

2006

COMMON INTEREST COMMUNITY

(CIC)

PLAT MANUAL
of minimum guidelines

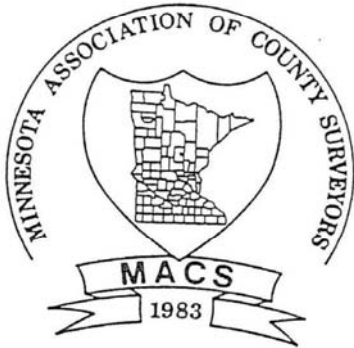


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INTRODUCTION

The objective of this manual is to produce an area wide standard, by outlining policies and procedures to assist private surveyors in the preparation of, and to guide county surveyors in the checking of, Common Interest Community Plats (CIC Plats). This manual should be used as an aid and a supplemental guide to Minnesota Statutes, Chapter 515B, the Minnesota Common Interest Ownership Act.

The CIC Plat is a part of the declaration in condominiums, in cooperatives in which the unit owners interests are characterized as real estate and in planned communities complying with section 515B.2-110 (c), and therefore the information shown on the CIC Plat must depict information recited in the declaration.

The CIC Plat for a planned community complying with chapter 505 should be prepared in accordance with the Plat Manual of Minimum Guidelines adopted for use by the Minnesota Society of Professional Surveyors and by the Minnesota Association of County Surveyors. After recording the plat complying with chapter 505, the Common Interest Community is created by the recording of the necessary declaration complying with section 515B.2-105.

This manual is considered a living document and will be revised whenever necessary. If revision does occur by consensus of MACS and MSPS, copies of the revisions will be distributed to all interested parties. Questions regarding this manual should be referred to the county surveyor where the project is located.

Adopted for use by:

Minnesota Society of Professional Surveyors

Minnesota Association of County Surveyors

MARCH 2006

Common Interest Community Plat Manual

APPLICABILITY (515B.1-102)

- (d) Any condominium created under chapter 515, any planned community or cooperative which would be exempt from this chapter under subsection (e) or any planned community or cooperative created prior to June 1, 1994, may elect to be subject to this chapter as follows:
 - (1) The election shall be accomplished by recording a declaration or amended declaration, and a new or amended CIC plat where required, and by approving bylaws or amended bylaws which conform to the requirements of this chapter, and which, in the case of amendments, are adopted in conformity with the procedures and requirements specified by the existing declaration and bylaws of the common interest community, and by the applicable statutes.
 - (2) In a condominium, the pre-existing condominium plat shall be the CIC plat and an amended CIC plat shall be required only if the amended declaration or bylaws contain provisions inconsistent with the pre-existing condominium plat. The condominium's CIC number shall be the apartment ownership number or condominium number originally assigned to it by the recording officer. In a cooperative in which the unit owners' interests are characterized as real estate, a CIC plat shall be required. In a planned community, the pre-existing plat recorded pursuant to chapter 505, 508, or 508A, or the part of the plat upon which the common interest community is located, shall be the CIC plat.

- (e) Except as otherwise provided in this subsection, this chapter **SHALL NOT APPLY**, except by election pursuant to subsection (d), to the following:
- (1) a planned community which consists of two units, which utilizes a common interest community plat complying with section 515B.2-110 (d) (1) and (2), which is not subject to any rights to subdivide or convert units or to add additional real estate, and which is not subject to a master association;
 - (2) a common interest community where the units consist solely of separate parcels of real estate designed or utilized for detached single family dwellings or agricultural purposes, and where the association, or a master association, has no obligation to maintain any building containing a dwelling or any agricultural building;
 - (3) a cooperative where, at the time of creation of the cooperative, the unit owners' interests in the dwellings consist solely of leasehold interests having an unexpired term of fewer than 20 years, including renewal options;
 - (4) planned communities utilizing a common interest community plat complying with section 515B.2-110 (d) (1) and (2) and cooperatives, which are limited by the declaration to nonresidential use;
 - (5) real estate subject only to an instrument or instruments filed primarily for the purpose of creating or modifying rights with respect to access, utilities, parking, ditches, drainage or irrigation.

I. COMMON INTEREST COMMUNITY (515B.1-103 DEFINITIONS)

- A. **"Common Interest Community"** or "CIC" means contiguous or noncontiguous real estate within Minnesota that is subject to an instrument which obligates persons owning a separately described parcel of the real estate, or occupying a part of the real estate pursuant to a proprietary lease, by reason of their ownership or occupancy, to pay for (i) real estate taxes levied against; (ii) insurance premiums payable with respect to; (iii) maintenance of; or (iv) construction, maintenance, repair or replacement of improvements located on, one or more parcels or parts of the real estate other than the parcel or part that the person owns or occupies.
1. **"CIC plat"** means a common interest community plat described in section 515B.2-110.
 2. **"Common elements"** means all portions of the common interest community other than the units.
 3. **"Condominium"** means a CIC in which (i) portions of the real estate are designated as units, (ii) the remainder of the real estate is designated for common ownership solely by the owners of the units, and (iii) undivided interests in the common elements are vested in the unit owners.
 4. **"Cooperative"** means a CIC in which the real estate is owned by an association, each of whose members is entitled by virtue of the member's ownership interest in the association to a proprietary lease.
 5. **"Declaration"** means any instrument, however denominated, that creates a common interest community.
 6. **"Flexible CIC"** means a CIC to which additional real estate may be added.
 7. **"Leasehold CIC"** means a CIC in which all or a portion of the real estate is subject to a lease the expiration or termination of which will terminate the CIC or reduce its size.
 8. **"Limited common element"** means a portion of the common elements allocated by the declaration for the exclusive use of one or more but fewer than all of the units.
 9. **"Planned Community"** means a CIC that is not a condominium or a cooperative. A condominium or cooperative may be a part of a planned community.
 10. **"UNIT"** means a portion of the CIC the boundaries of which are described in the CIC's declaration and which is intended for separate ownership or separate occupancy pursuant to a proprietary lease.

