

Final Plat Review Guide

Prepared by the Ada County Surveyor's Office

A comprehensive guide for those preparing subdivision and condominium plats in Ada County, Idaho. This guide covers what the Ada County Surveyor review looks for and why it is required, so that the review time is at a minimum, depending on the work load.

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Introduction

The Ada County Surveyor's office has presented annual one or two-day workshops to the licensed Land Surveyors and other plat preparation technicians in the Ada County area from 1993 to 2009. Topics have ranged from plat preparation and platting law changes to presentations by the local city jurisdictions for their own specific requirements.

The initial workshop handbook was put together from a few Xerox copies of the specific sections from Idaho Code, and was primarily intended for the Land Surveyor, who is in responsible charge of the final plat.

We realize that often the final plat is prepared by project managers, drafters and technicians who are often made responsible for the preparation of the final plats by the land surveyors who are in charge of the private firm's survey departments. While many of the local drafters and technicians attended the annual seminars, most of the discussions at these seminars were intended for the surveyor, who has the ultimate responsibility for the preparation and review of the final plat under Idaho Code.

The original purpose of this project was to create a website showing the step-by-step procedures used by the Survey Technicians in the Ada County Surveyor's office when performing an Initial Review of a Final Plat, prior to the plat being reviewed by the County Surveyor. It was also intended that this handbook could be used by the survey firms working in the area as an online guide, or training tool for their employees.

In 2005, we introduced a web-based workbook that includes most of the information presented from the workbooks published for the workshops as it has evolved over the last 12 years, and have tried to simplify the information and give a better representation of some of the key problems to the technicians and drafters. This workbook was updated in 2007 to include condominiums, for which the submittals to the County Surveyor had increased dramatically.

While the website worked for several years, it became apparent that changing technology and software was creating more problems with updating the review guide website than it was solving and the decision was made to move the website back to a manual that could be printed and updated more easily.

It is our intention to show the steps that go into our review, and to some degree explain what we are looking for. It is hoped that by showing how we do an initial check on the plats, it will be possible for the drafters, technicians and project managers to assist the Surveyors in the private firms by both decreasing the amount of time the Surveyor has to spend on their own review, and by making our review faster because of fewer questions or comments.

We also hope that using this format makes it easier for the technicians and drafters to find the information they need. If you have a question or comment that you feel would help the public using this resource, drop us a note using one of the links from the Resources page.

Resources

The information presented in this document is derived from the previous Ada County Plat Preparation Workshops, various sections of Idaho State Code and specific sections of the Idaho Administrative Procedures Act (IDAPA). It is probable that the legislature may change the wording of the Code references included here during any particular legislative session. Links are provided below, however if there is any question; go to the State of Idaho Statutes web site for current information.

While we have made every effort to include as many applicable references for any questions that may come up, please take the time to let us know if we have any errors in this workbook.

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[Idaho State Statutes Website](#)

[Idaho Administrative Procedures \(IDAPA\) Website](#)

[Ada County Website](#)

[Ada County Code](#)

Ada County Final Plat Checklist

The checklist on the following page was developed internally to keep track of the different items we review. One of the common fallacies seems to be that if the information on the list is simply on the drawing (even if it is wrong) we will accept it. We will get into specifics later, but this list is the backbone of the review. While we are required to check approximately 53 different items, several of the items have more than one criterion.

The check list is also published as a Form on the Ada County Surveyors website.

Navigating this Document

This document was created with the intent of being read in Adobe Reader. Navigation in the document is substantially the same as navigating a web page.

- Clicking an item on the plat review [checklist](#) will take you to the appropriate section in the document.
- Clicking on the page number will take you back to the checklist at the beginning of the document.
- Clicking  on the bottom of certain pages will take you back to the beginning of a specific section in the document.

So the document is more easily read, the Bookmark panel is not visible when the document opens. The bookmarks are available if you want them, just use the Adobe navigation tools provided in reader.



ADA COUNTY SURVEYOR/ENGINEER'S OFFICE



SUBDIVISION PLAT CHECK LIST

SUBDIVISION NAME: _____ DATE _____
Name Approved _____ Correct Fees _____ Fees Due _____

County Plat: _____ City (B,M,E,G,K,S): _____ SUR- _____ T/R/S: _____

Closures: _____ Total Area: _____ Curve Table: _____ Line Table _____

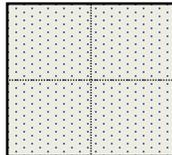
CERTIFICATES: _____ Owner Certificate, Legal Description vs. Plat (Attach Review)

- Intent Statement
50-1334 H2O System
Owner Dedicate Public Streets
Owner Reservation Easement
Private Road Reservation
Signature Line
Acknowledgment Certificate
Surveyor's Certificate
Sanitary Restrictions (CDHD Approval)
ACHD Acceptance and Approval
City Acceptance and Approval
City Engineer Approval
County Surveyor Certificate
County Recorder Certificate
County Treasurer Certificate
County Commissioner Approval (County Plat)

DESCRIPTION:

- In Title
Correct Date
Certificate of Owner
Surveyor Stamp On Each Sheet
Match Lines / Diagram For Serial Sheets
Sheet Size And Border (3 1/2" Margin)
Lots Dimensioned

CPF CHECK _____



LEGEND:

- Symbols defined
IRRIGATION I. C. 31-3805

BASIS OF BEARING _____ NORTH ARROW _____ SCALE _____ ADJOINING SUB NAMES _____

- MONUMENTS: Described
Street Centerlines
Boundary
Lots

TIE TO 2 GOVERNMENT CORNERS

- STREETS: Widths
Courses
Names

EASEMENTS:

- Widths
Purpose
Private Roads
Exist Easements/ Right of Way
Public Grounds

POINT OF BEGINNING _____

CONDITIONS OF APPROVAL (County Plat Only)

LOTS AND BLOCKS NUMBERED: _____

Planner Assigned: _____

OWNERSHIP REPORT OK: _____

Boundary and Lot Area Checking

After a traverse closure is performed on the boundary and all of the individual lots, the calculated areas are checked against the plat. Values are calculated to three decimal places for acreage; however only two decimal places are usually shown. It is not required to show square footage in addition to acres, however this is at the discretion of the Land Surveyor submitting the plat. Most local jurisdictions require the individual lot area information on preliminary plats, however Idaho State Code does not require the lot areas to be shown on a final plat.

The Review

- ✓ The area calculated in the boundary closure check is compared to the area shown in the Certificate of Owners. The boundary closure check value must either match, or must round to the value shown in the Certificate of Owners. Displaying the value to two decimal places are minimum. If additional decimal places are shown in the Certificate of Owners, the same criteria apply.
- ✓ If an area table is shown on the face of the plat, it is also checked against the calculated values and the Certificate of Owners. All must match.
- ✓ If areas for each individual lot are shown on the face of the plat, they are checked against the values calculated for the lot closure. Individual lot areas are not required by state code (or by local policy) to be shown on a final plat, and it is not recommended that they be shown. In most cases we will ask that they be removed.

References

Check Accuracy – There are no specific requirement for areas in Idaho Code.

Adjoining Subdivisions

Adjoining subdivisions are required to be shown. A development on the other side of an adjacent, previously dedicated public right-of-way would not necessarily be shown unless the boundaries were common along the centerline.

