



# Administrative Subdivision Application

## Hubbard County Environmental Services

301 Court Ave., Park Rapids, MN 56470  
Phone: 218.732.3890 Fax: 218.732.7993

## Instructions

1. Fill out this application form, attach the additional required information, and submit the **complete** application to the Environmental Services Department.
2. Include a copy of the parent lot deed. The “grantee” on the deed must match the “landowner name” and owner’s signature on this application or Authorized Agent form. Copies of deeds are available from the County Recorder’s office (218-732-3552) located on the first floor of the Courthouse.
3. If applicant is someone other than the landowner, an Authorized Agent form must be included that shows the owner(s) has given the applicant permission to submit the application. If a property is owned by contract for deed, written permission from the “grantor” on the deed must be included. A party with only a life estate interest in a property must provide written permission to submit the application from the party(s) holding the remaining ownership interest in the property.
4. Each proposed new lot (including the remainder lot) that will not front a public road **MUST** be provided a continuous 33-foot minimum width ingress and egress easement to a public road. If the property to be subdivided does not front a public road, copies of the recorded document(s) showing the required easement access to the property **MUST** be included in the application. Any such easement must be shown on the application sketch. If new easements within the boundary of the property to be subdivided are required in order to provide one or more proposed new lots with the required access, the application sketch or survey must accurately show the easement location and an accurate, complete written legal description of each new easement must be included in the application.
5. If the property is located in a township that has a subdivision ordinance or lot size requirements, a copy of the township’s written approval of the subdivision application must be included in the application. Please contact your township officials to see what, if any, township zoning regulations apply to your property.
6. Include a subsurface sewage treatment system (SSTS) site evaluation performed by a licensed SSTS (septic) contractor for each proposed new lot **(including the remainder lot.)**
  - If a lot has no SSTS on it, then a SSTS site evaluation must be submitted for that lot.
  - A compliance inspection is not required, but may be submitted instead of a site evaluation for a proposed lot as long as it includes an alternate site soil boring record.
  - If a lot will never be used for a building site that will be served by an SSTS (e.g. an agricultural field or hunting land), then a SSTS site evaluation is not required for that proposed lot **IF** a written statement signed and dated by the landowner is submitted in the application that states the proposed lot will never be used to provide a sewer structure building site.
  - If a SSTS was installed recently on a proposed lot such that the SSTS design included two soil borings, the design may satisfy this site evaluation requirement. You may contact our office to see if such a design is on file.

Your contractor **MUST** give you this septic paperwork as it **MUST** be included in the application.



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7. Include the parent lot legal description and the proposed legal descriptions of the proposed new lots – including the remainder. Lots must be described by government subdivision or metes and bounds. A certificate of survey prepared by a licensed professional surveyor is required for any proposed new lot having a metes and bounds legal description. Government subdivision legal descriptions do not require a certificate of survey.

**Government Subdivisions** - A full government subdivision or a government lot, or a simple fractional part-increments of one half or one quarter of a full government subdivision. A simple quantity part of a full government subdivision such as twenty acres, two hundred feet, ten chains, and similar quantities.

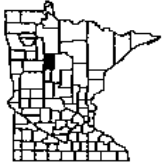
**Metes and Bounds** – A method of property description prepared by a land surveyor registered in the State of Minnesota described by the direction and distance from an identifiable point of beginning.

8. Include **two copies** of a sketch or certificate of survey containing the following information (metes and bounds descriptions require a certificate of survey prepared by a licensed land surveyor):

- a. Proposed new property lines with all property line dimensions labeled.
- b. The location of all existing and proposed easements needed to satisfy the ordinance access requirements.
- c. If the proposed new lots are located in the Shoreland Management Ordinance jurisdictional area, the total lot area and residential lot suitable area (RLSA) must be shown for each lot including the remainder. Please contact a licensed land surveyor to calculate these areas. A certificate of survey may be required to accurately calculate the RLSA.

**Residential Lot Suitable Area** - The minimum area on a residential lot or lot of land that is the combination of: 1. the minimum contiguous area remaining on a lot or lot of land after all setback requirements, bluffs, all easements and rights-of-way, historic sites, wetlands, and land below the ordinary high water mark of public waters are subtracted for the purposes of placing structures; and 2. the area meeting or exceeding the site requirements of Minnesota Pollution Control Agency subsurface sewage treatment system Rules, Chapters 7080 and 7081, for the purpose of soil treatment or drainfield areas and future additional sites.