II. APPLICABILITY OF LOCAL ORDINANCES, REGULATIONS & BUILDING CODES (515B.1-106)

- (a) Except as provided in subsections (b) and (c), a zoning, subdivision, building code, or other real estate use law, ordinance, charter provision, or regulation may not directly or indirectly prohibit the common interest community form of ownership or impose any requirement upon a common interest community, upon the creation or disposition of a common interest community or upon any part of the common interest community conversion process which it would not impose upon a physically similar development under a different form of ownership.

III. COMMON INTEREST COMMUNITY PLAT (CIC PLAT) (515B.2-110)

- (a) A CIC plat is required for condominiums and planned communities, and cooperatives in which the unit owners' interests are characterized as real estate. The CIC plat is apart of the declaration in condominiums, in planned communities utilizing a CIC plat complying with subsection (c), and in cooperatives in which the unit owners' interests are characterized as real estate, but need not be physically attached to the declaration.

 - (1) In a condominium, or a cooperative in which the unit owners' interests are characterized as real estate, the CIC plat shall comply with subsection (c).
 - (2) In a planned community, a CIC plat which does not comply with subsection (c) shall consist of all or part of a subdivision plat or plats complying with subsections (d) (1) and (d) (2). The CIC plat need not contain the number of the common interest community and may be recorded at any time before the recording of the declaration. If the CIC plat complies with subsection (c), the number of the common interest community shall be included and the CIC plat shall be recorded at the time of recording of the declaration.
- (b) The CIC plat, or supplemental or amended CIC plat, for condominiums, for planned communities using a plat complying with subsection (c), and for cooperatives in which the unit owners' interests are characterized as real estate, shall contain certifications by a licensed professional land surveyor and licensed professional architect, as to the parts of the CIC plat prepared by each, that (i) the CIC plat accurately depicts all information required by this section, and (ii) the work was undertaken by, or reviewed and approved by, the certifying land surveyor or architect. The portions of the CIC plat depicting the dimensions of the portions of the common interest community described in subsections (c) (8), (9), (10), and (12), may be prepared by either a land surveyor or an architect. The other portions of the CIC plat shall be prepared only by a land surveyor.

A CIC plat for a condominium or cooperative shall show:

Minnesota Statutes Section 515B.2-110 (c) Interpretive Definitions

- | | |
|--|--|
| (1) the number of the common interest community, and the boundaries, dimensions and a legally sufficient description of the land included therein; | The number assigned to the CIC at the time the documents are recorded in the office of the Recording Officer or the number that has been reserved in advance upon a request to the Recording Officer by the party preparing the documents; the defining boundary, the descriptive dimensions and the legal description of the parcel being subjected to the Common Interest Ownership Act. |
| (2) the dimensions and location of all existing, material structural improvements and roadways; | The location of all material (noticeable) structures with reference to the boundary of the common interest community property by linear dimensions. Roadways are to be labeled as to name and at least a half right of way width dimensioned. |
| (3) the intended location and dimensions of any contemplated common element improvements to be constructed within the common interest community after the filing of the CIC plat, labeled either “MUST BE BUILT” or “NEED NOT BE BUILT”; | The intended location, dimensions and references to the property boundary of any structure or building that has not been built and is for common use at the time the common interest community documents are prepared and recorded. These improvements shall be labeled either “MUST BE BUILT” or NEED NOT BE BUILT”. |
| (4) the location and dimensions of any additional real estate, labeled as such, and a legally sufficient description of the additional real estate; | The angular, horizontal and vertical linear dimensions of a parcel or parcels in relation to the original common interest community parcel(s) that may be phased into the common interest community in one or more stages. These specific parcels are labeled “Additional Real Estate” on the site plan of the common interest community plat, depicting the legal description(s) of the additional real estate parcel(s) recited on the common interest community plat and in the narrative portion of the declaration. |
| (5) the extent of any encroachments by or upon any portion of the common interest community; | The illustration of any encroachment by common interest community structures, or upon the common interest community property with dimensions in relation to the boundary of said property. |

- | | | |
|------|--|--|
| (6) | the location and dimensions of all recorded easements within the land included in the common interest community burdening any portion of the land; | The relationship of the common interest community property and all recorded easements encumbering the property with dimensions and references to the property boundary. |
| (7) | the distance and direction between noncontiguous parcels of real estate; | The angular, horizontal and vertical linear measurements between parcels not sharing a common boundary line that will constitute the property being subjected to the Common Interest Ownership Act. |
| (8) | the location and dimensions of limited common elements, except that with respect to limited common elements described in section 515B.2-102, subsections (d) and (f); | The perimeter dimensions of limited common elements assigned for use by one or more units, but not all of the units, and the locations by measurements from fixed corners of units or buildings or parcel boundary corners. |
| (9) | the location and dimensions of the front, rear, and side boundaries of each unit and that unit's unit identifier; | Horizontal perimeter measurements of the unit boundaries, the unit identifier assigned to that unit and its location within the building or property of the common interest community. |
| (10) | the location and dimensions of the upper and lower boundaries of each unit with reference to an established or assumed datum and that unit's unit identifier; | The upper and lower boundary dimensions in the form of an elevation for each unit and an identifying number for each unit. Elevations are to be referenced to an established datum. |
| (11) | a legally sufficient description of any real estate in which the unit owners will own only an estate for years, labeled as "leasehold real estate"; | The legal description of any leasehold real estate parcel, in which unit owners own an estate for a specific number of years. These real estate parcels shall be labeled "Leasehold Real Estate" on the site plan of the common interest community plat. |
| (12) | any units which may be converted by the declarant to create additional units or common elements identified separately; | Labeling of specific units that can be converted into additional units, common elements and limited common elements. |

NOTE: A CIC plat which complies with section 515B.2-110 (c) is not subject to Minnesota Statutes Chapter 505.

NOTE: All interpretive definitions have been developed with legal advice.

Minnesota Statutes Section 515B.2-110 (d)

- A.** CIC plat for a planned community either shall comply with subsection (c) or it shall:
 - (1)** comply with the requirements of chapter 505; and
 - (2)** comply with the platting requirements of any governmental authority within whose jurisdiction the planned community is located, subject to the limitations set forth in section 515B.1-106.

