

**CHAPTER 225—S.F.No. 2936**

*An act relating to real property; modifying certain plat requirements; amending Minnesota Statutes 2006, sections 505.20; 508.47, subdivision 4; 508A.47, subdivision 4; Minnesota Statutes 2007 Supplement, sections 505.01, subdivision 3; 505.021, subdivisions 8, 10.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2007 Supplement, section 505.01, subdivision 3, is amended to read:

Subd. 3. **Definitions.** (a) "Block" means a tract of land consisting of one or more lots, as identified on the plat, and bounded by plat boundaries, public ways, outlots, parks, or bodies of water.

(b) "Drainage easement" means an easement for the purpose of controlling, preserving, and providing for the flow or storage of water.

(c) "Lot" means a tract of land which is all or part of a block and is identified on the plat.

(d) "Minor subdivision procedure" means an approval process that a local unit of government may adopt under this chapter for simple land divisions.

(e) "Outlot" means a tract of land identified by a capital letter and is land that is not part of a block.

(f) "Plat" means a delineation of one or more existing parcels of land drawn to scale showing all data as required by this chapter, depicting the location and boundaries of lots, blocks, outlots, parks, and public ways.

(g) "Plat monument" means a durable magnetic marker placed at all locations required by this chapter or other locations as shown on the plat.

(h) "Public way" means a thoroughfare or cul-de-sac which provides ingress and egress to the public.

(i) "Survey line" means a monumented reference line that is not a boundary.

(j) "Utility easement" means an easement conveyed, granted, or dedicated to the public for utility purposes.

(k) "Water boundary" means the shore or margin of lakes, ponds, rivers, creeks, streams, drainage ditches, or swamps, which forms a boundary of or within the plat.

(l) "Wet land" means all rivers, streams, creeks, drainage ditches, lakes, ponds, and swamps.

(m) "Witness monument" means a plat monument placed at an identified distance and direction from a corner that is in a physical location that is not practical to monument.

Sec. 2. Minnesota Statutes 2007 Supplement, section 505.021, subdivision 8, is amended to read:

Subd. 8. **Water boundaries.** 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. 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. Distances shall be shown between the survey line and the water boundary at all angle points, lot and boundary lines. Plat monuments shall be set at all locations where the survey line intersects a plat boundary line or block, lot or outlot line. 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. 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. 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. 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.

Sec. 3. Minnesota Statutes 2007 Supplement, section 505.021, subdivision 10, is amended to read:

Subd. 10. **Survey.** The land surveyor that certifies the plat shall survey or directly supervise the survey of the land depicted on the plat. Plat monuments shall be set at all angle and curve points on the outside boundary lines of the plat prior to recording. ~~Interior block, lot, and witness monuments shall be set~~ 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. If it is impracticable to set a plat monument, a witness plat monument shall be set. The license number of the land surveyor that certifies the plat shall be affixed to all set plat monuments.

Sec. 4. Minnesota Statutes 2006, section 505.20, is amended to read:

#### **505.20 X- AND Y-COORDINATES.**

The plane coordinate values for a point on the earth's surface, to be used to express the geographic position or location of such point in the appropriate zone of this system, shall consist of two distances, expressed in U.S. Survey feet and decimals of a foot when using the Minnesota Coordinate System of 1927 and expressed in meters and decimals of a meter or U.S. Survey feet and decimals of a foot when using the Minnesota Coordinate System of 1983. One of these distances, to be known as the "x-coordinate," shall give the position in an east-and-west direction; the other, to be known as the "y-coordinate," shall give the position in a north-and-south direction. These coordinates shall be made to depend upon and conform to plane rectangular coordinate values for the monumented horizontal control stations of the North American Horizontal Geodetic Control Network as published by the National Ocean Survey/National Geodetic Survey (NOS/NGS) or its successors and whose plane coordinates have been computed on the systems defined in this chapter. The station may be used for establishing a survey connection to either Minnesota Coordinate System, 1927 or 1983.

Sec. 5. Minnesota Statutes 2006, section 508.47, subdivision 4, is amended to read:

Subd. 4. **Survey; requisites; filing; copies.** The registered land survey shall correctly show the legal description of the parcel of unplatted land represented by said registered land survey and the outside measurements of the parcel of unplatted land and of all tracts delineated therein, the direction of all lines of said tracts to be shown by angles or bearings or other relationship to the outside lines of said registered land survey, and the surveyor shall place monuments in the ground at appropriate corners, and all tracts shall be lettered consecutively beginning with the letter "A." A registered land survey which delineates multilevel tracts shall include a map showing the elevation view of the tracts with their upper and lower boundaries defined by elevations referenced to ~~National Geodetic Vertical Datum, 1929~~ adjustment a mean sea level adjusted datum benchmark. None of said tracts or parts thereof may be dedicated to the public by said registered land survey. ~~Except in counties having microfilming capabilities, a reproduction copy of the registered land survey shall be delivered to the county auditor. The registered land survey shall be on paper, mounted on cloth, shall be a black on white drawing, the scale to be not smaller than one inch equals 200 feet, and shall be certified to be a correct representation of said parcel of unplatted land by a registered surveyor. The mounted drawing shall be either 17 inches by 14 inches or at the registrar's request 20 inches by 30 inches and not less than 2-1/2 inches of the 14 inches or the 20 inches shall be blank for binding purposes, and such survey shall be filed in triplicate with the registrar of titles.~~

A licensed land surveyor shall certify that the registered land survey is a correct representation of said parcel of unplatted land. The registered land survey shall be prepared on four mil transparent reproducible film or the equivalent, and shall be prepared by a photographic process. Sheet size shall be 22 inches by 34 inches. A border line shall be placed one-half inch inside the outer edge of the sheet on the top and bottom 34-inch sides; and the right 22-inch side; and two inches inside the outer edge of the sheet on the left 22-inch side. If the registered land survey consists of more than one sheet, the sheets shall be numbered consecutively.

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.

At the time of filing, a certificate from the treasurer that current taxes have been paid must be presented before the survey is accepted by the registrar for filing a registered land survey shall contain a certification by the proper county official that there are no delinquent taxes owed and that the current year's payable taxes have been paid in accordance with section 272.12.

~~In counties having microfilming capabilities, the survey may be prepared on sheets of suitable mylar or on linen tracing cloth by photographic process or on material of equal quality. Notwithstanding any provisions of subdivision 5 to the contrary, no other copies of the survey need be filed.~~

The registrar shall duly certify and furnish to any person a copy of said registered land survey, which shall be admissible in evidence.

Sec. 6. Minnesota Statutes 2006, section 508A.47, subdivision 4, is amended to read:

Subd. 4. **Survey; requisites; filing; copies.** The registered land survey shall correctly show the legal description of the parcel of unplatted land represented by the registered land survey and the outside measurements of the parcel of unplatted land and of

all tracts delineated therein, the direction of all lines of the tracts to be shown by angles or bearings or other relationship to the outside lines of the registered land survey, and the surveyor shall place monuments in the ground at appropriate corners, and all tracts shall be lettered consecutively beginning with the letter "A." A registered land survey which delineates multilevel tracts shall include a map showing the elevation view of the tracts with their upper and lower boundaries defined by elevations referenced to ~~National Geodetic Vertical Datum, 1929 adjustment~~ a mean sea level adjusted datum benchmark. None of the tracts or parts of them may be dedicated to the public by the registered land survey. ~~Except in counties having microfilming capabilities, a reproduction copy of the registered land survey shall be delivered to the county auditor. The registered land survey shall be on paper, mounted on cloth, shall be a black on white drawing, the scale to be not smaller than one inch equals 200 feet, and shall be certified to be a correct representation of the parcel of unplatted land by a registered surveyor. The mounted drawing shall be either 17 inches by 14 inches or at the registrar's request 20 inches by 30 inches and not less than 2-1/2 inches of the 14 inches or the 20 inches shall be blank for binding purposes. The survey shall be filed in triplicate with the registrar of titles.~~

A licensed land surveyor shall certify that the registered land survey is a correct representation of said parcel of unplatted land. The registered land survey shall be prepared on four mil transparent reproducible film or the equivalent, and shall be prepared by a photographic process. Sheet size shall be 22 inches by 34 inches. A border line shall be placed one-half inch inside the outer edge of the sheet on the top and bottom 34-inch sides; and the right 22-inch side; and two inches inside the outer edge of the sheet on the left 22-inch side. If the registered land survey consists of more than one sheet, the sheets shall be numbered consecutively.

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.

~~A certificate from the treasurer stating that current taxes have been paid shall be presented at the time of filing before the survey is accepted by the registrar for filing. At the time of filing, a registered land survey shall contain a certification by the proper county official that there are no delinquent taxes owed and that the current year's payable taxes have been paid in accordance with section 272.12.~~

~~In counties having microfilming capabilities, the survey may be prepared on sheets of suitable mylar or on linen tracing cloth by photographic process or on material of equal quality. Notwithstanding any provisions of subdivision 5 to the contrary, no other copies of the survey need be filed.~~

The registrar shall duly certify and furnish to any person a copy of the registered land survey. The copy shall be admissible in evidence.

Presented to the governor April 21, 2008

Signed by the governor April 24, 2008, 3:35 p.m.