landowners and may not dedicate or donate any public rights.

**A. REGISTERED LAND SURVEY REQUIREMENTS:**

- 1) 22 inches by 34 inches in size.
- 2) Recite the legal description exactly as it appears on the current Certificate(s) of Title.
- 3) Show all boundary measurements.
- 4) Show measurements of all tracts.
- 5) Show the direction of all lines.
- 6) Show durable monuments at appropriate corners.
- 7) Show all tracts lettered consecutively beginning with "A".
- 8) Show multi-level tracts with an elevation view with the location and elevation of a benchmark.
- 9) Place a border line one-half inch inside the outer edge of the plat on the top and bottom 34 inch sides; and the right 22 inch side; and two inches inside the outer edge of the plat on the left 22 inch side.
- 10) A vicinity or location map is recommended.

The aforementioned items are an overview of recommendations to be used together with the requirements of Minnesota Statutes, Section 508.47, Subd. 4, and Section 508A.47, Subd. 4.

## B. CERTIFICATES

- Surveyor Certificate (page 23)
- Governing Body Approval Certificates (page 23)
- Taxation Forms (page 24)
- County Surveyor Certificate (page 25)
- Registrar of Titles Certificate (page 25)

### 1) Surveyor Certificate

I, *(surveyor's name)*, hereby certify that, in accordance with the provisions of Minnesota Statutes, Section 508.47 and/or 508A.47 *(whichever is applicable)*, I have surveyed the following described property situated in the County of \_\_\_\_\_, State of Minnesota:

*(Legal description of the land shall be the same as on the current Certificate(s) of Title for the property. The words degrees, minutes, seconds and references to fractions shall be spelled out in all legal descriptions).*

I hereby certify that this Registered Land Survey was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota and that this Registered Land Survey is a correct representation of said parcel of land. Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
*(Print name of surveyor)*, Licensed Land Surveyor  
Minnesota License No. \_\_\_\_\_

### 2) Governing Body Approval Certificates

Before filing, however, any survey shall be approved in the manner required for the approval of subdivision plats, which approval shall be endorsed on it or attached to it. **[Minn. Stat. § 508.47, Subd. 4]**

#### NOTES:

Consult with the local governing body for appropriate language used in a certificate of approval by a local government official for a registered land survey that creates a minor subdivision.

Provide a 2 inch by 2 inch space for the application of the governing body seal adjacent to the governing body approval certificate, when it is required.

The following examples are for city council or township board of supervisors' approval:

- a) Township Board of Supervisors

Township of \_\_\_\_\_

I/We do hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Board of Supervisors for the Township of (Name), (Name) County, Minnesota, has approved this Registered Land Survey.

\_\_\_\_\_  
(Signature of person(s) and title(s) designated  
by approving authority)

- b) City Council

City of \_\_\_\_\_

I/We do hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the City Council of the City of \_\_\_\_\_, Minnesota, has approved this Registered Land Survey.

\_\_\_\_\_  
(Signature of person(s) and title(s) designated  
by approving authority)

- c) (Name) County Board

I/We do hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Board of Commissioners of (Name) County, Minnesota, approved this Registered Land Survey.

\_\_\_\_\_  
(Signature of person or persons and title(s)  
designated by approving authority)

- 3) Taxation Forms

**NOTE:** Each county determines how taxation issues are handled. These are some examples of typical forms. Check with the local governing body for appropriate language used in the county in which the Registered Land Survey is located.

- a) Example for a county with a separate Auditor and Treasurer:

County Auditor, (Name) County, Minnesota

Pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes on the land hereinbefore described on this Registered Land Survey and transfer entered this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, Auditor By \_\_\_\_\_, Deputy

County Treasurer, (Name) County, Minnesota

Pursuant to Minnesota Statutes, Section 508.47, Subd. 4 and/or Section 508A.47, Subd. 4, *(whichever is applicable)* taxes payable for the year 20\_\_\_\_ on the land hereinbefore described have been paid on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, Treasurer By \_\_\_\_\_, Deputy

- b) Example for a county with combined Auditor and Treasurer duties:

Department of Property Records and Revenue

Pursuant to Minnesota Statutes, Section 508.47, Subd. 4 and/or Section 508A.47, Subd. 4, *(whichever is applicable)* taxes payable in the year 20\_\_\_\_ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, Director  
Department of Property Records and Revenue

By \_\_\_\_\_, Deputy

- 4) County Surveyor Certificate

County Surveyor

Pursuant to Minnesota Statutes, Section 389.09, Subd. 1, this Registered Land Survey is approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Name)  
\_\_\_\_\_ County Surveyor

- 5) Registrar of Titles Certificate

Registrar of Titles, County of \_\_\_\_\_, State of Minnesota

I hereby certify that this Registered Land Survey No. \_\_\_\_\_ was filed in this office this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M., as Document No. \_\_\_\_\_.