IV. SUPPLEMENTAL CIC PLAT (515B.2-110 (e))

- A.** If a declarant adds additional real estate, the declarant shall record a supplemental CIC plat or plats for the real estate being added, conforming to the requirements of Minnesota Statutes, section 515B.2-110, which apply to the type of common interest community being supplemented. If less than all additional real estate is being added, the supplemental CIC plat for a condominium, a planned community whose CIC plat complies with section 515B.2-110 (c), or a cooperative in which the unit owners' interests are characterized as real estate, shall also show the location and dimensions of the remaining additional real estate, if any.

V. AMENDED CIC PLAT

- A.** If, pursuant to section 515B.2-112, a declarant subdivides or converts any unit into two or more units, common elements or limited common elements, or combines two or more units, the declarant shall record an amended CIC plat showing the location and dimensions of any new units, common elements and limited common elements thus created.
- B.** An allocation of limited common elements may be changed by an amendment to the declaration executed by the unit owners between or among whose units the reallocation is made and the association. The amendment shall be approved by the board of directors of the association as to form, and compliance with the declaration. If approved, the association shall cause the amendment to be recorded promptly in the office of the recording officer in the county, or counties, in which the CIC is located.
- C.** In the case of a conveyance involving a condominium, or a cooperative in which the unit owners' interests are characterized as real estate, the association shall record, simultaneously with the recording of the instrument of conveyance, an amended CIC plat showing the real estate constituting the common interest community exclusive of the real estate conveyed.

PART ONE

PRELIMINARY APPROVAL

AND

REVIEW REQUIREMENTS

PART ONE - PRELIMINARY APPROVAL AND REVIEW REQUIREMENTS

I. APPROVAL BY MUNICIPALITIES AND COUNTIES

A. CITIES

Preliminary CIC Plats within any city of _____County shall be prepared according to the specifications set forth in the respective city's CIC ordinance. Before the final CIC Plat is prepared, the approvals needed shall be obtained according to said ordinance.

B. COUNTY RECORDER

1. Contact Recorder's Office for CIC Number(s) (check for name duplication).
2. Research pertinent documents.

C. REGISTRAR OF TITLES

1. Contact Registrar's Office for CIC Number(s) (check for name duplication).
2. Contact Examiner of Titles Office for issuance of Examiner's directive.
3. Research pertinent documents.

D. COUNTY SURVEYOR

1. Contact for latest requirements.
2. Manual update.

II. GENERAL REQUIREMENTS

A. All CIC Plats submitted for recording must either be:

1. A plat prepared in black on white matte surface photographic card stock with double cloth back mounting, or material of equal quality; and/or
2. A transparent reproducible copy produced on 0.004 inch (minimum thickness) double matte finish, stable base, transparent film with a chemically fixed permanent black photographic image.

NOTE: Only transparent film is required in some counties.

B. Sheet size shall be 20 inches X 30 inches.

C. Borders on each sheet shall be 1/2 inch on the top, bottom and right side, and 2 inches on the left 20 inch side.

- D.** CIC plats that consist of more than one sheet, shall number each sheet in the lower right corner outside the border line, indicating the sheet number and total number of sheets.

Example: Sheet 1 of 2 Sheets
 Sheet 2 of 2 Sheets

- E.** One CIC plat shall have all sheets labeled "OFFICIAL". All replicas of the CIC plat shall have all sheets labeled "COPY". The words OFFICIAL and COPY shall be centered on the top of and outside the border line of any sheet.
- F.** The Site Plan shall be submitted with adequate mathematical data (distances, angles and/or bearings) to facilitate the computation of the parcel boundary closure.

PART TWO

DOCUMENTATION

PART TWO - DOCUMENTATION

I. TITLE

- A. The Recording Officer shall upon request promptly assign a number (CIC number) to a common interest community to be formed or to a common interest community resulting from the merger of two or more common interest communities.
- B. Whether the common interest community is a condominium, a planned community not complying with chapter 505, or a real estate cooperative, the **number of the CIC, the type of CIC, and the name of the CIC** shall appear at the top center of all sheets of the CIC plat and must be exactly the same as the title block appears in the CIC declaration. "NUMBER" in the title should always be spelled out.

Line 1: COMMON INTEREST COMMUNITY NUMBER _____

Line 2: Type of Common Interest Community

Line 3: Name of Common Interest Community

Some counties may require the County Name (Line 4).

Some counties may require that CIC (Common Interest Community) be spelled out.

- C. The name in the title shall be the same as it is in the certificate of the land surveyor or architect and also as recited in the declaration and shall be in CAPITAL LETTERS in all instances.
- D. The name of the municipality shall not be shown adjacent to the name in the title. This will eliminate the possibility of someone assuming the municipality name is to be part of the official name.
- E. Names should be short in length and as simple as possible. Do not use symbols or irregular marks in a name that cannot be reproduced by a standard keyboard.

II. PROPERTY LEGAL DESCRIPTION

- A. The legal description shall be compatible with the boundaries shown on the CIC Plat.
- B. The legal description shall be exactly the same on the CIC Plat as recited in the declaration.
- C. Any legal description of registered (torrens) property must agree with the Certificate(s) of Title.
- D. If the CIC is a Flexible CIC, the legal description of the Additional Real Estate boundaries must be included in the Surveyor's Certificate.

III. CERTIFICATES AND SIGNATURES

- A. The following certificate is required on all CIC Plats complying with section 515B.2-110 and should be placed on Sheet 1, and worded as follows:

1. SURVEYOR'S CERTIFICATE

I, (-----Surveyor's name-----), do hereby certify that the work was undertaken by or reviewed and approved by me for this CIC Plat of COMMON INTEREST COMMUNITY NUMBER _____, (Name of CIC), being located upon (property description)

Note: For a Flexible CIC, insert the additional wording:

and the Additional Real Estate described as (insert description) fully and accurately depicts all information required by Minnesota Statutes, Section 515B.2-110, (subsections - if any).