Current subdivision boundary adjoiners are available from the Ada County Land Records Property Information website.

If an adjoining subdivision is in the process of development, but not yet recorded, the subdivision name should not be shown. There are exceptions to this, but there are also instances in the county records where a subdivision has gone clear through the process and never been recorded. So any adjoining plats that had shown this name would have to have affidavits filed for the error. It would be safer to just show the adjoiner as “Unplatted”.

The Review

- ✓ Are the adjoining subdivisions shown on all sides?
- ✓ Are divisions between adjoining phases shown in the correct location?
- ✓ Are the adjoining subdivisions correct? Check spelling and word order! Great Big Estates Subdivision No. 7 is not the same as Great Big Estates No. 7 Subdivision. The name must match the record.
- ✓ If the Book & Page is shown for recorded adjoining subdivisions, are they correct? Check both the beginning and ending page numbers, if they are shown.
- ✓ If there are multiple sheets, are the adjoining subdivisions shown in greater detail, and do they match the other sheets?

References:

Ada County Code 8.6.4.3(G)8

Basis of Bearings

Idaho Code 55-1902 defines Basis Of Bearing as *“the bearing in degrees, minutes and seconds, or equivalent, of a line between two (2) monuments or corners which serves as the reference bearing for all other lines on the survey”*.

Review

- ✓ Is the Basis of Bearing labeled? Even if the Basis of Bearing is described in a note on the face of the plat, the Basis must be labeled.
- ✓ Does the Basis of Bearing match any plats or surveys of record on the adjacent parcels? If the Basis of Bearing does not match, is there any call or reference on either the face of the plat or the Certificate of Owners to the bearings of record?
- ✓ Verify that the Basis of Bearing is between two monumented corners, both of which are shown on the plat.

References:

I.C. 50-1304(i), 55-1902, Ada County Code 8.6.4.3(g)

Acknowledgements

I.C. 55-707 - REQUISITES OF ACKNOWLEDGEMENT The acknowledgment of an instrument must not be taken, unless the officer taking it knows, or has satisfactory evidence from a credible source, that the person making such acknowledgment is the individual who is described in, and who executed, the instrument; or, if executed by a corporation, that the person making such acknowledgment is the president or vice president or secretary or assistant secretary of such corporation; or other person who executed on its behalf; or if executed in the name of the state of Idaho or that of any county, political subdivision, municipal or quasi-municipal or public corporation, that the person making such acknowledgment is one (1) of its officers executing the same; or if executed in a partnership name, that the person making the acknowledgment is the partner or one (1) of the partners subscribing the partnership name to such instrument; or, if executed by a limited liability company, that the person making such acknowledgment is a manager or member of such limited liability company or other person who executed on its behalf.

Types of Acknowledgements

- [Acknowledgement by Entity on Behalf of Another Entity](#).....I.C. 55-707A
- [Acknowledgement By Individual](#)I.C. 55-710
- [Acknowledgement By Corporation](#)I.C. 55-707
- [Acknowledgement By Limited Liability Company](#).....I.C. 55-711A
- [Acknowledgement By Attorney](#)I.C. 55-712
- [Acknowledgement By Official or Fiduciary](#).....I.C. 55-713
- [Acknowledgement By Partnership](#)I.C. 55-714
- [Acknowledgement By State or Political Subdivision](#).....I.C. 55-715

We look for both specific wording and form in this review. Acknowledgements are situation specific, and in some cases the forms will need to be combined or altered. If there is any question, we may ask for a determination from the Secretary of State office on whether a form meets the requirements of Title 55, Chapter 7.

While the President, Vice President, Secretary or Assistant Secretary are recognized by Idaho Code to sign for a corporation, this would not preclude another position from being a signer, as long as it was authorized in writing by the Corporation. However, these corporate documents are not generally of public record. The only documents we use are those held by the Secretary of State, which are the Articles of Incorporation and the Annual Report Form. We would require enough supporting documentation that it would be easier to just use the Code approved officers.

A Notary's name, signature, seal and commission expiration date are required. The place of residence, though it is frequently added, does not seem to be a specific requirement of Idaho Code. See I.C. 51-107(2).

Review

- ✓ Do the names (and titles, if noted) in the Certificate of Owners match the names (and titles, if noted) in the Acknowledgement?
- ✓ Do the titles (for business entities) agree with the records filed with the Idaho Secretary of State's office?
- ✓ Is the form of acknowledgement correct for the signer(s)? This completely depends on the type of ownership, and in what capacity the signer is acting.
- ✓ In the case of multiple owners, is each of the owner types represented by the appropriate acknowledgement? Owners of a common type (i.e.: Individuals) maybe included in a single acknowledgement if needed.
- ✓ Is the Notary Seal and signature "original"? A notary seal that is pre-printed will not be accepted.
- ✓ Is the Notary Seal and signature able to scan, or able to copy and be clearly read? A notary seal that is any color but black or a very dark, dense blue will not be accepted. The only exceptions to this rule are for acknowledgements performed by notaries in jurisdictions other than Idaho, where the statutory requirements for notaries are different such as Canada, and Utah.
- ✓ Is the commission expiration date, required under I.C. 51-109(8), stated below the signature? There have been cases where recorded documents have stated "my bond expires", instead of "my commission expires". This is not correct. Commission is defined as "The act of giving the authority or power to perform a specific task or duty". The bond does not grant authority to a notary, but protects the signer of the document.

References:

I.C. Title 51, Chapter 1 (Notary Public Act)
I.C. Title 55, Chapter 7 (Acknowledgements)

Acknowledgement by Entity on Behalf of Another Entity

AKA: “Compound Acknowledgement”

The certificate of acknowledgement, unless it is otherwise provided for in Title 55, Chapter 7, must be in substantially the following form. The example shown is for a maker (owner) that is a Partnership, acting through a Constituent Entity that is a Corporation.

State of Idaho |
 | ss.
County of _____ |

On this ____ day of _____, in the year ____, before me, a notary public in and for said state, personally appeared ____(Signer¹)_____, known or identified to me (or proved to me on the oath of __.(Oath Type²) __., to be the __.(Officer Title³)__ of __.(Constituent Entity)_, an_(Idaho Corporation)_ , (which is) one of the partners in the partnership of __(Maker)_, a _(Idaho Partnership ⁴)_, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that (he/she/they) executed the within instrument on behalf of said __.(Corporation)_, and that such __.(Corporation)_ executed the same in said __.(Partnership)_ name.

Example 1

Review:

- ✓ Does the Signers name and title match the documents of record on file with the Secretary of State (Articles of Incorporation and the current Annual Report Form)?
- ✓ Is the “construction” of the compound acknowledgement correct for the type of ownership?
- ✓ Is the Constituent Entity registered with the Idaho Secretary of State, and authorized to do business in the State of Idaho?
- ✓ Is the Maker registered with the Idaho Secretary of State, and authorized to do business in the State of Idaho?

References:

Title 53, Chapter 6 - Idaho LLC Act
Title 55, Chapter 7, Section 07A - Acknowledgements

¹ In the example, the natural person who signs the written instrument as an officer of the corporation.

² The oath, and the administration thereof are discussed in I.C. Title 9 Chapter 14, and Title 51 Chapter 1 Section 09.

³ In the example, the Position or Capacity of the officer. Either a President, Vice President, Secretary or Assistant Secretary as in I.C. Title 55 Chapter 7 Section 07

⁴ In the example, the type of business and the state of registration.