\_\_\_\_\_  
Registrar of Titles

By \_\_\_\_\_, Deputy



This page intentionally left blank

## **PART III**

### **GRAPHICS**

## 1. MEDIA TYPE

A plat shall be prepared on four mil transparent reproducible film or the equivalent and shall be prepared by a photographic process. [Minn. Stat. § 505.021, Subd. 1]

## 2. PLAT SIZE

Plat sheet size shall be 22 inches by 34 inches. [Minn. Stat. § 505.021, Subd. 1]

## 3. BORDER

A border line shall be placed one-half inch inside the outer edge of the plat on the top and bottom 34 inch sides; and the right 22 inch side; and two inches inside the outer edge of the plat on the left 22 inch side. [Minn. Stat. § 505.021, Subd. 1]

## 4. SHEET NUMBERING

- A. If a plat consists of more than one sheet, the sheets shall be numbered consecutively. [Minn. Stat. § 505.021, Subd. 1] Show the individual sheet number and the total number of sheets in the lower right corner of the plat outside of the border.

*Example:*

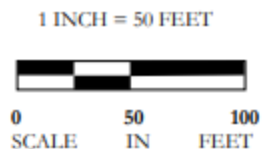
Sheet 1 of 3 Sheets  
Sheet 2 of 3 Sheets  
Sheet 3 of 3 Sheets

- B. Place the dedication portion of the plat on Sheet 1 whenever practicable.

## 5. PLAT SCALE

- A. Use a standard Engineer's scale to establish the scale of the plat.
- B. A graphic scale shall be shown along with the label "Scale In Feet." [Minn. Stat. § 505.021, Subd. 5]

*Example:*



## 6. ORIENTATION OF BEARINGS AND PLATS

### A. BEARING ORIENTATION

- 1) A north arrow and directional orientation note shall be shown. [Minn. Stat. § 505.021, Subd. 5]

*Examples:*

- a) The orientation of this bearing system is assumed.
  - b) The orientation of this bearing system is based on the (county name) County Coordinate System NAD83 (specify adjustment).
- 2) In the case of an assumed bearing system, place a statement on the plat that describes the bearing orientation of a monumented line on the plat.

*Examples:*

- a) The west line of the NW ¼ of Sec. 3, T.30N., R.22W. is assumed to bear N 02° 39' 24" E.
- b) The north line of Block 1, LAKE ADDITION, is assumed to have a bearing of East.

**NOTE:** Do not use the statement: “*all bearings are assumed*”, because it negates the directional relationship of plat lines.

### B. PLAT ORIENTATION

- 1) Orient North toward the top of the plat (*34 inch side*).
- 2) If orienting North toward the top is not practicable, orient North toward the left 22 inch side.
- 3) Orient all dimensions, designations, lot and block numbers, etc., so they can be read from either the bottom or the right-hand side of the plat.

### C. BEARINGS OR DIRECTIONS

- 1) All straight line segments of the plat shall be labeled with the length of the line and bearing or azimuth. All curved line segments of the plat shall be labeled with the central angle, arc length, and radius length. If any curve is nontangential the dimensions shall include a long chord bearing or azimuth, and shall be labeled nontangential. [Minn. Stat. § 505.021, Subd. 5]
- 2) Bearings, azimuths, and central angles shall be expressed in degrees, minutes, and seconds and labeled with the respective symbols. [Minn. Stat. § 505.021, Subd. 5]

## 7. LEGAL DESCRIPTION DEPICTION

- A. Plat boundaries shall be designated on the plat in accordance with the underlying legal description and survey. [Minn. Stat. § 505.021, Subd. 4]
- B. Dimension and descriptive recitals in the legal description shown on the plat shall be depicted and labeled on the graphic portion of the plat. [Minn. Stat. § 505.021, Subd. 5] Designation of plat boundaries on the drawing may be shown in an acceptable abbreviated form.
  - 1) West line of NW<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub>
  - 2) N.W. corner of Sec. 3, T.29N, R.23W
  - 3) South line of the North 100 ft. of Govt. Lot 3
- C. If the legal description identifies any part of a lot, outlot, registered land survey tract, section, government lot, etc., label the parcel in dotted or dashed text.
- D. Show and label all section lines, quarter section lines, quarter-quarter section lines and government lot lines that are related to the property being platted; called for in the description; or used as a reference for the plat.
- E. Identify all quarter-quarter sections and government lots with dotted lettering on the plat.

*Example:*

NW 1/4 - SEE 1/4, SEEC. 3, T22S, R22E  
GOVT LOT 3

- F. When a specific parcel is recited in the description as being an exception or exclusion to the basic plat parcel, and is not part of the plat, use the word "EXCEPTION" to identify the excluded parcel.
- G. On the graphic portion of the plat, place the label "EXCEPTION" in solid, fine lined capital letters in the area being excluded.

## 8. ADJOINING AND/OR UNDERLYING PLAT DIMENSIONS

- A. When a measured distance between found monuments is inconsistent with the distance as shown on a previously recorded plat, show the recorded distance, as well as the measured distance. Show the recorded distance followed by the term "PLAT," or by the name of the previously recorded plat.

*Example:*                      237.50                      237.50  
                                    (237.65 PLAT)   or   (237.65 MOYER ADDITION)

- B. When the recorded distance is followed by the term "PLAT," include a note in the legend identifying the recorded plat referred to. See example below:

*Example:*

PLAT – refers to dimensions as shown on the plat of MOYER ADDITION,  
recorded in the office of the County Recorder, \_\_\_\_\_ County, Minnesota.