Dated this _____ day of _____, 2_____.

(signature in black ink)
(Name of Surveyor), Land Surveyor
Minnesota License No. _____

Note: According to section 515B.2-110 (b), the portions of the CIC Plat, or supplemental CIC plat or amended CIC plat, depicting the dimensions of the portions of the common interest community described in section 515B.2-110 (c) (8), (9), (10), and (12) may be prepared by either a land surveyor or an architect. If these activities are performed by an architect, that architect must so certify on the CIC Plat, or supplemental CIC plat or amended CIC plat, and the land surveyor must exclude those items from the surveyor's certificate. The other portions of the CIC Plat, or supplemental CIC plat or amended CIC plat shall be prepared only by a land surveyor.

Note: The land surveyor should be aware that when executing the surveyor's certificate, the surveyor is certifying not only to the land boundaries, but also the location of all existing and contemplated improvements, the location of Additional Real Estate, the extent of any encroachments, the location of all recorded easements, the location and dimensions of limited common elements, and the location of the front, rear, side, upper and lower boundaries of each unit.

The source of recorded easement data must be shown on the CIC plat.

NOTARY ACKNOWLEDGMENT FOR SURVEYOR

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2____, by

_____,
a Licensed Land Surveyor.

(signature in black ink)
Notary Public, (-----County-----), (-----State-----)
My Commission Expires (-----date-----)

(NOTARY STAMP) (Stamp must be black, quick drying,
non-smearing ink.)

B. The following certificates may be required on CIC Plats and if required should be placed on Sheet 1 and worded as follows: (Check local counties for any specific requirements).

1. ARCHITECT'S CERTIFICATE

(For Condominium, Planned Community or Real Estate Cooperative).

I, (-----Architect's name-----), do hereby certify that the work was undertaken by or reviewed and approved by me for this CIC Plat of COMMON INTEREST COMMUNITY NUMBER _____, (Name of CIC) as described herein, and fully and accurately depicts all information required by Minnesota Statutes, Section 515B.2-110 (c) subsections (8) and/or (9) and/or (10) and/or (12).

Dated this _____ day of _____, 2____.

(signature in black ink)
(Name of Architect), Licensed Architect
Minnesota License No. _____

NOTARY ACKNOWLEDGMENT FOR ARCHITECT

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2____, by

_____,
a Licensed Professional Architect.

(signature in black ink)
Notary Public, (-----County-----), (-----State-----)
My Commission Expires (-----date-----)

(NOTARY STAMP) (Stamp must be black, quick drying,
non-smearing ink.)

2. ENGINEER'S/ARCHITECT'S CERTIFICATE

(For a Condominium, a Planned Community utilizing a CIC plat complying with section 515B.2-110 (c), or a cooperative where the unit boundaries are delineated by a structure).

I, (-----Engineer's/Architect's name-----), pursuant to Minnesota Statutes, Section 515B.2-101(c), do hereby certify that the structural components of the structures containing the units and the mechanical systems serving more than one unit, are substantially completed.

Dated this _____ day of _____, 2_____.

(signature in black ink)
(Name of Engineer/Architect), Licensed Engineer/Architect
Minnesota License No. _____

NOTARY ACKNOWLEDGMENT FOR ENGINEER/ARCHITECT

STATE OF MINNESOTA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2_____, by

a Licensed Engineer / Architect.

(signature in black ink)
Notary Public, (-----County-----), (-----State-----)
My Commission Expires (-----date-----)

(NOTARY STAMP) (Stamp must be black, quick drying,
non-smearing ink.)

3. COUNTY AUDITOR/TREASURER TAX STATEMENT

A. Pursuant to Minnesota Statutes, Section 515B.1-116 and Section 272.12, taxes payable in the year _____, on real estate hereinbefore described, have been paid; there are no delinquent taxes and transfer entered, on this _____ day of _____, 2____.

(Check with county as to form)

By _____, Deputy

B. An amendment to or restatement of a declaration or bylaws, or an amended CIC plat, approved by the required vote of unit owners of an association may be recorded without the necessity of paying the current or delinquent taxes on any of the units in the common interest community, provided the amendment to or restatement of the declaration, bylaws, or CIC plat does not create or change unit or common area boundaries.

4. COUNTY SURVEYOR'S APPROVAL

Pursuant to Minnesota Statutes, Chapter 389.09, Subd. 2, this CIC Plat has been reviewed and is approved this _____ day of _____, 2_____.

By: _____

 (signature in black ink)
 _____ County Surveyor

IV. RECORDING BOX

- A.** The recording box takes the place of the written recording statement shown on subdivision plats, but shall be subject to the requirements of each county in which the CIC Plat is located.
- B.** The recording box shall be placed on Sheet 1 only, in the upper right hand corner and inside the border line, and should measure approximately 6 inches by 2 inches.
- C.** The recording box shall be in the following form and shall use the word "recorded" which shall also mean "filed" in the case where the CIC includes registered land.

1. Original CIC

Affix to the upper right hand corner of Sheet 1:

This CIC Plat is part of the Declaration recorded as Document

No. (leave 1/2" by 2" space) on this _____ day of

_____, 2____.

County Recorder or Registrar of Titles

2. The following form shall be used on Supplemental CIC Plats when adding Additional Real Estate.

Affix to the upper right hand corner of Sheet 1:

This First Supplemental CIC Plat, (Second Supplemental, etc.) is part of

the First Supplemental Declaration (Second Supplemental Declaration,

etc.) recorded as Document No. (leave 1/2" by 2" space)

on this _____ day of _____, 2____.

County Recorder or Registrar of Titles

3. The following form shall be used on Amended CIC Plats when subdividing, converting or relocating the boundaries of any unit or units, common elements or limited common elements.

Affix to the upper right hand corner of Sheet 1:

This First Amended CIC Plat, (Second Amended, etc.) is part of the

First Amendment to Declaration (Second Amendment to Declaration,

etc.) recorded as Document No. (leave 1/2" by 2" space)

on this _____ day of _____, 2____.