Acknowledgement by Individual(s)

The certificate of acknowledgement, unless it is otherwise provided for in Title 55, Chapter 7, must be in substantially the following form:

State of Idaho |
 | ss.
County of _____ |

On this ____ day of _____, in the year of ____, before me (here insert the name and quality of the officer⁵), personally appeared _____⁶, known or identified to me (or proved to me on the oath of ____(Oath Type⁷)), to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (or she or they) executed the same.

Example 2

Review

- ✓ Does the name in the acknowledgement match the name used on the deed(s), and in the Certificate of Owners, including initials or titles such as “Jr.” or “III”?

References:

Title 55, Chapter 7, Section 10

⁵ The information that goes here would be the name of the Notary, and the “quality of the officer” would be simply “a Notary Public in and for said state”.

⁶ If the current deed of record specifies a title (such as “husband and wife” or “a single man (or woman)”, then the acknowledgement should restate those details if they are still accurate.

⁷ The oath and the administration thereof is discussed in I.C. Title 9 Chapter 14, and Title 51 Chapter 1 Section 9.

Acknowledgement by Corporation

The certificate of acknowledgement, unless it is otherwise provided for in Title 55, Chapter 7, Section 711 must be in substantially the following form:

State of Idaho	
	ss.
County of _____	

On this ____ day of _____, in the year ____, before me (here insert the name and quality of the officer ⁸), personally appeared _____, known or identified to me (or proved to me on the oath of ___⁹____), to be the _____¹⁰_____ of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Example 3

While the President, Vice President, Secretary or Assistant Secretary are recognized by Idaho Code to sign for a corporation, this would not preclude another position from being a signer, as long as it was authorized by the Corporation. However, these corporate documents are not generally of public record. The only documents we use are those held by the Secretary of State, which are the Articles of Incorporation and the Annual Report Form.

The same criteria would also apply to non-profit corporations. Change the references in the certificate from “Corporation” to “Non-Profit Corporation”

Review:

- ✓ Is the Corporation currently in good standing according to the records of the Idaho Secretary of State?
- ✓ Does the signers name and title match the documents of record on file with the Secretary of State (Articles of Incorporation and the current Annual Report Form)?
- ✓ If a signer’s title does not match the documents of record on file with the Secretary of State, has the applicant provided the documentation to back up what was submitted?

References:

Title 55, Chapter 7, Section 11
Title 30, Chapter 1, Section 1

⁸ The information that goes here would be the name of the Notary, and the “quality of the officer” would be simply “a Notary Public in and for said state.

⁹ The oath, and the administration thereof are discussed in I.C. Title 9 Chapter 14, and Title 51 Chapter 1 Section 109.

¹⁰ The Position of the officer, which is the President, Vice-President, Secretary or Assistant Secretary per I.C. 30-1-120.

Acknowledgement by Limited Liability Company

The certificate of acknowledgement, unless it is otherwise provided for in Title 55, Chapter 7, Sec. 711A must be in substantially the following form:

State of Idaho |
 | ss.
County of _____ |

On this ____ day of _____, in the year ____, before me (here insert the name and quality of the officer¹¹), personally appeared _____, known or identified to me (or proved to me on the oath of ____¹² , to be the _____¹³ of the (limited liability company that executed the instrument⁴) or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that _____¹⁴ executed the same.

Example 4

According to Idaho Code, management of an L.L.C. is vested in Members, Managers or Managing Members. Check the Articles of Incorporation to determine the type of management, and the Annual Report Form for current member names.

Review

- ✓ Does the signers name and title match the either the documents of record on file with the Secretary of State (Articles of Incorporation and the current Annual Report Form) or a document previously of record by the LLC ?

References:

Title 30, Chapter 6 - Idaho LLC Act
Title 55, Chapter 7, Section 711A – Acknowledgements

¹¹ The information that goes here would be the name of the Notary, and the “quality of the officer” would be simply “a Notary Public in and for said state”

¹² The oath and the administration thereof are discussed in I.C. Title 9 Chapter 14, and Title 51 Chapter 1 Section 109.

¹³ The Position of the officer, which may be a Member, Manager or Managing Member per I.C. Title 30 Chapter 6, Sec. 102.

¹⁴ The name of the Limited Liability Company according to the copies of the Articles of Incorporation in the records of the Secretary of State’s office.

Acknowledgement by Attorney

The certificate of acknowledgement, unless it is otherwise provided for in Title 55, Chapter 7, must be in substantially the following form:

State of Idaho	
	ss.
County of _____	

On this ____ day of _____, in the year of ____, before me (here insert the name and quality of the officer¹⁵), personally appeared _____, known or identified to me (or proved to me on the oath of ____¹⁶____, to be the person whose name is subscribed to the within instrument as the attorney in fact of _____, and acknowledged to me that he (or she or they) subscribed the name of _____ thereto as principal, and his own name as attorney in fact.

Example 5

This acknowledgement is used where the Owner has appointed, signed and recorded a Power of Attorney. There must be an instrument number for a recorded Power of Attorney document shown or referenced. The above example by the Idaho Secretary of State does not reflect this requirement; however the signature line must show the instrument number for the Power of Attorney. The Acknowledgement does not have to show this instrument number, but may be modified to show the number and location of recording (referencing the records of the jurisdiction) if desired.

Review

- ✓ Does the name in the acknowledgement match the name used on the deed(s), and in the Certificate of Owners, including initials or titles such as “Jr.” or “III”?
- ✓ Is the Instrument Number for the Power of Attorney shown next to the Signature Line?
- ✓ If the Instrument Number is given for the Power of Attorney in the Acknowledgement, is it correct and valid for this transaction?

References:

Title 54, Chapter 20, Section 3
Title 55, Chapter 7, Section 12

¹⁵ The information that goes here would be the name of the Notary, and the “quality of the officer” would be simply “a Notary Public in and for said state”

¹⁶ The oath and the administration thereof are discussed in I.C. Title 9 Chapter 14, and Title 51 Chapter 1 Section 9.

Acknowledgement by Partnership

The certificate of acknowledgement, unless it is otherwise provided for in Title 55, Chapter 7, must be in substantially the following form:

State of Idaho |
County of _____ | ss.

On this ____ day of _____, in the year ____, before me (here insert the name and quality of the officer¹⁹), personally appeared __ (Partners Name)__, known or identified to me (or proved to me on the oath of ____²⁰____, to be one of the partners in the partnership of ____²¹____ and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that (he/she) executed the same in said partnership name.

Example 7

According to Idaho Code, management of a Partnership is vested in Partners or Managing Members. Check the Articles of Incorporation to determine the type of management, and the Annual Report Form for current Partner names.

Review

- ✓ Is the Partnership currently in good standing according to the records of the Idaho Secretary of State?
- ✓ Does the signers name and title match the documents of record on file with the Secretary of State (Articles of Incorporation and the current Annual Report Form)?

References:

Title 53 - Partnership
Title 55, Chapter 7, Section 14 – Acknowledgements

¹⁹ The information that goes here would be the name of the Notary, and the “quality of the officer” would be simply “a Notary Public in and for said state”

²⁰ The oath, and the administration thereof are discussed in I.C. Title 9 Chapter 14, and Title 51 Chapter 1 Section 9.