- C. When platting property from a description of record and the dimensional calls in the description are inconsistent with the measured dimensions, show the record dimension, as well as the measured dimension. The suggested format is to show the record dimension followed by either the term "Deed" or "Record".

*Example:*

(300.00 Deed)	(300.00 Record)
298.85	298.85

**Note:** Include a statement in the legend identifying the deed or record being referred to.

*Examples:*

Deed – Refers to dimensions as stated in Warranty Deed, recorded as Document No. 2902460, filed in Book 362 of Deeds, Page 436, in the office of the County Recorder, \_\_\_\_\_ County, Minnesota.

Record – Refers to dimensions in Document Number 9241960, recorded in the office of the County Recorder, \_\_\_\_\_ County, Minnesota.

## 9. MONUMENTATION

- A. Plat monuments shall be set at all angle and curve points on the outside boundary lines of the plat prior to recording. Plat monuments shall be set at all other block, lot, outlot, park, survey line, and witness corners within one year after recording the plat. **[Minn. Stat. § 505.021, Subd. 10]**
- B. The license number of the land surveyor that certifies the plat shall be affixed to all set plat monuments. **[Minn. Stat. § 505.021, Subd. 10]**
- C. No previously existing survey or reference monuments or landmarks evidencing property lines or corner posts shall be removed or destroyed by the land surveyor making the new survey. **[Minn. Stat. § 505.32]**
- D. Include a statement or note on the plat identifying the type and size of monument set or that will be set and the license number of the land surveyor certifying the plat affixed thereto. Plat monuments shall be durable magnetic markers. **[Minn. Stat. § 505.01, Subd. 3(g)]**
- 1) Identify the size and type of set monuments. Use differing symbols to identify different types of set monuments. It is common practice to use an open circle symbol to denote set monuments.

*Example:*

○ - denotes ½ inch by 14 inch iron pipe set and marked by License No. \_\_\_\_\_

- 2) Identify the size and type of found monuments. Use differing symbols to identify different types of found monuments. It is common practice to use a solid circle symbol to denote found iron pipe monuments.

*Examples:*

● - denotes ½ inch iron pipe found and marked by License No. \_\_\_\_\_, unless shown otherwise

■ - denotes 1 inch square solid iron rod, found.

- 3) If it is impracticable to set a plat monument, a witness plat monument shall be set. [Minn. Stat. § 505.021, Subd. 10]

- E. Include a statement on the graphic portion of the plat or in the legend when the certifying land surveyor has chosen to comply with the requirements of Section 505.021, Subd. 10 in which plat monuments shall be set at all other block, lot, or outlot, park, survey line and witness corners within one year after recording of the plat.
- F. Label any judicial landmark found and used as a plat monument as **J.L.M.** If a judicial landmark is called for in the description or indicated on a prior survey and was not found, label as **J.L.M. Not Found.**
- G. Show all United States Public Land Survey corners or any witness monuments, which either control the location of the boundary of the plat or are a part of the plat. Label these corners with reference to section, township and range. Indicate the type of monument and the license number marked thereon, if known. Reference these corners or monuments to the plat by distance and direction.

*Examples:*

● – NW Cor. Sec. 8, T.29N, R.22W, found 3/4 inch Iron Pipe

⊙ – W 1/4 Cor. Sec. 17, T.30N, R.22W, \_\_\_\_\_ County Cast Iron Monument

■ – NW Cor. Sec. 6, T.30N, R.23W, 8 inch x 8 inch \_\_\_\_\_ County Granite Monument

⊙ – Witness Monument to NE Cor. Sec. 25, T.30N, R.23W, \_\_\_\_\_ County Cast Iron Monument

**NOTE:** The Licensed Land Surveyor is required to comply with Minnesota Statutes, Section 381.12, Subd. 3 in regard to Public Land Survey monument records.

- H. For all plats of land described under or referenced to the Public Land Survey, show plat boundary references with distance and direction to at least two existing Public Land Survey corners or other reference monuments. This may apply to other plats as conditions dictate.
- I. Wherever plat boundary lines extend into any existing public way, show and monument the angle points, points of curvature, and points of tangency of the right-of-way line.

- J. Include a legend on the plat to define specific symbols or lines.

#### 10. LINE WIDTHS

Draft plat lines with distinct line widths according to the following:

<i>Widest</i>	Boundary of Plat
.	Blocks, Outlots and Parks
.	Lots and Tracts
<i>Narrowest</i>	Easements, Center Lines, Survey Lines, Water Boundaries not establishing parcel boundaries, Section Lines, Description Lines, etc.

#### 11. LETTERING SIZE

Draft text in the graphic portion of a plat with distinct lettering sizes according to the following:

<i>Largest</i>	Plat Name
.	Block Numbers, Outlot letters and park names
.	Public Way Names
.	Lot Numbers and Tract Letters
.	Boundary Dimensions
.	Block, Outlot and Park Dimensions
.	Lot, Tract and Survey Line Dimensions
<i>Smallest</i>	Easement, Description and similar data

**NOTE:** To facilitate readability of plat information, a minimum text font size of 0.08 inches is recommended on both the graphic and dedication portions of the plat. Refer to Minnesota Document Standards.  
[Minn. Stat. § 507.093]

#### 12. BLOCK AND LOT NUMBERS

- A. All blocks shall be numbered consecutively with Arabic numerals beginning with numeral 1.  
[Minn. Stat. § 505.021, Subd. 4]
- B. When the plat consists of only one block, spell out the word BLOCK preceding the Arabic numeral 1.
- C. All lots in each block shall be numbered consecutively with Arabic numerals beginning with the numeral 1. [Minn. Stat. § 505.021, Subd. 4]
- D. When a plat consists of only one lot in a one block plat, spell out the word LOT preceding the Arabic numeral 1.
- E. Blocks are bounded by plat boundaries, public ways, outlots, parks, or bodies of water.  
[Minn. Stat. § 505.01, Subd. 3 (a)]



### 13. PARKS

- A. Parks may be named, or numbered with an Arabic numeral. Include the word PARK as part of the park name.