County Recorder or Registrar of Titles

PART THREE

SITE PLAN GRAPHICS

PART THREE - SITE PLAN GRAPHICS

I. REAL ESTATE BOUNDARIES

- A.** The boundaries and dimensions of all the real estate included in the CIC Plat must be shown.
1. The legal description and the parcel boundary shown on the CIC Plat must agree, or include notes, which will explain the difference, i.e. recorded/measured.
 2. Government corners shall be labeled.
 3. Boundary lines shall not be drawn through the open circles which symbolize iron monuments.
- B.** Boundary and property lines.
1. Boundary lines of the real estate shall be heavy weight solid lines that are easily identified.
 2. Boundary lines of "Additional Real Estate" shall be medium weight solid lines.
 3. Underlying lot lines and description lines within the real estate boundary shall be light weight dashed lines.
 4. Boundary lines and corners on the drawings shall be labeled in the same manner as recited in the description.
 - a. The labels of the boundary lines and corners may be abbreviated and shown in an acceptable form.
 - b. When the description consists of a whole unit such as a Lot, Outlot, or Registered Land Survey Tract, its designation may be stippled across the parcel eliminating the need for labeling of boundary lines or lot corners.
 - c. All platted property within the CIC Plat must be designated by stippled lines and text, including lots, blocks, streets and subdivision names.
- C.** Buildings and location of improvements.
1. All perimeter dimensions of existing buildings will be measured and shown on the CIC Plat with linear dimensions to the boundary lines.
 2. Show all building identities on the CIC Plat with a reference to the sheet number of the CIC Plat that will further detail the building(s), layout and dimensions.

3. Trees, shrubs, flowers, etc. shall not be shown.
 4. Public streets and alleys abutting the CIC as well as the street and alley widths must be shown at least to the center line. (See definition 2 on page 6.)
 5. Parking lots, sidewalks and driveways shall be shown by scale and shall be dimensioned as to length, width, etc.
 6. The location of all existing material (noticeable) structural improvements such as swimming pools, tennis courts and playgrounds must be shown.
 - a. Locate by measured distances to the nearest foot to show relation to other buildings and improvements.
 - b. The actual improvements themselves must also be dimensioned to the nearest foot.
- D.** The extent of any encroachment by or upon any portion of the CIC shall be shown, located and dimensioned.

II. ADDITIONAL REAL ESTATE

- A.** All Additional Real Estate must be shown and described on the CIC Plat as recited in the declaration.
- B.** Show location and dimensions of any Additional Real Estate in relation to the original CIC real estate.
- C.** Label all ADDITIONAL REAL ESTATE in solid capital letters.
- D.** Additional Real Estate need not be contiguous, but must have distance and direction ties between all noncontiguous parcels.

III. FLEXIBLE CIC - SUPPLEMENTAL CIC PLAT

- A.** CIC Plats of "ADDITIONAL REAL ESTATE" in a Flexible CIC require the preparation of a SUPPLEMENTAL COMMON INTEREST COMMUNITY PLAT showing the real estate being added to the CIC.
 1. If there is to be a series of SUPPLEMENTAL CIC PLATS in a Flexible CIC, they shall be sequentially labeled, starting with: FIRST SUPPLEMENTAL COMMON INTEREST COMMUNITY PLAT, SECOND SUPPLEMENTAL COMMON INTEREST COMMUNITY PLAT, etc. to distinguish between them.
 2. Such SUPPLEMENTAL CIC PLATS shall be labeled on each sheet below the CIC name in the title block.

3. The use of PHASE 1 or similar terms is not permitted.
4. The same technical standards shall apply to all supplemental CIC Plats, as are required for the original CIC Plat.
5. When less than all the ADDITIONAL REAL ESTATE is included in any SUPPLEMENTAL CIC PLAT, the location and dimensions of any remaining additional real estate must be shown and outlined by a medium weight solid line and labeled "ADDITIONAL REAL ESTATE".
6. Any remaining ADDITIONAL REAL ESTATE shall be described on each of the SUPPLEMENTAL CIC PLATS.

IV. MATCH LINES

- A. Match lines should follow obvious division lines within the CIC Plat.
- B. If the CIC Plat has more than one match line, the match lines shall be labeled "MATCH LINE A" (See Sheet 1 of 2 Sheets), "MATCH LINE B", etc.

V. MATHEMATICAL DATA

- A. All distances, directional lines and boundary lines of parcels and references to any noncontiguous parcels on the CIC Plat must have sufficient mathematical data to form a closed traverse.
 1. Distance and direction shall be shown for all individual lines of all boundary lines.
 2. All real estate boundary distances shall be shown to the nearest hundredth of a foot.
 3. The mathematical closure error of any parcel boundary shall not exceed 0.02 foot in north/south and east/west direction.
- B. Curve data should include arc length to the hundredth of a foot, central angle to the nearest second and radius length to the hundredth of a foot on each segment of curve.
 1. Non-tangential curves must also include chord bearings.
 2. If applicable, dashed radial lines at the ends of any curve shall be extended far enough toward the radius point to clearly indicate the direction of curvature, or a statement affixed to indicate the direction of concavity.

- C.** The dimensions and location of all existing material (noticeable) structural improvements and roadways must be shown.
- 1.** Show platted rights of way and/or easement widths.
 - 2.** The actual length and width of existing pavement should be drawn to scale and dimensioned when practicable, or indicate the average width if irregular.
 - 3.** Street or easement widths need not be shown to the hundredth of a foot.
 - 4.** Distances recited in any legal description as chains, rods, etc., should be shown on the CIC Plat, together with the equivalent distance in feet and decimals of a foot.
 - 5.** Buildings shall be referenced to the real estate boundary with a minimum of two distance and directional dimensions.

VI. EASEMENTS

A. Existing Recorded Easements

- 1.** The location and dimensions of all recorded easements within the land included in the CIC burdening any portion of the CIC shall be shown.
- 2.** Existing easements over or appurtenant to ADDITIONAL REAL ESTATE shall be shown.
- 3.** All easements shall be identified by the document number or the name of the plat which created them.
- 4.** Identify existing easements by individual labeling or by a precise reference in the CIC Plat legend.