²¹ The name of the Partnership according to the copies of the Articles of Incorporation in the records of the Secretary of State’s office

Acknowledgement by State or Political Subdivision

This acknowledgement is for any instrument executed in the name of the State of Idaho or any County, Political Subdivision, Municipal, Quasi-Municipal or Public Corporation, by the authorized representative of that entity. For the State of Idaho, the Idaho Administrative Code may be researched for the positions authorized to sign for the respective entities.

The certificate of acknowledgement, unless it is otherwise provided for in Title 55, Chapter 7, must be in substantially the following form:

State of Idaho |
County of _____ | ss.

On this ____ day of _____, in the year of ____, before me (here insert the name and quality of the officer²²), personally appeared _(Signer)_, known or identified to me (or proved to me on the oath of²³ _____, to be the _(here insert the official capacity of the officer making the acknowledgement) of the _(here insert the name of state, county, political subdivision or public corporation executing the instrument)_ that executed the said instrument, and acknowledged to me that such (here again insert the name of state, county, political subdivision or public corporation executing the instrument)_ executed the same.

Example 8

Review

- ✓ Does the name in the acknowledgement match the name used on the deed(s), and in the Certificate of Owners, including initials or titles?

References:

Title 55, Chapter 7, Section 15 – Acknowledgements

²² The information that goes here would be the name of the Notary, and the “quality of the officer” would be simply “a Notary Public in and for said state”

²³ The oath, and the administration thereof are discussed in I.C. Title 9 Chapter 14, and Title 51 Chapter 1 Section 9.

Required Plat Certificates

Approval Certificates are generally required and identified by specific jurisdictions. The following list shows what we look for in ALL certificates.

Review

- ✓ Is the seal and signature original?
- ✓ Is the seal in Black permanent ink? Very dark blue has been accepted in the past, only if it is dark and dense enough that a digital scanner can read it, or a blue line can be clearly made of it. Light blue, red and green inks are not accepted.
- ✓ Are the appropriate jurisdiction approvals on the plat? If the project were in one of the cities, there is no reason for a Certificate of Approval of County Commissioners be on it. Only the required certificates should be on the plat. Simply ‘crossing out’ the certificate on the page tends to highlight a lack of planning on the part of the plat preparer.
- ✓ Certain certificates require the signer to “certify”, while other certificates require “acceptance and approval”. Depending on the certificate, the keywords “certify” or “acceptance and approval” should be in the certificate. Idaho State Code requires signers to ‘certify’ certain items. If ‘certify’ is not in the wording of the certificate, it will not be accepted.
- ✓ Is the certificate correct for the jurisdiction? We have seen a city engineer sign a certificate that clearly stated it was for another jurisdiction. Read the Certificate!
- ✓ Does the signature really look like the last signature that was submitted from that particular jurisdiction? And yes, we have been known to verify that they really signed the plat. It is not often that the signers of the plat mis-spell their own name.

References:

I.C. 50-1302, 50-1305, 50-1306, 50-1308, 50-1309, 50-1310,
50-1312, 50-1313, 50-1326, 50-1334

Certificate of Ada County Highway District

I.C. 40-1415(6) states:

“All subdivision plats required to be submitted for acceptance and approval to the city and the county under the provisions of chapter 13, title 50, Idaho Code, shall be submitted to the highway district for consideration for acceptance and approval as to continuity of highway pattern, widths, drainage provisions, right-of-way construction standards, traffic flow, the traffic volume demand occasioned by the proposed subdivision either within or without the boundaries of the proposed subdivision, and other matters pertaining to the function of the highway district.”

I.C. 40-2302(3) states:

“No highway dedicated by the owner to the public shall be deemed a public highway, or be under the use or control of a county or highway district unless the dedication shall be accepted and confirmed by the commissioners of the county or the highway district.”

I.C. 50-1312 states that:

“ . . . in a county where a highway district exists and is in operation no such plat shall be accepted for recording by the county recorder unless the acceptance of said plat by the commissioners of the highway district is endorsed thereon in writing.”

Using “Acceptance” in the title of the certificate, and “Approved” in the wording of the certificate may not be appropriate.

Review

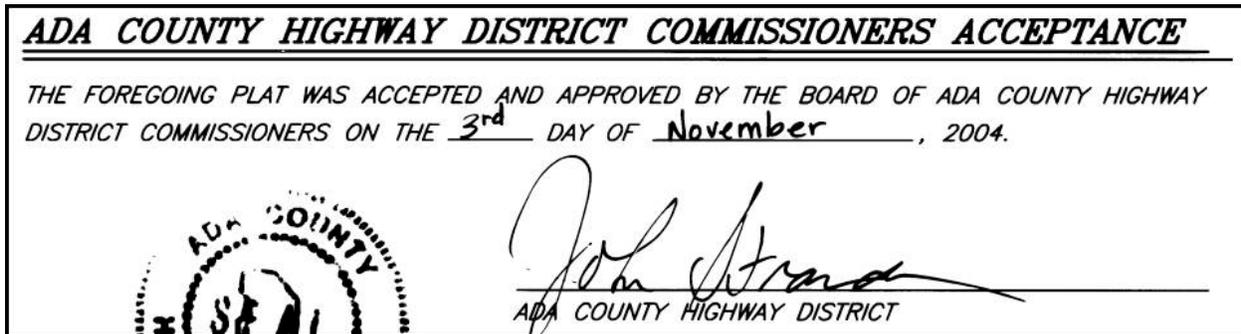
- ✓ Is the Certificate signed by the Chairman of the Ada County Highway District?
- ✓ Is the ACHD seal in black ink, or is it dark or dense enough that it can be scanned?
- ✓ Does it state in the wording of the certificate that the plat was “accepted and approved”?
- ✓ Is the spelling in the Certificate correct?

References:

I.C. 40-1415, I.C. 40-2302, I.C. 50-1309, I.C. 50-1312

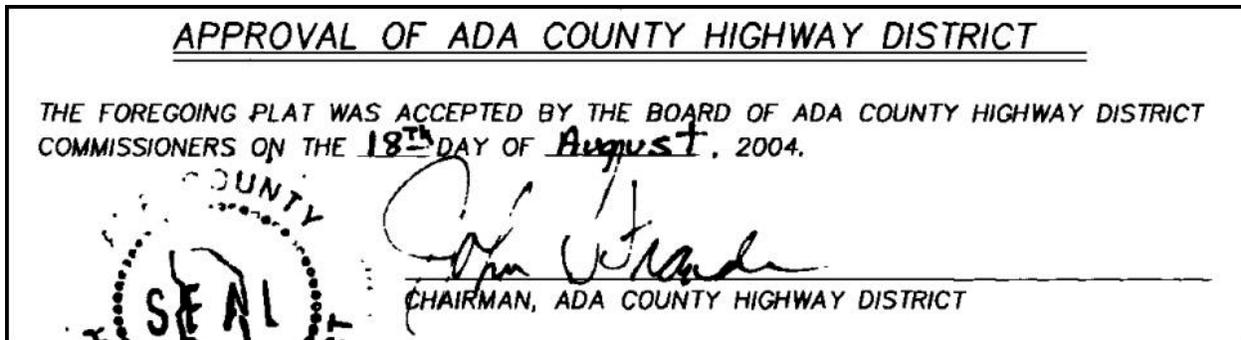
Ada County Highway District Certificate Examples

An Acceptable Certificate



Example 9

Rejected - Does not state "Acceptance and Approval"



Example 10

Approval of City Council

The wording of the City Council approvals is generally left up to each of the jurisdictions, however we do look for the “accepted and approved” statement required by Idaho Code 50-1308. Using “Acceptance” in the title of the certificate, and “Approved” in the wording of the certificate is not appropriate.