*Example:* RICE PARK

- B. If a plat contains two or more parks, name each park with a unique name, or number parks consecutively beginning with the Arabic numeral 1.

*Examples:* RICE PARK, MEARS PARK, etc.  
PARK 1, PARK 2, etc.

- C. Treat parks the same as blocks relative to boundary line width, dimensions, bearings, identifier and monumentation.
- D. Every donation of a park to the public shall operate to convey the fee of all land so donated, as though such land were conveyed by warranty deed. Land donated for any public use in any municipality shall be held in the corporate name in trust for the purposes set forth or intended. **[Minn. Stat. § 505.01, Subd. 1]**

### 14. OUTLOTS

- A. All outlots shall be labeled OUTLOT in capital letters and lettered consecutively in capital letters beginning with the letter "A" **[Minn. Stat. § 505.021, Subd. 4]**
- B. Treat outlots the same as blocks relative to boundary line width, dimensions, bearings, identifier and monumentation.

### 15. DETAILS

- A. Details of small congested areas may be needed. If more than one detail is necessary, label each detail consecutively beginning with the letter "A".

*Example:* Detail A, Detail B, etc.

- B. Show the north orientation and draw the detail to scale if practicable. Indicate the scale of the detail. Orient each detail consistent with the north orientation of the plat if practicable. Also note that the detail is not drawn to scale if gross exaggeration is necessary.

## 16. MATCH LINES, OVERVIEWS AND INSETS

- A. In order to adhere to the 22 inch by 34 inch plat size, it may be necessary to separate the graphic portion of the plat with match lines or overviews and insets.
- B. Place match lines along obvious divisions within the plat. Show technical data along or to the match line in a manner that prevents confusion. Duplicate the technical data on every sheet where the match line is used. If a plat includes more than one match line, label each match line consecutively beginning with the letter "A".

*Example: Match Line A, Match Line B, etc.*

- C. If more than two match lines are necessary, it may be preferable to provide an additional sheet that shows an overview of the plat to illustrate which portions of the plat are on which sheets.
- D. Utilizing an overview sheet and insets may be preferable to using match lines. If an overview and insets are used, follow the criteria described above in regard to labeling and showing technical data.

## 17. PUBLIC WAYS

- A. All public ways within the plat, whether existing at the time of platting or being dedicated by the plat, shall be depicted on the plat together with the name and sufficient mathematical data to locate the position and width of the public way. **[Minn. Stat. § 505.021, Subd. 6]**

- B. Include the road authority name and/or number for any public way that has a dual designation.

*Example: Plumb Drive (Co. Hwy. No. 6)  
Transit Blvd. (State Hwy. No. 25)*

- C. Show any vacated underlying public way that is part of the plat description with dotted text and dashed lines.
- D. The location of all existing public ways adjacent to the plat boundary shall be depicted on the plat as dashed lines. The name and width of the adjacent public ways shall be shown, if known. **[Minn. Stat. § 505.021, Subd. 6]** Show the name of the public way in dotted text.
- E. Show with dashed lines, and label in dotted text, any intersecting public roads adjacent to the plat.
- F. Show the location of existing railroad rights-of-way adjacent to the plat boundary with dashed lines, along with the names and widths, if known.
- G. When using public way center line information to clarify right-of-way and boundary relationships, show the center line with all applicable data.
- H. Where an adjacent right-of-way has been surveyed according to the description of record and is shown upon the plat or registered land survey, show the Document Number or Book and Page numbers of the recorded description. Also show all courses of the location line described in the instrument that will control that portion of the right-of-way pertinent to the plat.

- I. Label the center line when the boundary of a plat is the center line of a public way.
- J. Label the right-of-way and show and identify the controlling monumentation when a right-of-way line has been monumented by the road authority.
- K. Consult with road authority when showing controlled access notations and symbols on the plat.