VII. WATER BOUNDARIES

A. Survey Line

- 1.** In any instance where a river, stream, creek, lake or pond constitutes a boundary line within or of the CIC Plat, a survey line shall be shown.
- 2.** The survey line shall be shown as a dashed line.
- 3.** All "Survey Lines" shown on the CIC Plat shall be labeled as such.
- 4.** The survey line shall show distance and direction on all of its segments.
- 5.** The overall distance between angle points on the survey line shall be shown.

6. Monuments shall be placed at all angle points along the survey line.
7. The approximate distance from all angle points on the survey line to the shoreline shall be shown.

B. Bench Mark and Water Elevation

1. Any CIC Plat which includes land abutting upon any lake or stream shall show, for the purpose of information only, a contour line denoting the present shoreline, water elevation and the date of survey.
2. The highest known water elevation shall be indicated on the face of the CIC Plat by numerical figures if this data is available from the Minnesota Department of Natural Resources or from the United States Army Corps of Engineers.
3. All elevations are encouraged to be in mean sea level datum and shall be referenced to a durable bench mark described on the CIC Plat together with its location, elevation to the nearest hundredth of a foot, and the datum which was used to establish the bench mark elevation.
4. If the bench mark is within the CIC Plat, then its location shall be plotted and labeled.

Examples: Bench Mark:
 Top of front entry step at 825 Summit Avenue.
 Assumed Elevation = 100.00 feet

 Bench Mark:
 Top nut of fire hydrant located in the Northwest quadrant of the
 intersection of Osgood Avenue and 50th Street North.
 Elevation = 931.71 feet (N.A.V.D. - 1988)

5. Lake datum should be shown.

Example: Water Elevation March 10, 2006 = 929.36 feet (N.A.V.D. -1988)

 High Water Elevation = 930.51 feet (N.A.V.D. - 1988) according
 to records of the Minnesota Department of Natural Resources.

C. Shoreland Statement: section 515B.2-105 (a)(13)

1. The declaration shall contain a statement as to whether the common interest community includes any shoreland, as defined in section 103F.205, and, if the common interest community includes shoreland, a statement that the common interest community may be subject to county, township, or municipal ordinances or rules affecting the development and use of the shoreland area.

VIII. UNDERLYING PLATTED PROPERTY

- A.** The lines of platted property lying within the boundary of the CIC Plat shall be shown with dashed lines, and the plat name, lot and block numbers and street names shall be stippled on the CIC Site Plan.
- B.** Underlying plat bearings, angles and distances shall not be shown unless referred to in the description or are part of the boundary of the CIC Plat.
- C.** Arrowed lines used with dimensions or descriptions shall be dashed or dotted lines.

IX. ADJOINING REAL ESTATE

- A.** The name and boundary lines of adjoining subdivided real estate shall be stippled.
- B.** Lot lines or lot and block numbers of adjoining subdivisions need not be shown, but are encouraged.
- C.** Adjoining unplatted real estate shall not be designated.
- D.** Stipple names of adjoining streets and alleys and show their widths in solid Arabic numerals.
- E.** Double designation of thoroughfares will have the municipality's name listed first.

Example: Osgood Avenue North (County Road No. 67)
 Dellwood Place (State Highway No. 96)
- F.** Adjoining railroads, lakes, streams and rivers shall be shown and identified.

X. SHEET SIZE AND BORDER LINES

- A.** All CIC Plats shall measure 20 inches X 30 inches from outer edge to outer edge.
- B.** A border line shall be placed one-half inch inside the outer edge of each sheet on the top, bottom and right hand sides of the sheet; a border line shall also be placed two inches inside the outer edge on the left hand 20 inch side of each sheet.

Orientation of this bearing system is based on the north line of Block 1, JOHN DOE ADDITION having a record bearing of East.

- B.** The statement "all bearings are assumed" shall not be used. This statement negates the mathematical relationship of the lines.

XV. LINE WEIGHTS AND TEXT SIZES

- A.** The CIC Plat shall have four distinct line weights according to the following breakdown from heaviest to lightest.
 - 1.** Real estate boundary and unit boundaries.
 - 2.** Additional Real Estate boundaries.
 - 3.** Limited common elements and building perimeter.
 - 4.** Common element improvements and dashed underlying description or easement lines.
- B.** Text sizes within the CIC Plat shall vary according to the following list from largest to smallest. To facilitate legibility, photo reproduction, microfilm reduction, and image scanning, the smallest size used shall be 0.08 of an inch.
 - 1.** CIC Name.
 - 2.** Stippled underlying subdivision names.
 - 3.** Street names.
 - 4.** Additional Real Estate, elevations and similar information.
 - 5.** Dimensions.
 - 6.** Easement and similar data.

XVI. VICINITY MAP (optional by individual county)

- A.** If a vicinity map showing the location of the CIC is required, the north orientation for the map shall be the same as the CIC Plat drawing.
- B.** The vicinity map should show a full section with enough information to locate the property in a quarter-quarter section or a government lot. The map should also show and identify prominent physical features within 1/2 mile, such as highways, rivers, lakes, railroads, etc.

XVII. MONUMENTS

- A.** Where practicable, durable iron monuments shall be set at all angle and curve points on the outside boundary lines of the CIC Plat.
- B.** Any monument placed must have inscribed thereon the license number of the land surveyor making the survey.
 - 1.** The CIC Plat legend or a note shall identify the type of monument set and the license number of the land surveyor. Monuments set shall be irons NO LESS than 1/2 inch in diameter and 18 inches long.

Example: ○ Denotes 1/2 inch diameter by 18 inch long iron pipe monument set and marked by License Number _____.
 - 2.** The symbol to denote an iron monument set shall be an open circle.
- C.** Boundary lines shall terminate at the circumference of the circle which symbolizes iron monuments set by the land surveyor.
- D.** Judicial Landmarks of record and found inplace shall be shown and designated JLM found. Record JLM's not found shall also be so indicated.
- E.** Show all government corners that determine the CIC Plat boundary whether or not these corners are a part of the CIC Plat. These government corners will be referenced to the CIC Plat by distance and direction. The type of monument shall also be designated.