Review

- ✓ Is the certificate correct for the jurisdiction? If the plat was in Boise, make sure that the approval reads “City Clerk in and for Boise City”, and not Star or Meridian.
- ✓ Did the City Clerk, or a deputy with authorization sign the Certificate?
- ✓ Is the City seal and Clerk signature in black ink, and is it dark or dense enough that it can be scanned?
- ✓ Does it state in the wording of the certificate that the plat was “accepted and approved”?
- ✓ Is the spelling in the Certificate correct?

References: I.C. 50-1308

Examples of City Council Certificates

APPROVAL OF CITY COUNCIL
I, THE UNDERSIGNED, CITY CLERK IN AND FOR BOISE CITY, ADA COUNTY, IDAHO DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE <u>5</u> DAY OF <u>June</u> , 20 <u>01</u> , THIS PLAT WAS DULY ACCEPTED AND APPROVED.
 CITY CLERK BOISE, IDAHO

Example 11 - An Example Certificate from Boise City

APPROVAL OF CITY COUNCIL
I, THE UNDERSIGNED CITY CLERK, IN AND FOR THE CITY OF EAGLE, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE <u>25th</u> DAY OF <u>May</u> , 19 <u>97</u> , THIS PLAT WAS DULY ACCEPTED AND APPROVED.
 CITY CLERK, EAGLE, IDAHO

Example 12 - An Example Certificate from City of Eagle

APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK IN AND FOR THE CITY OF GARDEN CITY, ADA COUNTY, IDAHO, HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 10th DAY OF JUNE, 2003, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

Sean Conklin
CITY CLERK, GARDEN CITY, IDAHO



Example 13 - An Example Certificate from Garden City

APPROVAL OF CITY COUNCIL

I, Colleen Nixon, City Clerk in and for the City of Kuna, Ada County, Idaho, do hereby certify that at a regular meeting of the City Council held on the 22nd day of December, 2003. This plat was duly accepted and approved.

Colleen Nixon
City Clerk, Kuna, Idaho

1-30-04
Date

Example 14 - An Example Certificate from City of Kuna

APPROVAL OF MERIDIAN CITY COUNCIL

The foregoing plat was accepted and approved this 27th day of May year of 2003 by the City of Meridian, Ada County, Idaho.

William E. Berg, Jr.
City Clerk

Example 15 - An Example Certificate from City of Meridian

APPROVAL OF STAR CITY COUNCIL

The foregoing plat was accepted and approved on the 2nd day of September, year of 2003 by the City of Star, Ada County, Idaho

Christy Ward
CITY CLERK, STAR, IDAHO



Example 16 - An Example Certificate from City of Star

Approval of City Engineer

The wording of the City Engineers approval is generally left up to the Engineers and City Councils of each of the jurisdictions.

Review

- ✓ Is the certificate correct for the jurisdiction? *If the jurisdiction is noted, is it correct?*
- ✓ Did the Engineer sign the Certificate?
- ✓ Is the signature in black ink, and is it dark or dense enough that it can be scanned?
- ✓ Does it state in the wording of the certificate that the plat was “approved”?
- ✓ Is the spelling in the Certificate correct?

References:

I.C. 50-1308

Examples of City Engineer Certificates

APPROVAL OF CITY ENGINEER
I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR BOISE, CITY, ADA COUNTY, IDAHO, HEREBY APPROVE THIS PLAT.
BY: <u> 5/6/02</u>
CHARLES R. MICKELSON, P.E., CITY ENGINEER

Example 17 - An Example Certificate from Boise City

APPROVAL OF EAGLE CITY ENGINEER
I, the undersigned, City Engineer in and for the City of Eagle, Ada County, Idaho, do hereby approve this plat.

Example 18 - An Example Certificate from the City of Eagle

APPROVAL OF CITY ENGINEER

I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF GARDEN CITY, ADA COUNTY, IDAHO, HEREBY APPROVE THIS PLAT.

Example 19 - An Example Certificate from Garden City

APPROVAL OF CITY ENGINEER

I, the undersigned City Engineer in and for the city of Kuna, Ada County, Idaho hereby approve this plat.

Example 20 - An Example Certificate from the City of Kuna

APPROVAL OF CITY ENGINEER

I, GARY D. SMITH, P.E., CITY ENGINEER IN AND FOR THE CITY OF MERIDIAN, ADA COUNTY, IDAHO, HEREBY APPROVE THIS PLAT.

Example 21 - An Example Certificate from the City of Meridian

APPROVAL OF STAR CITY ENGINEER

The foregoing plat was accepted and approved by the City Engineer of Star, Ada County, Idaho
This 4th day of OCTOBER year of 2004



Example 22 - An Example Certificate from the City of Star

Certificate of County Surveyor

According to Idaho Code, “The county shall choose and require an Idaho professional land surveyor to check the plat and computations thereon to determine that the requirements herein are met, and said professional land surveyor shall certify such compliance on the plat”

Review

- ✓ Is the Certificate wording correct or acceptable?
- ✓ Is the Certificate ‘generic’, or does a name and L.S. number appear in the Certificate or the Signature line?

Certificate of County Surveyor

I, the undersigned, County Surveyor in and for Ada County, Idaho, do hereby certify that I have checked this plat and that it complies with the State of Idaho code relating to Plats and Surveys.

Ada County Surveyor

Example 23 – County Surveyor Certificate for Subdivisions

Certificate of County Surveyor

I, the undersigned, County Surveyor in and for Ada County, Idaho, do hereby certify that I have checked this plat and that it complies with the State of Idaho code relating to Plats, Surveys and Condominiums.

Ada County Surveyor

Example 24 – County Surveyor Certificate for Condominiums

References:

I.C. 50-1305

Certificate of Ada County Recorder

According to Idaho Code, the county clerk or recorder shall file all approved plats, and the date shall be endorsed on the plat. While the date is the only item specifically mentioned in the code, the remainder of the recording data is required at the discretion of the County Recorder for filing purposes.

The Recorder is also restricted by the code, in that the Recorder cannot accept a plat for recording unless specific items are included (I.C. 50-1308).

Review

- ✓ Is the jurisdiction correct?
- ✓ Are all of the elements in the Certificate?
- ✓ Depending on the wording of the Certificate, are there enough spaces to write in individual page numbers? If the Book/Pages are not specified in the Certificate, do they show up elsewhere?
- ✓ If the Recorder's name or year is already filled in, is it correct? Timing issues may preclude the year being correct. And since the Clerk/Auditor/Recorder is an elected position, the name may be subject to change in an election year.
- ✓ If the "at the request of" is filled in, does it match the Owner of Record? While this is checked, we do not usually comment on it.