#### **18. DIMENSIONS**

- A. A plat shall show all survey and mathematical information and data necessary to locate and retrace all boundary lines and monuments. **[Minn. Stat. § 505.021, Subd. 5]**
- B. Bearings, azimuths, and central angles shall be expressed in degrees, minutes and seconds and labeled with the respective symbols. **[Minn. Stat. § 505.021, Subd. 5]**
- C. Distances shall be expressed in feet and hundredths of a foot. **[Minn. Stat. § 505.021, Subd. 5]**
- D. All straight line segments of the plat shall be labeled with the length of the line and the bearing or azimuth. **[Minn. Stat. § 505.021, Subd. 5]**
- E. Public way widths or easement widths need not be expressed to the hundredth of a foot if they are exact values, i.e. 66 or 33, etc. These widths may be defined in the legend.
- F. Show the equivalent distance in feet and hundredths of a foot for distances recited in the description as chains, rods, etc.
- G. Ditto marks and foot and inch symbols shall not be used on a plat. **[Minn. Stat. § 505.021, Subd. 5]**
- H. For townhouse style or cluster lot style plats, reference all blocks or groups of lots to a parcel boundary with a minimum of two references (ties).
  - 1) Include both direction and distance from block, outlot or plat boundary corners in the references.
- I. Show lot dimensions along actual lot lines where practicable.
- J. The mathematical closure tolerance of the plat boundary, blocks, lots and outlots shall not exceed 2/100 of a foot. **[Minn. Stat. § 505.021, Subd. 5]**
- K. Dimension all boundary and easement lines in a manner that permits interpretation without ambiguities. Use dimension leaders where necessary to clearly indicate the applicable line.
- L. Draft arrowed/leader lines, used with dimensions or descriptors, as dashed or dotted lines.

## 19. CURVE DATA

- A. All curved line segments of the plat shall be labeled with the central angle expressed in degrees, minutes and seconds, and radius and arc lengths expressed in feet and hundredths of a foot.  
[Minn. Stat. § 505.021, Subd. 5]
- B. Segments of center line curves may show arc length and central angle only. Show each arc length and central angle to the same technical precision as noted in Subsection 9A.
- C. If any curve is nontangential the dimensions shall include a long chord bearing or azimuth, and shall be labeled nontangential. [Minn. Stat. § 505.021, Subd. 5] Show the long chord direction and long chord length with the following abbreviations:
  - C. **Brg.** denotes chord bearing
  - C. **Az.** denotes chord azimuth
  - C.       denotes chord length
- D. Show the central angle, arc length and radius length on all curved lines that are not concentric with dimensioned center line curve data.
- E. The use of **L=** for the length of curve is optional, however, if the length of any curve is labeled **L=**, label all other lengths of curve on the plat consistently.
- F. Extend dashed radial lines at the ends of all curves far enough toward the radius point to clearly indicate the direction of curvature.
- G. If a curved line constitutes a line of more than one lot or outlot, show the central angle, arc length and radius for each segment.
- H. Tabulation of curve data is not preferred and should only be used when necessary.
- J. Show a complete set of curve data on both sides of a public way when both right-of-way lines are within the plat. At a minimum, show the central angle, arc length and radius of the curve along the right-of-way when center line data is not shown.

## 20. WATER BOUNDARIES

### 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 then existing shore line.....The shore or margin of wet lands which do not form a boundary of or within the plat shall be shown as a dashed line. **[Minn. Stat. § 505.021, Subd. 8]** See Section 10 for line width suggestions.

### B. SURVEY LINE

- 1) When any parcel depicted on the plat includes water as a boundary, a dashed survey line shall be shown and labeled with sufficient mathematical data to compute a closure of said parcel. **[Minn. Stat. § 505.021, Subd. 8]**
- 2) Show survey lines as dashed lines with the label "SURVEY LINE".
- 3) Show bearings or azimuths on each straight-line segment of the survey line.
- 4) Show the overall distance between angle points of the survey line.
- 5) Show the distance between lot lines, as measured along the survey line.
- 6) Distances shall be shown between the survey line and the water boundary at all angle points, lot and boundary lines. **[Minn. Stat. § 505.021, Subd. 8]**
- 7) Plat monuments shall be set at all locations where the survey line intersects a plat boundary line, or block, lot or outlot line. **[Minn. Stat. § 505.021, Subd. 8]** It is also recommended that monuments be set at angle points along the survey line.
- 8) Prior to recording, it is recommended that a monument be placed at the intersection of a survey line with an exterior plat boundary line (as a witness corner to the boundary line angle point at the shore) to be consistent with the intent of Minn. Stat. § 505.021, Subd. 10.
- 9) Survey line plat monuments that are not on the outside boundary line of the plat shall be set within one year after recording the plat. **[Minn. Stat. § 505.021, Subd. 10]**

### C. BENCHMARK AND ELEVATIONS

- 1) The water elevation of any lake, stream, or river depicted on the plat shall be shown to the tenth of a foot along with the date the elevation was measured. **[Minn. Stat. § 505.021, Subd. 8]**
- 2) The highest known water elevation shall be indicated on the plat if the data is available from the Department of Natural Resources, the United States Army Corps of Engineers, or another appropriate governmental unit. **[Minn. Stat. § 505.021, Subd. 8]**
- 3) If the highest known water elevation data is unavailable from the agencies listed above, include a note stating such.

4. All elevations shall be referenced to a durable benchmark described on the plat together with its general location shown and benchmark elevation to the hundredth of a foot. If a mean sea level adjusted datum benchmark is available within two miles of the land being platted, all elevations shall be referenced to the datum. **[Minn. Stat. § 505.021, Subd. 8]** Use a local datum whenever a mean sea level elevation benchmark is unavailable within two miles.

