

## **Who Can Locate Your Property Lines or Update Your Survey?**

By: Donald Borcharding, LS, PE

Property Lines can only be determined if the Property Corners are monumented. Property Corners may only be legally monumented by licensed Land Surveyors, refer to Minnesota Statutes section 326.02, subdivision 4 (2006). This is initially done during platting or a boundary survey. The Surveyor setting the monuments either certifies the monuments have been set on the Plat or on a Certificate of Survey. The Plat or Certificate will show the dimensions of the property and the type of monument set by the Surveyor. Typically, these monuments are iron pipes or rebars of various size and length. State law requires that the Surveyor include their license number on the monument. This is usually done with a plastic cap which fits over the monument.

In subdivisions platted prior to 1967, permanent monuments were typically not set at all the lot corners. In order to monument your property corners, the Surveyor may have to reestablish the Block corners based on original plat control monuments, subsequent survey monuments or occupation lines within your Block and/or adjacent Blocks. Since the dimensions of the reestablished Block may differ from the Original Plat, the Surveyor will reestablish your property corners according to your deed, using appropriate surveying principles. A Certificate of Survey should be prepared showing the legal description, dimensions of your property and the type of monuments set.

The Certificate of Survey is valid only as long as the original monuments shown on the Certificate are still in place. If the monuments are destroyed by construction or some other activity, they can only be reset by a licensed Land Surveyor. The Surveyor should issue an updated Certificate showing the found and new monuments set.

Property owners should know where their corner monuments are. They should ask the Surveyor to show them the corner monuments so they can be easily located when needed. The monuments themselves are usually set flush with or just below the surface of the ground so they are not in the way for mowing.

If the property owner does not know where their corners are, they can look for them with a magnetic locator or shovel. If the monuments found are not the same monuments shown on the Original Plat or current Certificate of Survey, or if they appear to have been disturbed, they should not be relied upon. If the monuments can not be found, they need to be reset by a licensed Land Surveyor.

If you are planning on any type of construction, even just a fence, you should have your property lines Certified by a licensed Land Surveyor. This is the only way to locate your property lines and be assured that your proposed improvement is within your property and required setbacks.