Certificate of County Recorder	
State of Idaho	
	ss.
County of _____	
I hereby certify that this instrument was filed for record at the request of _____	
At _____ minutes past _____ o'clock __. M., on this _____ day of _____, 20 _____,	
In Book _____ of Plats at Pages _____ through _____, as Instrument _____.	
_____	_____
Deputy	Ex-Officio Recorder
Fee: _____	

Example 25 – Example Certificate of County Recorder

References: I.C. 50-1308, I.C. 50-1310

Certificate of County Treasurer

No plat of a condominium or subdivision shall be accepted for record by the County Recorder unless said plat has been certified, within thirty (30) days prior to recording, by the County Treasurer of the county in which the tract is located, that the outstanding local taxes have been paid. A Treasurer's certification is not required on an Assessor's plat.

Review

- ✓ Is the jurisdiction correct?
- ✓ Is the Idaho Code reference correct?
- ✓ Is the required wording from local standards included in its entirety?
- ✓ Is the form of the Certificate correct for the type of plat submitted? This may be obvious, but do not use a certificate for subdivisions on a condominium plat.
- ✓ If the certificate is not "generic", is the Treasurer's name correct?

Certificate of County Treasurer

I, the undersigned, County Treasurer in and for the County of Ada, State of Idaho, per the requirements of I.C. 50-1308, do hereby certify that any and all current and/or delinquent county property taxes for the property included in this subdivision have been paid in full. This certification is valid for the next thirty (30) days only.

County Treasurer

Date

Example 26 – Example Certificate of County Treasurer for Subdivisions

Certificate of County Treasurer

I, the undersigned, County Treasurer in and for the County of Ada, State of Idaho, per the requirements of I.C. 50-1308, do hereby certify that any and all current and/or delinquent county property taxes for the property included in this condominium project have been paid in full. This certification is valid for the next thirty (30) days only.

County Treasurer

Date

Example 27 – Example Certificate of County Treasurer for Subdivisions

References:

I.C. 50-1308

Approval of County Commissioners

According to Idaho Code, If a subdivision is not within the corporate limits of a city (and this includes city areas of impact), “the plat thereof shall be submitted, accepted and approved by the Board of Commissioners of the county in which the tract is located”.

The County Commissioners normally sign the Approval after the County Surveyor has signed the final plat. However, this is not always the case, and any exceptions must be arranged with the Planning staff, who will coordinate the signing with the County Surveyor.

Review

Does it state in the wording of the certificate that the plat was “accepted and approved”?
Is the spelling in the Certificate correct?
If the Certificate is not “generic”, are the names included current and correct?

References:

I.C. 50-1308

Examples of County Commissioners Certificates

APPROVAL OF ADA COUNTY COMMISSIONERS

ACCEPTED AND APPROVED THIS 2nd DAY OF March, 2004 BY THE COMMISSIONERS OF ADA COUNTY, IDAHO, IN A REGULAR MEETING.



Fred S. Wilman
CHAIRMAN

Example 28 - Example of Certificate of County Commissioners

APPROVAL OF COUNTY COMMISSIONERS

I, Judy M. Peavy-Dell CHAIRMAN OF THE ADA COUNTY COMMISSIONERS, ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE COMMISSIONERS HELD ON THE 1 DAY OF June, 2004, THIS PLAT WAS DULY ACCEPTED AND APPROVED.



Judy M. Peavy-Dell
CHAIRMAN
ADA COUNTY COMMISSIONERS

Example 29 - Example of Certificate of County Commissioners

Statement of Intent

I.C. 50-1309. CERTIFICATION OF PLAT -- DEDICATION OF STREETS AND ALLEYS -- DEDICATION OF PRIVATE ROADS TO PUBLIC -- JURISDICTION OVER PRIVATE ROADS.

1. The owner or owners of the land included in said plat shall make a certificate containing the correct legal description of the land, with the statement as to their intentions to include the same in the plat, and make a dedication of all public streets and rights-of-way shown on said plat, which certificate shall be acknowledged before an officer duly authorized to take acknowledgments and shall be indorsed on the plat. The professional land surveyor making the survey shall certify the correctness of said plat and he shall place his seal, signature and date on the plat.

2. No dedication or transfer of a private road to the public can be made without the specific approval of the appropriate public highway agency accepting such private road.

3. Highway districts shall not have jurisdiction over private roads designated as such on subdivision plats and shall assume no responsibility for the design, inspection, construction, maintenance and/or repair of private roads.

Review

- ✓ Does it specifically say somewhere in the Certificate of Owners that “the undersigned”, or “the owners” “intend to include the described property in this plat”?

References:

I.C. 50-1302, 50-1309

Water System Certification

50-1334. REVIEW OF WATER SYSTEMS ENCOMPASSED BY PLATS. Whenever any plat is subject to the terms and requirements of sections 50-1326 through 50-1329, Idaho Code, no person shall offer for recording, or cause to be recorded, a plat unless he or she shall have certified that at least one (1) of the following is the case:

- (1) The individual lots described in the plat will not be served by any water system common to one (1) or more of the lots, but will be served by individual wells.
- (2) All of the lots in the plat will be eligible to receive water service from an existing water system, be the water system municipal, a water district, a public utility subject to the regulation of the Idaho public utilities commission, or a mutual or nonprofit water company, and the existing water distribution system has agreed in writing to serve all of the lots in the subdivision.
- (3) If a new water system will come into being to serve the subdivision, that it has or will have sufficient contributed capital to allow the water system's wells, springboxes, reservoirs and mains to be constructed to provide service without further connection charges or fees to the landowners of the lots, except for connection of laterals, meters or other plant exclusively for the lot owner's own use.

Failure to comply with this section is a misdemeanor subject to the provisions of section 50-1329, Idaho Code. The certification must be filed or recorded as part of the plat document preserved for public inspection. Property owners in the area encompassed by the plat will be entitled to the benefits of the third provision of this section when that option is chosen.

Local practices usually include this somewhere in the Certificate of Owners, to avoid adding another separate certification to the plat. Simply adding a note to the face of the plat stating that “water service is provided by [water provider]” does not meet the requirements of this section.

Occasionally, this certificate is worded to include a statement about the provider of sewer service. Sewer service is not included in this required certification, and should not be included here, even for informational purposes.

Review

- ✓ Is the wording used as it appears in Idaho Code?
- ✓ If the Subsection of the Title/Chapter/Section is referenced, is it correct? If the certification by the
- ✓ Owner references, for example 50-1334(1), verify that the wording is as shown in subsection 1.
- ✓ Does the named water service provider appear to be correct? We generally check to see whether the service provider is relatively correct. , we also note (for example) that Eagle Water does generally not service a Meridian plat. So if you copied a back page of the plat from another project, make sure that all of the information got checked.

References: I.C. 50-1334

Owner Dedication of Public Streets

We look for specific wording in this review. If there are no public streets or additional right-of-ways being dedicated then the required wording should not be included.

The dedication of public streets must specifically state “public streets”. In the past, individual names of the streets being dedicated have been included in the statement. However, if there is an error or subsequent change in the approved street name, this may involve a change in the Certificate of Owners that may be very difficult to do without plotting a new sheet.

Review

In the Certificate of Owners, is there a line that reads “The public streets shown on this plat are dedicated to the public”, or similar wording?

The dedication should not be “dedicate (or dedicated) to the public use”. Dedicating to the use is not the same as dedicating to the public. Use grants a right to use, but still retains ownership.

