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FEB. 19, 2008 AT 03:49PM

Signed: JW
MARILYN J NOVAK E V I
BENTON COUNTY MINNESOTA
MARILYN J NOVAK
COUNTY RECORDER

BENTON COUNTY ORDINANCE NO. 422

WHEREAS, the Benton County Department of Development instituted proceedings to amend the Benton County Ordinance 185; and,

WHEREAS, on January 22 and 23, 2008, Notice of Public Hearing and intent to amend Benton County Ordinance was published in the official newspapers of the county; and,

WHEREAS, on February 7, 2008, the Benton County Planning Commission held a public hearing; and,

WHEREAS, on February 19, 2008, the Benton County Board of Commissioners held a public hearing and approved the proposed ordinance amendment; and,

NOW PURSUANT TO THE AUTHORITY VESTED BY MINNESOTA STATUTES SECTION 394.25, THE BENTON COUNTY BOARD OF COMMISSIONERS ORDAINS: that the Benton County Ordinance 185 be amended as follows:

Amend Section 10.6 "items A-C" to "items A-D" in the second sentence and add before the last sentence in the paragraph: "The land split shall not result in a lot, parcel, site, division or building which does not meet the minimum requirements of the Development Code for setbacks, size requirements, and/or access."

DOD
no fee

Amend the first paragraph in Sections 10.7.1 & 10.8 to read: "The subdivision of land by plat into six or fewer lots in the R-1, R-2, R-3, R-S, B, B-2, I-1, I-2 Districts or 9 or fewer lots in the A or R-A Districts meeting the requirements set forth in Section 10.7.1 of this Ordinance."

Amend Section 10.7.1A(1) & 10.8A(1) by adding "and a reduction" after copies.

Delete Sections 10.7.1A(3) and 10.8A(3) and renumber (4) to (3).

Amend Section 10.7.2 to change the "Planning Commission" to the "County Board" in the second sentence of the third paragraph.

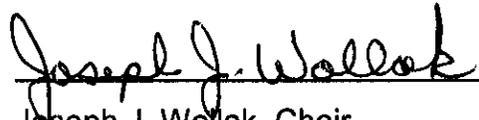
Amend Section 10.13.4 (2) to add the following after Planning Commission: "County Surveyor, County Attorney"

Section 10.13.4 renumber Section (4) to (5) and Section (5) to (6).

Add Section 10.13.4 (4): "At the time of submission of the final plat, the applicant shall also submit a title opinion by a practicing attorney-at-law based upon an examination of an abstract of the records of the County Recorder or the Registrar of Titles for the lands included within the plat, and showing the title to be in the name of the owner or subdivider. The date of continuation of the abstract examined, or the date of the examination of the records, shall be within thirty (30) days of submission of the preliminary plat to the Department of Development."

Approved and adopted by the Benton County Board of Commissioners this 19th day of February in the year of 2008.

Upon enactment, this ordinance shall be effective upon the date of its publication as provided by law.



Joseph J. Wollak, Chair
Benton County Board of Commissioners

ATTEST:



Montgomery Headley
Benton County Administrator