- d. Existing septic system locations must be accurately shown on the sketch or certificate of survey. Septic system components must meet the minimum property line setback requirements from all proposed new property lines. Easements for septic systems to cross proposed new property lines are not allowed.
  - e. In shoreland ordinance jurisdictional areas, all existing structures must be shown on the sketch or certificate of survey to verify they meet the property line setback requirements from all proposed new property lines.
9. Include payment for the application fee. Base fee is \$40.00 plus \$10.00 for each proposed new lot being created. The remainder lot is considered a new lot. For example, the fee for subdividing one lot into two lots is \$60.00 (\$40.00 base fee + [two lots x \$10/lot] = \$60.00). Make checks payable to “Hubbard County Auditor/Treasurer”. Payment must be in the form of a check or cash. We are unable to accept credit or debit card payment.



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10. The Environmental Services Officer will make a decision regarding the application within twenty days of submittal of a complete application, unless a delay is agreed to by the applicant in writing. If approved, the applicant will receive a letter in the mail stating that the application was approved. If denied, the applicant will be notified, in writing, of the reasons why the application was denied and the application will be returned to the applicant.
  
11. After approval of the application, you must file the necessary deed(s) and documents with the County Recorder to complete the subdivision process. New administrative subdivision approved lots do not become legal lots of record until the deeds creating said lots are filed with the County Recorder. If you do not record your deed(s) for the new lot(s) prior to an ordinance revision that makes any of the lots approved through this process nonconforming, your application approval will be null and void. You will then need to submit a new application that complies with all the new ordinance requirements. Therefore, it is in your interest to record your deed(s) as soon as possible after your application is approved.

Prior to recording your deed(s), you must make an appointment with our department to have the deed(s) stamped as an "approved subdivision". The Auditor and Recorder offices will want to see that each deed for a new lot is stamped to verify the subdivision has been approved.

If the property is Torrens, you will need to contact the County Recorder because there is an additional Court subdivision approval process that you will need to go through in order to complete the overall subdivision process. The following information explains the difference between abstract and torrens property.

### **What is "abstract" property?**

The term "abstract property" refers to one of the two systems for indexing land ownership in Minnesota. As the name implies, the ownership of "abstract" (or unregistered) property must be determined by reviewing an abstract of title. Ownership of "abstract" property depends on an unbroken 40-year chain of title, so every deed shown in the abstract to have been filed during the last 40 years must be reviewed. In order to tell whether anyone else may have a claim to your land, every entry in the abstract must be carefully reviewed. Documents affecting "abstract" property are filed with the county recorder, who is not legally required to make any determination concerning their effectiveness.

### **What is "Torrens" property?**

The term "Torrens" refers to the alternative method of indexing land ownership in Minnesota. In contrast to "abstract" property, the ownership of "Torrens" (or registered) property is conclusively established by the creation of a certificate of title for the property, which are usually only one or two pages *long*. *Each time* the property is voluntarily transferred by the owner, a new certificate of title is entered, and only information currently relevant to title is shown. If the land is transferred *involuntarily* (for example, by mortgage foreclosure), either the district court or the examiner of titles reviews the transfer to make certain that a new certificate of title may be created.



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conforming after the exchange and complies with all provisions of the Subdivision Ordinance or the Shoreland Management Ordinance, as applicable, and any nonconforming lot prior to the exchange, addition of land, or boundary line relocation becomes more conforming with one or more of the provisions of the Subdivision Ordinance or the Shoreland Management Ordinance, as applicable, after the exchange, addition of land, or boundary line relocation.

**Any subdivision that does not fit into any of the three above-listed subdivision categories must either be platted or the ordinance may not allow it. If your proposed subdivision does not fit into one of these three categories, please contact the Environmental Services Department to discuss your subdivision proposal.**

### Applicant Statement

The applicant hereby certifies that the information contained in this application is a true, accurate and complete representation of facts and conditions concerning the proposed administrative subdivision. The applicant hereby makes application for an administrative subdivision agreeing to do all such work in accordance with all Hubbard County Ordinances. Applicant agrees that application, sketch or survey, and other attachments submitted herewith are true and accurate. Applicant agrees that, in making application for an administrative subdivision, applicant grants permission to Hubbard County, at reasonable times to enter landowner's premises, to determine compliance of that application with any applicable county, state, or federal ordinances or statutes. If any of the information provided by the applicant in his/her application is later found or determined by the County to be inaccurate, the County may revoke the application's approval based upon the supplying of inaccurate information.

I have read and fully understand the above instructions. I am the fee title owner of the above described property or the authorized agent thereof, and I agree to this application.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

### Application checklist – All of the following items must be submitted together AT ONE TIME.

1. complete, signed application form.
2. copy of the parent lot deed.
3. If applicant is not owner, a complete Authorized Agent form.
4. copy of easement documents or descriptions, if applicable.
5. copy of written township subdivision approval, if applicable.
6. septic system site evaluation for each proposed new lot.
7. the parent lot legal description and proposed new lot legal descriptions.
8. two copies of a sketch or certificate of survey, as appropriate.
9. payment for the application fee.