References:

I.C. 50-1309

Certificate of Owners

50-1309. CERTIFICATION OF PLAT -- DEDICATION OF STREETS AND ALLEYS -- DEDICATION OF PRIVATE ROADS TO PUBLIC -- JURISDICTION OVER PRIVATE ROADS.

1. The owner or owners of the land included in said plat shall make a certificate containing the correct legal description of the land, with the statement as to their intentions to include the same in the plat, and make a dedication of all public streets and rights-of-way shown on said plat, which certificate shall be acknowledged before an officer duly authorized to take acknowledgments and shall be indorsed on the plat. The professional land surveyor making the survey shall certify the correctness of said plat and he shall place his seal, signature and date on the plat.
2. No dedication or transfer of a private road to the public can be made without the specific approval of the appropriate public highway agency accepting such private road.
3. Highway districts shall not have jurisdiction over private roads designated as such on subdivision plats and shall assume no responsibility for the design, inspection, construction, maintenance and/or repair of private roads.

The legal description in the Certificate of Owners must match precisely with what is shown on the drawing. The Point of Beginning, tie information, bearings, distances, bearing directions and curve information must all be described as shown on the drawing.

Other Common Problems

Are there calls to points or corners that are either not labeled on the plat, or if they are labeled on the plat, are not described in the certificate of Owners? One example would be a call in the Certificate of Owners to the “SW corner of the SE1/4 SW1/4”. Is the “SW corner of the SE1/4 SW1/4” labeled on the face of the plat?

Another is that the calls in the legal description that the parcel was surveyed from are not reiterated in the plat legal description. One example would be if the deed called to a boundary of an adjoining subdivision, why would it not be a good idea to preserve this boundary call?

Reservation of Easements for Private Roads – See this topic in easements

Review

- ✓ Closure check from the face of the plat by the County Surveyor – does the boundary close?
- ✓ Closure check from the Certificate of Owners by the Assessor – does this boundary also close?
- ✓ Does the legal description in the Certificate of Owners match what is shown on the face of the plat?

- ✓ Do all of the bearings, distances and descriptions in the Certificate of Owners match what is called out and described on the face of the plat?
- ✓ Does the legal description in the Certificate of Owners AND on the face of the plat match the property that was deeded to the owner? Are the differences noted, described or otherwise shown on the plat? If the owner has deeded off a portion of the ground, say for example, adjacent right-of-way, is the deeded ground outside of the boundary referenced by a recorded instrument number for the transfer?

References:

I.C. 50-1302, 50-1309

Checking Corporate Records with the Office of the Idaho Secretary of State

Corporate ownership is verified by a link to the Idaho Secretary Of State Search For Business Entities. Determining whether the acknowledgement is correct is also verified with these records. For a Corporation, the initial check is made with the Articles of Incorporation and any subsequent amendments, which is followed up with the Annual Report for the current year. With these documents, it is possible to determine who the persons are that can sign for the corporation. This is not always accurate, as internal documents that are not filed may have an effect on the ability of officers to sign for the corporation. However, we are simply checking the documents of record.

Review

This item is reviewed in conjunction with the Certificate of Owners, Acknowledgement, and the Assessor's office ownership check.

References:

I.C. 50-1305, I.C. 50-1307.

Owner Reservation of Easements and Private Roads in the Certificate of Owners

We look for specific wording in this review. Private roads must be included in the reservation of easements to make it clear that they remain private. The signature by Ada County Highway District on their certificate is not an acceptance of such roads as public.

There are usually restrictions in the notes regarding “no permanent structures are to be erected within the lines of said easements”. While this is common wording and is accepted, the advisability is questionable. Most concrete or utility improvements are considered “permanent”. A common exception used is “. . . and no permanent structures other than for such utility purposes are to be erected within the lines of said easements”, and is recommended for clarity.

Easement Reservation Review

- ✓ In the Certificate of Owners, is there a reservation line that reads *“The easements as shown on this plat are not dedicated to the public. However the right to use said easements are hereby perpetually reserved for public utilities and for any other uses as designated hereon”*, or similar wording?

Private Roads Reservation Review

- ✓ In the Certificate of Owners, is there a reservation line that reads [The easements] *“and private road as shown on this plat are not dedicated to the public. However the right to use said easements are hereby perpetually reserved for public utilities and for any other uses as designated hereon”*, or similar wording?

References:

I.C. 50-1309

Checking the Signature Line

The Owner's signature is checked against the current deeds for the property in question. If the owners are individuals, the signature lines should include the names spelled correctly, and must match the current deed for the property in question. If the name on the deed is an "also known as" (AKA), this should be included also.

If the owner is a corporation, the name of the corporation should appear at the end of the Certificate of Owners, before (above) the signature of the person executing the document for the corporation. It is the Corporation (an individual under the law) that is the Owner. The signature line should include the name of the individual signing the plat, and their position in the Corporation.

Corporate ownership is verified by a link to the Idaho Secretary Of State Search For Business Entities. Determining whether the acknowledgement is correct is also verified with these records. For a Corporation, the initial check is made with the Articles of Incorporation and any subsequent amendments, which are followed up with the Annual Report Form for the current year. With these documents, it is possible to determine who the persons are that can sign for the corporation, and their official capacity. However, this is not always accurate, as internal corporate documents that are not filed with the State may have an effect on the ability of officers to sign for the corporation. However, we are simply checking the documents of record.

This item is reviewed in conjunction with the Certificate of Owners, Acknowledgement, and the Assessor's office ownership check.

Review

- ✓ Does the name and identity of the Owner in the Certificate of Owners, match the signature line?
- ✓ If the Owner is a corporation, does the name and title of the Owner on the signature line match the information of record in the Idaho Secretary of State office? This would include LLC's and Partnerships.
- ✓ If the Owner(s) are individuals, does the name (and relationship if applicable) match the information of record in the current deed of record?
- ✓ Is there a history of misspellings in the chain of title for any of the owners that would indicate an AKA may need to be filed?
- ✓ If there are multiple individuals or corporations, or any ownership of specific portions of the plat (for example a single lot and block) is there any way shown to identify which owner is associated with which portion of the plat?

References:

I.C. 50-1309.

Certificate of Surveyor

Idaho Code requires that “The professional Land Surveyor making the survey shall certify the correctness of the plat”.

Examples 1 and 2 below were used for subdivision plats. Example 3 was used for a condominium plat.

Review

- ✓ Is the form correct for the type of plat submitted? This may be obvious, but do not use a certificate for subdivisions on a condominium plat.
- ✓ Does the Surveyor state in the certificate that they certify the correctness of the plat, and that it is in conformance with Idaho Code?
- ✓ Is the seal and signature original? The Land Surveyor’s seal can be an electronic seal only under the guidelines of the Idaho Code Title 54 Chapter 12.
- ✓ Did the Surveyor seal and sign all of the sheets of the plat for which he had responsible charge, and are all of the seals and signatures the same on each sheet of the plat?

References:

I.C. 50-1309, I.C. 54-1215

For Subdivisions

CERTIFICATE OF SURVEYOR

I, _____ DO HEREBY CERTIFY THAT I AM A LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE “CERTIFICATE OF OWNERS” WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE RELATING TO PLATS AND SURVEYS.

Example 30 – Example Certificate of Surveyor for Subdivisions

CERTIFICATE OF SURVEYOR

I, _____, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT OF _____ AS DESCRIBED IN THE CERTIFICATE OF OWNERS AND THE ATTACHED PLAT, WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODES RELATING TO PLATS, SURVEYS AND THE CORNER PERPETUATION AND FILING ACT, IDAHO CODE 55-1601 THROUGH 55-1612.