Example: West 1/4 Corner
 Sec. 36, T.108, R.26
 (Found Cast Iron Monument)

XVIII. SECTION SUBDIVISION LINES

- A.** All section, quarter section, quarter-quarter section and government lot lines should be shown and labeled if they relate to the real estate boundary.
- B.** Every effort should be made to reference the CIC Plat into section or quarter section lines.

XIX. EXISTING RIGHTS OF WAY

- A.** The name of any public thoroughfare/cul-de-sac adjoining the CIC Plat shall be shown in stippled text. Stippled text indicates the thoroughfares/cul-de-sacs are not within the boundary of the CIC Plat. The width of these adjoining thoroughfares/cul-de-sacs will be shown in solid Arabic numerals.
- B.** If adjoining thoroughfares/cul-de-sacs are intersected by another thoroughfare/cul-de-sac, also being outside the CIC Plat boundary, the name of this intersecting thoroughfare/cul-de-sac will also be stippled on the CIC Plat.
- C.** Adjoining railroads and similar rights of way will be treated in the same manner as thoroughfares.

XX. THOROUGHFARE CENTER LINES

- A.** Where a highway right of way shown upon a CIC Plat has been surveyed according to the description of record, the document number or book and page number of the description of record shall be shown. The CIC Plat shall 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 CIC Plat.
- B.** When the right of way is of varying widths, the center line will be labeled as described by document number, book and page number, or as traveled.
- C.** When the boundary of a CIC Plat is the center line of a traveled road, always label the center line accordingly.

XXI. DETAILS

- A.** Details of small, congested areas may be needed. If more than one detail is necessary, identify each with a letter.
- B.** Details should be drawn to scale and the graphic scale shall be shown on the detail. If gross exaggeration is necessary, note that the detail is not drawn to scale.
- C.** The north orientation for the detail shall be the same as the CIC Plat.

XXII. EXCEPTIONS

- A.** The word EXCEPTION shall be used on the CIC Plat only where a specific parcel is recited in the description as being an exclusion to the primary and/or Additional Real Estate parcel(s).
- B.** On the CIC Plat, the word EXCEPTION shall be shown in solid letters within the area being excluded.

PART FOUR

UNIT GRAPHICS

PART FOUR - UNIT GRAPHICS

I. UNIT BOUNDARIES (515B.2-102)

A. Front, Rear and Side Boundaries

(The boundaries of a unit need not be delineated by a structure).

1. All unit boundary dimensions must be shown.
 - a) Unless different unit boundaries are designated in the declaration, measurements are to the interior, unfinished surfaces of the perimeter walls, doors, windows, and door and window frames of the unit.
2. Unit boundary dimensions shall be shown in either feet and tenths of a foot, or feet and inches.

B. Upper and Lower Boundaries

1. All unit boundary dimensions must be shown.
 - a) Unless different unit boundaries are designated in the declaration, measurements are to the interior, unfinished surfaces of the floors and ceilings of the unit.
 - b) Elevations must be shown for each floor and ceiling surface in feet and tenths of a foot within each unit.

Example: Unit No. 1, Floor Elevation = 836.1 feet.
Ceiling Elevation = 844.2 feet.

2. All sheets of the CIC Plat showing elevations must make reference to the established or assumed datum used to determine such elevations.

Example: Elevations shown are referenced to a bench mark as denoted on Sheet 1 of 3 Sheets.
3. Floor to ceiling heights may be shown for each unit as supplemental information, **not in lieu of the ceiling elevation**, and if shown must be in feet and tenths of a foot.
4. Units with varying floor to ceiling heights will require a note stating the same and must show sufficient information at various locations to illustrate the different heights.
 - a) Cross sectional views may be required to show variable ceiling, and floor elevations, and if used, the location of the cross section through the unit or building must be clearly shown.

C. General

1. The CIC Plat must represent the unit boundaries as they are described in the declaration.
2. Unless otherwise specified, all spaces, windows, interior partitions, fixtures and improvements within the bounds of a unit are a part of the unit and should not be shown on the CIC Plat.

II. COMMON ELEMENTS AND LIMITED COMMON ELEMENTS

A. Common Element

1. All common element improvements such as driveways, parking lots, retaining walls, sidewalks, etc., which are generally outside of the buildings shall be shown and dimensioned.
2. Show common element improvements that are intended to be constructed or are planned for construction after the CIC documents are recorded.
 - a) The intended location by distance dimensions and direction to the buildings and/or real estate boundary must be shown.
 - b) Contemplated common element improvements shown shall be labeled either "MUST BE BUILT" or "NEED NOT BE BUILT".

B. Limited Common Element

1. Location and dimensions of all limited common elements must be shown and must specify to which unit or units each limited common element is allocated.

Examples: LCE Unit No. 101, Storage Area

Limited Common Element Patio, Unit A45

LCE Deck, Unit 23

2. All windows, shutters, awnings, door steps, stoops, exterior doors or any fixture designed to serve a single unit, but located outside the unit need not be shown.
3. Flues, chutes, ducts, pipes, conduits, wires, bearing walls, columns or other such fixtures do not need to be shown.

III. FLEXIBLE CIC - SUPPLEMENTAL CIC PLAT

- A.** CIC Plats of "ADDITIONAL REAL ESTATE" in a Flexible CIC require the preparation of a SUPPLEMENTAL CIC PLAT showing the real estate being added to the CIC.
- 1.** If there is to be a series of SUPPLEMENTAL CIC PLATS added to a Flexible CIC, they shall be sequentially labeled, starting with FIRST SUPPLEMENTAL CIC PLAT, SECOND SUPPLEMENTAL CIC PLAT, etc.
 - 2.** Such SUPPLEMENTAL CIC PLATS shall be labeled on each sheet below the CIC name in the title block.
 - 3.** The use of PHASE 1 or similar terms is not permitted.
 - 4.** The same technical standards shall apply to all SUPPLEMENTAL CIC PLATS as required for the original CIC Plat.
 - 5.** When less than all the ADDITIONAL REAL ESTATE is included in any SUPPLEMENTAL CIC PLAT, the location and dimensions of any remaining additional real estate must be shown and outlined by a medium weight solid line and labeled "ADDITIONAL REAL ESTATE".
 - 6.** Any remaining ADDITIONAL REAL ESTATE shall be described on each SUPPLEMENTAL CIC PLAT.