*Example:* Benchmark  
Elevation = 865.32 feet (NGVD 29)  
Top of cast-iron monument at NW Corner Sec. 3, T.30N, R.22W

*EXAMPLES OF WORDING FOR LAKE DATA:*

BENCH MARK: \_\_\_\_\_ County Benchmark Number 8270  
Elevation = 931.71 feet (NAVD 88)

WATER ELEVATION: As of June 10, 2008 = 929.4 feet (NAVD 88)

HIGHEST KNOWN WATER ELEVATION: 930.5 feet (NAVD 88)  
According to State of Minnesota,  
Dept. of Natural Resources

**NOTE:** NGVD 29 or NAVD 88 are the abbreviations for National Geodetic Vertical Datum-1929 and North American Vertical Datum-1988. Either datum may be used.

**D. WET LAND**

- 1) All wet lands as defined in section 505.01, subdivision 3, paragraph (l), shall be shown on the plat. The shore or margin of wet lands which do not form a boundary of or within the plat shall be shown as a dashed line. **[Minn. Stat. § 505.021, Subd. 8]**
- 2) "Wet land" means all rivers, streams, creeks, drainage ditches, lakes, ponds, and swamps. **[Minn. Stat. § 505.01, Subd. 3(l)]**
- 3) Label all wet lands shown on the plat: WET LAND, RIVER, STREAM, CREEK, DRAINAGE DITCH, LAKE, POND or SWAMP as appropriate, in solid, fine line CAPITAL LETTERS.
- 4) The determination of whether an area is wet land is the professional judgment and responsibility of the land surveyor in the field.
- 5) Set a witness plat monument when any plat boundary corner, block, lot, outlot, park or tract corner falls within a wet land area. If it is impracticable to set a plat monument, a witness plat monument shall be set. **[Minn. Stat. § 505.021, Subd. 10]** A survey line and all other pertinent data, as set forth in Subsection 20B may be appropriate.



**NOTE:** Be aware that the Department of Natural Resources, U.S. Army Corps of Engineers and other water management agencies have categorized various wetlands and water bodies. Development of these lands may be subject to special conditions or limitations. Wetland identification and delineations are typically performed by a wetland specialist.

## 21. EASEMENTS

Show the boundary lines of drainage easements and utility easements as a thin dashed line.

### A. EXISTING DRAINAGE AND UTILITY EASEMENTS

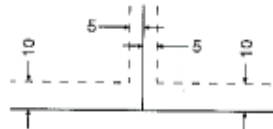
- 1) It is recommended that the surveyor show and label any recorded drainage easement and/or public utility easement existing at the time of platting, together with the county recorder's/registrar of titles' document number of the instrument describing said easement.

### B. CREATED DRAINAGE AND UTILITY EASEMENTS

All easements to be dedicated on the plat shall be depicted on the plat with purpose, identification, and sufficient mathematical data to locate the boundaries of the easements. Easements created on the plat shall be limited to public utility and/or drainage easements as defined in section Minnesota Statute 505.01, Subdivision 3, paragraphs (b), (h), and (j). Easement boundaries shall be shown as dashed lines. Temporary easements, building setback information, and building floor elevations shall not be shown on a plat. **[Minn. Stat. § 505.021, Subd. 7]**

*Example 1:* Typical statement and illustration where widths of the easements vary and the boundary lines of the easements are parallel with lot lines.

Drainage and utility easements are shown thus:



Being five feet in width and adjoining side lot lines and being 10 feet in width and adjoining public ways and rear lot lines, unless otherwise indicated on this plat.

*Example 2:* Typical statement and illustration where boundary lines of easements are uniform in width throughout this plat.

Drainage and utility easements are shown thus:



Being five feet in width and adjoining lot lines, as shown on this plat.

**NOTE:** If perpendicular dimensions do not adequately define the extents of the easement, it will be necessary to include the direction and distance along the easement lines.





## 22. ADJOINING PROPERTY

- A. The name and adjacent boundary line of any adjoining platted lands shall be dotted on the plat.  
[Minn. Stat. § 505.021, Subd. 4]
- B. Show and identify any adjoining lakes, streams or rivers.

## 23. REPLATS

- A. Show relevant underlying platted property including plat names, blocks, lots, public ways, together with names, numbers, widths, etc.

## 24. LEGEND

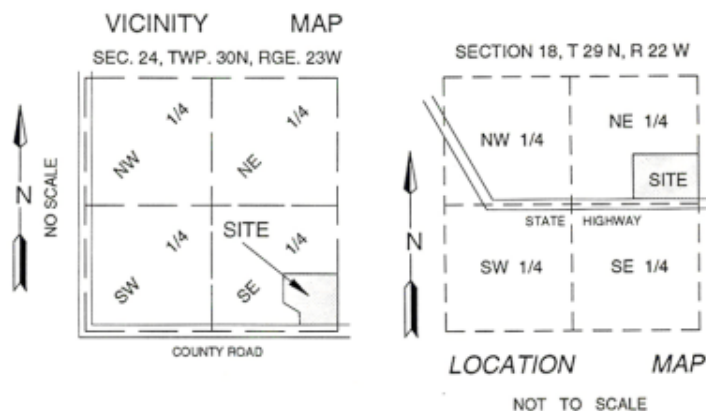
The plat should include a legend defining lines and/or symbols. For example, the following items could be included in a legend:

- North arrow
  - Scale
  - Denotes monument set *(define)*
  - Denotes monument found *(define)*
  - Water boundary line not establishing a parcel boundary *(define)*
  - Benchmark
  - Utility easement detail
  - ⊙ Denotes monument to be set within one year after recording of this plat *(define)*
- [Minn. Stat. § 505.021, Subd. 9 (a)(3) and Subd. 10]

## 25. VICINITY OR LOCATION MAP

Include a map showing the location of the property being platted with sufficient information to locate the property within a section. Orient the vicinity map to match the north orientation of the plat.

