

CHAPTR 438—S. F. No. 346.

1907 C 438
11 - 347

An Act to amend sections 3366, 3367 and 3368, Revised Laws of 1905, relating to surveying and platting of land.

Be it enacted by the Legislature of the State of Minnesota :

Monuments—how placed.—Section 1. That section three thousand three hundred and sixty-six (3366), Revised Laws 1905, be and the same is hereby amended so as to read as follows :

Section 3366. The land shall be surveyed and a plat made setting forth and naming all thoroughfares, showing all public grounds, and giving the dimensions of all lots, thoroughfares and public grounds. In-lots shall be numbered progressively, or by the block in which they are situated, and out-lots shall be numbered and shall not exceed ten acres in size. At least three iron or stone monuments shall be placed at some corners in the ground, in such way that the lines between said monuments form two or more base lines from which to make future surveys. The monuments and the angles between said base lines shall be shown on the plat, as well as the north and south line. All rivers, streams, creeks, lakes, ponds, swamps and all public highways and thoroughfares laid out, opened or traveled—existing before the platting—shall be correctly located and plainly shown and designated on the plat.

Plat.—Sec. 2. That section three thousand three hundred and sixty-seven (3367), Revised Laws 1905, be and the same is hereby amended so as to read as follows :

Section 3367. On the plat shall be written an instrument of dedication, which shall be signed and acknowledged by the owner of the land. Said instrument shall contain a full and accurate description of the land platted and shall set forth what part or parts of said land is dedicated, and also to whom, and for what purpose said part or parts are dedicated. The surveyor shall certify on the plat that the plat is a correct representation of the survey, that all distances are correctly shown on the plat, that the monuments for guidance of future surveys have been correctly placed in the ground as shown, that the outside boundary lines are correctly designated on the plat, and that the topography of the land is correctly shown on the plat. If there are no wet lands or public highways to be designated in accordance with

section 1 of this act, he shall so state. The certificate shall be sworn to before any officer authorized to administer an oath.

The plat shall, except in cities whose charters provide for official supervision of plats by municipal officers or bodies, together with an abstract and certificate of title be presented for approval to the council of the city or village in which the land is located; and, if the land is located outside the limits of any city, incorporated village, then to the board of county commissioners of the county in which the land is located. If the council or board to whom the plat has been presented have any reason to doubt the accuracy of the same, they may, after having notified the proprietor to that effect, employ a competent surveyor to check and verify the surveys and plat, and the surveyor shall make a full report of his findings. If the survey or plat is found incorrect, the expense of verifying the same shall be paid by the proprietor, but if the survey and plat is found to be correct, then this expense shall be paid by the city, village or county to whose council or board the plat has been presented for approval. When the plat has been approved, it shall so be certified to by the city clerk, village recorder, or county auditor, as the case may be.

Fees.—Sec. 3. That section 3368, Revised Laws 1905, be and the same is hereby amended so as to read as follows:

Section 3368. Every plat, when duly certified, signed, and acknowledged, as provided in the foregoing section, shall be recorded in the office of the register of deeds. The register shall transcribe such plat, or bind the original into the proper volume, and shall receive as his fee five cents for each lot designated in the plat in case of transcribing, and two cents for each lot when the original is bound. Any person who shall dispose of, lease, or offer to sell any land included in a plat before the same is recorded, shall forfeit to the county \$25 for each lot or part of a lot so disposed of, leased or offered; and any official or person whose duty it is to comply with any of the provisions of this chapter shall forfeit not less than \$10, nor more than \$100, for each month during which compliance is delayed. All forfeitures under this chapter shall be recovered in an action brought in the name of the county.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 25, 1907.