

## CHAPTER 505

## PLATS; COORDINATES; SURVEYS

505.09 County board to control platting of

land.

505.14 Vacation.

505.173 Correction of plats.

505.1792 Streets, roads, highways and rights-of-way.

**505.09 COUNTY BOARD TO CONTROL PLATTING OF LAND.**

Subdivision 1. The county board of any county shall have power to control and regulate the platting of subdivision of land and the laying out of streets and other public ways without the boundaries of municipalities. The board shall not approve any plat of land lying in a town which has appointed a planning and zoning commission unless the town board approves the plat and the laying of streets and other public ways shown on it. The approval shall be endorsed on the plat and signed by the chair of the town board.

*[For text of subd 2, see M.S.1988]*

**History:** 1989 c 9 s 4

**505.14 VACATION.**

Upon the application of the owner of land included in any plat, and upon proof that all taxes assessed against such land have been paid, and the notice hereinafter provided for given, the district court may vacate or alter all, or any part, of such plat, and adjudge the title to all streets, alleys, and public grounds to be in the persons entitled thereto; but streets or alleys connecting separate plats or lying between blocks or lots or providing access for the public to any public water, shall not be vacated between such lots, blocks, or plats as are not also vacated, unless it appears that the street or alley or part thereof sought to be vacated is useless for the purpose for which it was laid out. If any part of a street, alley, or public ground proposed for vacation terminates at or abuts upon any public water, the petitioner shall serve notice of the petition by certified mail upon the commissioner of natural resources at least 30 days before the term at which it shall be heard. The notice under this subdivision is for notification purposes only and does not create a right of intervention by the commissioner of natural resources. The petitioner shall cause two weeks published and posted notice of such application to be given, the last publication to be at least ten days before the term at which it shall be heard; and the petitioner shall also serve personally, or cause to be served personally, notice of such application, at least ten days before the term at which the application shall be heard, upon the mayor of the city, the president of the statutory city, or the chair of the town board of the town where such land is situated. The court shall hear all persons owning or occupying land that would be affected by the proposed vacation, and if, in the judgment of the court, the same would be damaged, the court may determine the amount of such damage and direct its payment by the applicant before the vacation or alteration shall take effect. A certified copy of the order of the court shall be filed with the county auditor, and recorded by the county recorder. The district court shall not vacate or alter any street, alley, or public ground dedicated to the public use in or by any such plat in any city or town organized under a charter or special law which provides a method of procedure for the vacation of streets and public grounds by the municipal authorities of such city or town.

**History:** 1989 c 183 s 7

**505.173 CORRECTION OF PLATS.**

Subdivision 1. **Certain defects.** In all cases where the plats, or what purports to be plats, of any portion of the lands contained within any additions to or subdivisions of any town or city, situated in any county having less than 15 full and fractional

congressional townships, having less than 15,000 inhabitants according to the 1940 federal census, and having an net tax capacity of more than \$7,500,000 and less than \$8,500,000, exclusive of money and credits which have been executed and filed in an office of any county recorder previous to January 1, 1915, (1) fail to identify or correctly describe the land to be so platted or to show correctly upon their face the tract of land intended or purported to be platted thereby, or (2) are defective by reason of the plat and the description of the land purported to be so platted thereby being inconsistent or incorrect, or (3) there exists a defect in the execution of said plats on the part of the grantors thereof, the governing board or council of the municipality containing land so platted or purported to be so platted may authorize, within two years from April 21, 1951, referring by the record book and page of such plat or plats in the office of the county recorder to the plat or plats to be corrected, the making of one or more plats which shall correctly show on the face thereof and by description of the land intended to be platted, which plat or plats may vary from the original plats in description as to lots and blocks to suit the best purpose and secure the best results. Such plat or plats, in a declaration thereon, shall recite such resolution and shall identify each separate tract of land described therein with such tract of land in the purported plat or plats intended to be corrected thereby, and shall be certified by the proper officers of the municipality as to authorization and by an engineer or surveyor as to correctness, and the signatures of such persons shall be acknowledged in like manner as a deed.

*[For text of subds 2 and 3, see M.S.1988]*

**History:** 1989 c 329 art 13 s 20

#### **505.1792 STREETS, ROADS, HIGHWAYS AND RIGHTS-OF-WAY.**

Subdivision 1. In order to give supplemental information to the public as to the location of streets, county roads, county state-aid highways, town roads, and other transportation corridors, and the right-of-way thereof, the governing body of any city, town, or county may file for record in the office of the county recorder and the registrar of titles of said county such maps or plats showing such information as the governing body shall determine necessary. The map or plat shall be subscribed by the mayor or chair of the governing body and the county surveyor, together with a certified copy of the resolution of the governing body setting forth the necessity for said plat, and shall be entitled to record without compliance with the provisions of this chapter. Any amendments, alterations, or vacations of such maps or plats so filed may be entitled to record in like manner.

*[For text of subds 2 to 4, see M.S.1988]*

**History:** 1989 c 269 s 49