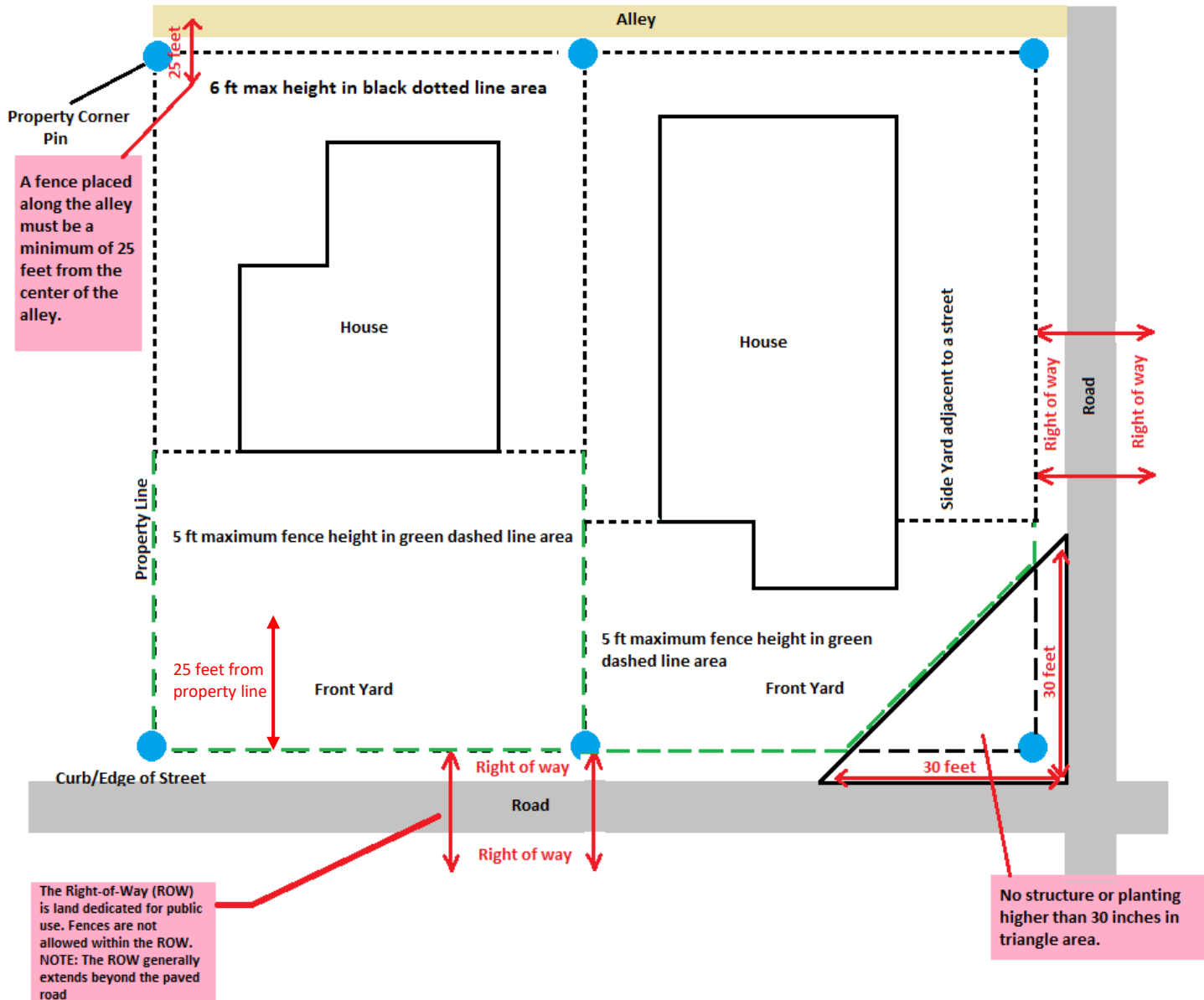


FENCE GUIDELINES

A few things to remember:

- It is the property owner’s responsibility to know where their property lines are located. The City is not responsible for locating property lines. Where the property line is not clearly defined, a Certificate of Survey may be required (See *Hints for Locating Property Lines*).
- Fences must be three (3) feet from adjoining property lines, unless the neighboring property owner agrees in writing through the *Property Line Fence Location Agreement*.
- Fences may be placed in utility easements with the understanding that they will be removed at the owner’s expense if access is required. Fences cannot be in the ROW (right-of-way).