IV. AMENDED CIC PLAT

- A.** An owner or declarant may decide to subdivide or convert any unit into two or more units, common elements or limited common elements or combine two or more units.
- 1.** Section 515B.2-101 (c) requires that in a condominium, a planned community utilizing a CIC plat complying with section 515B.2-110 (c), or a cooperative where the unit boundaries are delineated by a structure, a declaration, or an amendment to a declaration adding units, SHALL NOT be recorded unless the structural components in the structure containing the units and the mechanical systems serving more than one unit, but not the units, are substantially completed, as evidenced by a recorded certificate executed by a licensed engineer or architect.
 - 2.** Amended CIC Plats in this case will be labeled consecutively beginning with FIRST AMENDED CIC PLAT, SECOND AMENDED CIC PLAT, etc. and the label shall be placed on each sheet below the CIC name in the title block.
 - 3.** The boundary of that portion of the CIC that is being changed by the Amended CIC Plat will be described in the Surveyor's Certificate and the Amendment to Declaration.

- B.** Adjoining unit owners, with approval of the homeowners association, may relocate the boundary between their units by recording an amended CIC Plat to show the altered unit boundaries.
- C.** The amended CIC Plat shall show the location and dimensions of any new or altered units, common elements or limited common elements created.

V. BUILDING, UNIT AND GARAGE IDENTIFIERS (515B.2-104 (b))

- A.** If the CIC plat for a planned community complies with chapter 505, 508, or 508A, then a description of a unit in the planned community is legally sufficient if it is stated in terms of a plat or registered land survey. Any instrument conveying or asserting an interest in a unit shall reference the county and the common interest community number immediately following the name of the plat or registered land survey.
- B.** In planned communities whose CIC plats comply with section 515B.2-110 (c), and in all condominiums and cooperatives created under this chapter, a unit identifier shall contain no more than six characters, only one of which may be a letter.
- C.** Each unit identifier should be shown within the unit's boundary on the CIC Plat and shall be preceded by the word UNIT.
- D.** The numbering of each building is optional. However, if used, the numbers should be shown within the building boundary and shall be preceded by the word BUILDING.
- E.** There cannot be duplication of unit identifiers for buildings, units or garage units within the original CIC, and/or any supplemental CIC plat, or any amended CIC plat.

VI. LINE WEIGHTS AND TEXT SIZES

- A.** The unit graphics should have four distinct line weights according to the following breakdown from heaviest to lightest.
 - 1.** Unit boundaries.
 - 2.** Building boundaries.
 - 3.** Limited common elements.
 - 4.** Common element improvements and dashed underlying description or easement lines.

B. Text sizes within the CIC Plat shall vary according to the following list from largest to smallest. To facilitate legibility, photo reproduction, microfilm reduction, and image scanning, the smallest size used shall be 0.08 of an inch.

1. CIC Name.
2. Unit numbers, stippled underlying subdivision names.
3. Street names.
4. Elevations and similar information.
5. Dimensions.
6. Easements and similar data.

VII. DETAILS

- A.** Details of small, congested areas may be needed. If more than one detail is necessary, identify each with a letter.
- B.** Details should be drawn to scale and the graphic scale shall be shown on the detail. If gross exaggeration is necessary, note that the detail is not drawn to scale.
- C.** North orientation of the details shall be the same as the CIC Plat.

PART FIVE

PROCEDURE FOR RECORDING CIC PLATS

PART FIVE

PROCEDURE FOR RECORDING CIC PLATS IN _____ COUNTY

NOTE: All preliminary approvals should be complete before proceeding with the following steps:

I. MATERIAL and SPECIFICATIONS

- A. CIC Plats submitted for recording must either be:
1. A plat prepared in black on white, matte surface, photographic card stock with double cloth back mounting, or material of equal quality; and/or
 2. A transparent reproducible copy produced on 0.004 inch (minimum thickness) double matte finish, stable base, transparent film with a chemically fixed permanent black photographic image.

Check with local county for any specific requirements.

II. QUANTITY

- A. One plat and/or one film transparency is usually required for recording.
1. One CIC plat shall have all sheets labeled "OFFICIAL". All replicas of the CIC plat shall have all sheets labeled "COPY". The words OFFICIAL and COPY shall be centered on the top of and outside the border line of any sheet.
- B. Plats or transparencies in unsatisfactory condition will not be accepted for recording.
1. It is required that PENS WITH PERMANENT BLACK INK BE USED for all signatures, dates, and notary acknowledgments.
 2. BALL POINT PENS **shall not** be used for any signatures or dates on CIC Plats or transparencies.
 3. DO NOT FOLD plats or transparencies.

Check with local county for any specific requirements.

III. PROCEDURE FOR RECORDING

- A.** The plats and transparent film copies must be signed as required, before a Notary Public. The Notary Public must clearly print in black ink, their name in addition to their signature and must also print their commission expiration date in the space provided. The MONTH of all dates must be spelled out in full.

- B.** A declaration, bylaws, any amendment to a declaration or bylaws, and any other instrument affecting a common interest community shall be entitled to be recorded. In those counties which have a tract index, the county recorder shall enter the declaration into the tract index for each unit affected. The registrar of titles shall file the declaration on the certificate of title for each unit affected.

Submit the Declaration and the CIC Plat to the County Recorder/Registrar of Titles for recording.

- 1.** The Declaration and CIC Plat complying with chapter 515B are recorded as one document.

- 2.** If the CIC is registered property (Torrens), the documents shall be given to the Examiner of Titles for review to determine whether they comply with the requirements of the Minnesota Common Interest Ownership Act.

- 3.** All fees must be paid prior to or at the time of recording.