*These examples show the 1/4 section where the subject property is located:*



## 26. NOTARIAL ACT

The notary's name and commission expiration date shall be printed next to their acknowledgement.  
See [Minn. Stat. § 359.05]

The seal of every notary public may be affixed by a stamp that will print a seal which legibly reproduces under photographic methods the seal of the State of Minnesota, the name of the notary, the words "Notary Public," and the words "My commission expires ...," with the expiration date shown thereon. See [Minn. Stat. § 359.03, Subd. 3]

If a certificate of notarial act on a plat includes the jurisdiction of the notarial act, the name of the notarial officer, the title of the notarial officer, and the date the notary commission expires, printed in pen and ink or typewritten on the plat, a plat shall be recorded regardless of whether a notary stamp was used or was illegible if used. All signatures on the plat shall be written with black ink (not ball point).  
[Minn. Stat. § 505.021, Subd. 3]

**NOTES:** Care must be taken that notarial stamps are compatible with media. Out of state jurisdictions may differ from the examples provided herein. A notary stamp is not necessary if the requirements of Minn. Stat. § 505.021, Subd. 3 are satisfied.

## 27. LEGIBILITY

All letters, numbers and symbols that have spherical parts i.e., 5, e, g, 8, 0, etc., which also include degree symbols must be open to ensure legibility. This is a critical item with plats that are drawn at one scale and then photographically reduced for the final plat.

Do not use dashes between degrees, minutes and seconds.

A document presented for recording must be sufficiently legible to reproduce a readable copy using the county recorder's or registrar of title's current method of reproduction. [Minn. Stat. § 507.093, Subd. 7]

## 28. ABBREVIATIONS

To be used in the graphic portion of the plat.

*Examples:*

R = Radius of curve	L = Length of curve
T = Tangent of curve	C = Chord of curve
C. Brg. = Chord Bearing	$\Delta$ = Central angle

Addition	ADD.	Parkway	PKWY.
Auditor	AUD.	Place	PL.
Avenue	AVE.	Point of curvature	P.C.
Benchmark	BM.	Point of compound curvature	P.C.C.
Block	BLK.	Point of reverse curvature	P.R.C.
Book	BK.	Point of tangency	P.T.
Boulevard	BLVD.	Range	R.
Circle	CIR.	Registered Land Survey	R.L.S.
County	CO.	Right-of-way	R/W
Court	CT.	Road	RD.

Curve	CUR.	Railroad	R.R.
Document	DOC.	Railway	RY.
Drive	DR.	Section	SEC.
Government	GOVT.	Street	ST.
Highway	HWY.	Subdivision	SUBD.
Judicial Landmark	J.L.M.	Terrace	TERR.
Lane	LN.	Township	T.
Number	NO.	Trail	TR.
Page	PG.	Vacated	VAC.

## 29. SIGNATURES

All signatures on the plat shall be written with black ink (not ball point). [Minn. Stat. § 505.021, Subd. 3] It is advisable to use waterproof ink for all names, dates, and signatures applied to the final plat.

## 30. PLATTING REGISTERED LAND (TORRENS)

When a plat includes registered land:

- A. The owner(s) who execute(s) the plat must use the **identical name(s)** as appears on the Certificate of Title.
- B. The description in the text of the plat should be the same as the description on the Certificate of Title. Use Arabic numerals to designate distances, degrees, minutes, seconds, government lots, sections, townships and ranges, etc.
- C. Vacated public way descriptions that are memorialized on a Certificate of Title, must become part of the plat parcel's main description as recited on the Certificate of Title, which is accomplished by an Examiner of Titles directive.
- D. The description of any remaining part of a Torrens parcel not included in the plat (*the residual*) should be a simple fraction or quantity description.

If the residual is not described by a simple fraction or quantity, the land surveyor who prepared the proposed final plat must provide to the Registrar of Titles or Examiner of Titles a legal description of the remnant Torrens parcel for approval. If the residual is not described by a simple fraction or quantity, preparing and filing a registered land survey may be required by the Registrar of Titles prior to recording the plat. Consider including within the plat the residual Torrens parcel as an individual lot or outlot.

**Note:** Whenever possible, consult with the registrar of titles and/or the examiner of titles to resolve any conflicts or questions and concerns that may be raised by these rules.

This page intentionally left blank.