HINTS FOR LOCATING PROPERTY LINES

- It is the property owner's responsibility to know the location of their property lines and corner pins/stakes.
- The city can provide (if available): lot dimensions and a copy of the plat map.
- City staff may be able to provide assistance in locating property pins.
- Property corner pins are typically a ½" to ¾" round iron pipe flush or slightly below the grade line. Newer pins will have a plastic cap with a surveyor's license number on it. Some older pins could be metal posts, rebar, axle irons, pips, and other items.
- Do not rely on trees, bushes, utility poles, fences, sheds, or where you mow as your property line.
- A metal detector may be needed to help locate corner pins.
- Ask your neighbors if they have recently located corner pins for their properties.
- Once a pin is found, you can measure from that point to try and find the other corner pins.
- If you do locate a corner pin, do not disturb its location. It is a misdemeanor violation of Minnesota law.
- Sometimes a corner pin is no longer in place or has been moved due to erosion, construction, landscaping, or other action.
- A registered land surveyor may need to be hired to either locate property pins/lines or set new property corner pins. Only a licensed land surveyor can determine your actual property line, and a survey is the only document that can show your property lines. While it may seem expensive to hire a surveyor, it may be cheaper than relocating improvements or legal costs caused by encroachment. It is ultimately the property owner's responsibility.
- Do not rely on measuring from the middle of the street or curb to identify property lines: right-of-way, street, and boulevard widths vary across the city. This should only be used as a starting point to look for corner pins.

The City of Halstad assumes no liability for accuracy. It remains the property owner's responsibility to seek a registered land surveyor for reliable proof of the precise location of property lines.



PROPERTY LINE FENCE LOCATION AGREEMENT

(To be used when a fence is proposed up to or on a property line adjoining another property).

THIS AGREEMENT, made this _____ day or _____, 20__ by and between

_____ of said described property:

(Property Owner #1)

Address and legal description of property: _____

and _____ of said described property:

(Property Owner #2)

Address and legal description of property: _____

1. The above mentioned owners hereby mutually agree to allow for the construction of fencing up to or on the shared lot line of the properties described above and have agreed on the location of the fence.
2. The terms of this agreement shall be permanent until such time as the owners authorize different requirements by written agreement.
3. This agreement does not constitute a relocation or a "practical location" of the shared lot line of the owners' properties as described in the public records of the County Recorder.
4. This agreement shall be binding upon the parties hereto and their heirs, successors, and assigns.

IN TESTIMONY WHEREOF, the owner(s) have set their hands as of the day and year first above written.

(Property Owner #1 Signature & Date)

(Property Owner #2 Signature & Date)

(Property Address)

(Property Address)



FENCE PERMIT APPLICATION

Date: _____ Property ID# _____

Property Owner: _____

Property Address: _____

Phone Number: _____ Email Address: _____

Legal Description: Lot _____ Block _____ Subdivision _____

Description of the Fence Material: _____

Description of the Fence Location and Height: _____

Is a site plan attached to this application form, indicating property lines, existing structures, and proposed fence details (location, setbacks, height, gate(s), etc.)? Yes ___ No ___

- It is the property owner's responsibility to locate property lines/corner pins.
- A fence cannot be located in the right-of-way.
- A fence may be placed within an easement; but if access is required, it shall be at the property owner's expense to remove and re-install any portions of the fence.
- Applicant must contact Gopher State One-Call before digging (811 or 1-800-252-1166).

I acknowledge that I have received a copy of the fence regulations, agree to the above statements, and ensure that the fence will be constructed in accordance with the approved plans and regulations set forth.

Signature: _____

Date: _____

(Property Owner Signature)

For City Use Only

Permit Fee Paid: _____ Received by: _____ Date: _____

Approved for construction according to the plans provided: _____ Date: _____

Subject to the following: _____

City of Halstad
405 2nd Ave West
Halstad, MN 56548
218-456-2128