## **PART IV**

### **SURVEYOR'S CERTIFICATES OF PLAT CORRECTION**

**1. Minnesota Statutes, Section 505.174**  
**Surveyor's Certificate of Own Plat Errors; Correction**

- A. In any case where a land plat or subdivision, or what purports to be a land plat or subdivision, has been executed and filed in the office of the county recorder of the county where the land is situated, which fails to identify or correctly describe the land to be so platted or subdivided, or to show correctly upon its face the tract of land intended or purported to be platted or subdivided thereby or is defective by reason of the plat or subdivision and the description of the land purported to be so platted or subdivided thereby being inconsistent or incorrect, the licensed surveyor who prepared such plat or subdivision may execute a certificate stating the nature of the error, omission or defect and stating the correct information to correct such error, supply such omission or cure such defect, referring, by correct book and page, to such plat or subdivision and designating its name, if there is a name. Such certificate shall be dated and signed by such licensed surveyor.
- B. When the surveyor's certificate has been approved by the governing body and executed by the governing body, the county recorder of the county in which the land so platted is located shall accept each such certificate for filing.
- C. A surveyor's certificate of plat correction should be prepared on white paper measuring 8.5 inches by 11 inches or 8.5 inches by 14 inches. The top 3 inches must be left blank for county recording data and the County Recorder certificate. Graphic exhibits may be allowed to supplement the surveyor's certificate of plat correction. If graphic exhibits are used they must be referred to on page one of the surveyor's certificate of plat correction and must also be labeled "Exhibit A"; Exhibit B"; etc.

**NOTE:** The governing body that approved the original plat is the same governing body that needs to approve a Certificate of Plat Correction. The following example is based upon a municipality being the governing body. If a County Board or a Township Board of Supervisors was the governing body, then appropriate language would be necessary for the County Board or Township Board of Supervisors to approve the Certificate of Plat Correction.

(see next page for example)

## LAND SURVEYOR'S CERTIFICATE OF PLAT CORRECTION

Pursuant to the provisions of Minnesota Statutes, Section 505.174, I, (land surveyor's name), a duly Licensed Land Surveyor in and for the State of Minnesota declares as follows:

1. That I prepared the plat of (Plat Name) dated (date of surveyor's signature on the plat) and filed on (date of recording) in the Office of the County Recorder/Registrar of Titles, \_\_\_\_\_ County, Minnesota, as Document No. (Document Number indicated in the County Recorder's/Registrar of Titles' records).
2. That said plat contains errors, omissions or defects described in particular as follows:  
  
(Itemize Errors, Omissions or Defects)
3. That said plat is hereby corrected in particular as follows:  
  
(Itemize Corrections)

I hereby certify that this Surveyor's Certificate of Plat Correction was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(print name of land surveyor), Licensed Land Surveyor  
Minnesota License No. \_\_\_\_\_

This Surveyor's Certificate of Plat Correction to the plat of (Plat Name) was approved by the City/County/Township of (City/County/Township Name), Minnesota, at a regular meeting held this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

City/County/Township of (City/County/Township Name), Minnesota

\_\_\_\_\_, Mayor/Supervisor

\_\_\_\_\_, Administrator/Clerk

(name) County, Minnesota

County Surveyor

This Surveyor's Certificate of Plat Correction has been reviewed and is approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, (name) County Surveyor

\_\_\_\_\_  
(print name of county surveyor)



**2. Minnesota Statutes, Section 505.175  
Certificates by Other Surveyors**

Whenever the licensed surveyor who prepared such plat or subdivision shall not be available, or whenever such plat or subdivision shall not have been prepared by a licensed surveyor, such certificate may be executed by any licensed surveyor, but shall state the reason why the licensed surveyor who prepared the plat or subdivision is not available, or, if the plat or subdivision was not prepared by a licensed surveyor, shall state that fact.

**NOTE:** The governing body that approved the original plat is the same governing body that needs to approve a Certificate of Plat Correction. The following example is based upon a municipality being the governing body. If a County Board or a Township Board of Supervisors was the governing body, then appropriate language would be necessary for the County Board or Township Board of Supervisors to approve the Certificate of Plat Correction.

(see next page for example)

### SURVEYOR'S CERTIFICATE OF PLAT CORRECTION

Pursuant to the provisions of Minnesota Statutes, Chapter 505.175, I, (land surveyor's name), a duly Licensed Land Surveyor in and for the State of Minnesota declares as follows:

1. That the plat of (Plat Name) dated (date of surveyor's signature on the plat) and filed on (date of recording) in the Office of the County Recorder/Registrar of Titles, \_\_\_\_\_ County, Minnesota, as Document No. (Document Number indicated in the County Recorder's/Registrar of Titles' record), was prepared by (name of surveyor) who is not now available for the following reason:  
\_\_\_\_\_

2. That said plat contains errors, omissions, or defects described in particular as follows:

(Itemize Errors, Omissions or Defects)

3. That said plat is hereby corrected in particular as follows:

(Itemize Corrections)

I hereby certify that this Surveyor's Certificate of Plat Correction was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(print name of land surveyor), Licensed Land Surveyor  
Minnesota License No. \_\_\_\_\_

This Surveyor's Certificate of Plat Correction to the plat of (Plat Name) was approved by the City/County/Township of (City/County/Township Name), Minnesota, at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

City/County/Township of (City/County/Township name), Minnesota

\_\_\_\_\_, Mayor/Supervisor

\_\_\_\_\_, Administrator/Clerk

County Surveyor  
(name) County, Minnesota

This Surveyor's Certificate of Plat Correction has been reviewed and is approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, (name) County Surveyor

\_\_\_\_\_  
(print name of county surveyor)