Example 31 – Example Certificate of Surveyor for Subdivisions

For Condominiums

CERTIFICATE OF SURVEYOR

I, _____, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE CERTIFICATE OF OWNERS AND THE ATTACHED PLAT, WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON; AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODES RELATING TO PLATS, SURVEYS, CONDOMINIUMS AND THE CORNER PERPETUATION AND FILING ACT, 55-1601 THROUGH 55-1612.

Example 32 – Example Certificate of Surveyor for Condominiums

For Condominium Project Amendments

We would suggest that the surveyors preparing project amendments consider tailoring the wording of their certificate to their level of participation. Given that the amended unit dimensions are more often that not provided by an architect, and the attorney provides the supporting documentation, the surveyor may be stating a level of responsibility for a project amendment that is not proportionate to the responsible charge stated in a standard certificate.

At a minimum, a Certificate should:

- 1) Accurately reflect the level of participation in the preparation of the plat.
- 2) Certify the correctness of the plat.
- 3) State that the plat is in conformity with the State of Idaho codes and local requirements relating to condominium amendments.

CERTIFICATE OF SURVEYOR

II. _____, A REGISTERED OR LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS AMENDMENT TO _____ CONDOMINIUMS WAS PREPARED UNDER MY DIRECT SUPERVISION FROM DESIGN DRAWINGS AND ACCURATELY REPRESENTS THE CHANGES SHOWN HEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODE AND LOCAL REQUIREMENTS RELATING TO CONDOMINIUM PLAT AMENDMENTS.

Example 33 – Example Certificate of Surveyor for Condominium Project Amendments

A suggested Certificate of County Surveyor (for a Project Amendment) may be:

I, the undersigned, County Surveyor for Ada County, Idaho, do hereby certify that I have checked this amendment to (Condominium Name) and find that it is in substantial compliance with the State of Idaho Code and local requirements relating to condominium plat amendments.

Sanitary Restriction

No plat of a subdivision shall be accepted for record by the County Recorder, unless said plat has been certified by the County Treasurer of the county in which the tract is located, within thirty (30) days prior to recording that the outstanding local taxes have been paid. A Treasurer certification is not required on an Assessor's plat.

The Sanitary Restriction wording and placement location is dictated by (locally) the Central District Health Department, in conjunction with the Department of Environmental Quality.

Review

- ✓ Ada County does not review any of these approvals, however we do check to see if there are any typographical errors that should not be ignored, and that the approval has been signed.

References:

[I.C. 50-1308](#), [I.C. 50-1310](#), [I.C. 50-1326](#), [I.C. 50-1327](#), [I.C. 50-1328](#), [I.C. 50-1329](#)

Examples

APPROVAL OF CENTRAL DISTRICT HEALTH DEPARTMENT

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 50, CHAPTER 13 HAVE BEEN PARTIALLY SATISFIED AND ARE LIFTED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT LISTING THE CONDITIONS OF APPROVAL FOR THE FOLLOWING LOTS:

Example 34 - A partial or restricted approval.

HEALTH CERTIFICATE

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 HAVE BEEN SATISFIED BASED ON THE STATE OF IDAHO, DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) APPROVAL OF THE DESIGN PLANS AND SPECIFICATIONS AND THE CONDITIONS IMPOSED ON THE DEVELOPER FOR CONTINUED SATISFACTION OF THE SANITARY RESTRICTIONS. BUYER IS CAUTIONED THAT AT THE TIME OF THIS APPROVAL, NO DRINKING WATER OR SEWER/SEPTIC FACILITIES WERE CONSTRUCTED. BUILDING CONSTRUCTION CAN BE ALLOWED WITH APPROPRIATE BUILDING PERMITS IF DRINKING WATER OR SEWER FACILITIES HAVE BEEN CONSTRUCTED OR IF THE DEVELOPER IS SIMULTANEOUSLY CONSTRUCTING THOSE FACILITIES. IF THE DEVELOPER FAILS TO CONSTRUCT FACILITIES OR MEET THE OTHER CONDITIONS OF DEQ, THEN SANITARY RESTRICTIONS MAY BE REIMPOSED, IN ACCORDANCE WITH SECTION 50-1326, IDAHO CODE, BY THE ISSUANCE OF A CERTIFICATE OF DISAPPROVAL, AND NO CONSTRUCTION OF ANY BUILDING OR SHELTER REQUIRING DRINKING WATER OR SEWER/SEPTIC FACILITIES SHALL BE ALLOWED.

Example 35 – A Standard Approval

Closure Checking

A traverse closure is performed on the boundary and all of the individual lots (or units). Closures are computed only using the bearings and distances shown on the submitted drawings.

We do not require copies of lot closures to be submitted by the surveyor, and any closures submitted are not used.

An independent check is more likely to spot a problem than searching closure sheets for transpositions, etc. The closure must meet the legal minimum requirements of the current rules and regulations. Closure tolerance is 1:10,000*

Review

- ✓ A traverse closure for the boundary is calculated by starting at the Real Point of Beginning of the subdivision and proceeding in a clockwise direction using bearings and distances from the submitted drawings. Curves are entered using the Radius / Delta / Chord Bearing information from the curve tables. The chord bearing is entered exactly as shown in the curve table. Lines from a Line Table are entered using the direct call from the curve tables.
- ✓ A traverse closure for each lot (or unit) is calculated by starting at the southwest corner of the lot (or unit) and proceeding in a clockwise direction using bearings and distances from the plat mylars. Occasionally, determining which corner is the “southwest corner“ of the lot is a little vague.
- ✓ *Can the direction of the arc be determined?* This is occasionally difficult where a very large radius with a short chord curve is involved. If the direction cannot be determined from opposing curves, it is suggested that a label or some other way of identifying the curve arc be added. This could also be critical if a lot area is so close to the minimum requirement that an error in arc direction could affect the area.
- ✓ The calls for the boundary traverse in the Certificate of Owners are checked against the face of the plat. If the call in the Certificate of Owners calls for N89°00'00"E, and on the face of the plat is labeled S89°00'00"W, a comment is made about reversing the direction to match the Certificate of Owners. The same criteria are applied to boundary bearings shown in the line and curve tables.
- ✓ *Are tangent (or non-tangent) calls in the Certificate of Owners correct?* If a call is made to a tangent curve, the closure calculation for the curve checks the chord bearing shown in the Curve Table. If it does not match, then a question may be asked if the call is correct.

References:

I.C. 50-1303, I.C. 55-1911 , *Ada County Code 8-6-4-3(B) and the Minimum Standards for Land Boundary Surveys, Land Descriptions and Maps, by the Idaho Society of Professional Land Surveyors (Adopted March 21, 1992).

Corner Perpetuation Filings (CPF's)

Compliance with Idaho Code Title 55 Chapter 16 is required on all plats and Records of Surveys. All CPF's are recorded and given instrument numbers by the Ada County Recorder, and the actual documents are filed and kept by the Ada County surveyor's office.

The Ada County surveyor maintains a web page showing the corners that have been filed on, and have images of the corner records available to the public for all of the CPF's filed in Ada County. For additional information, check out the Ada County Surveyor's web page.

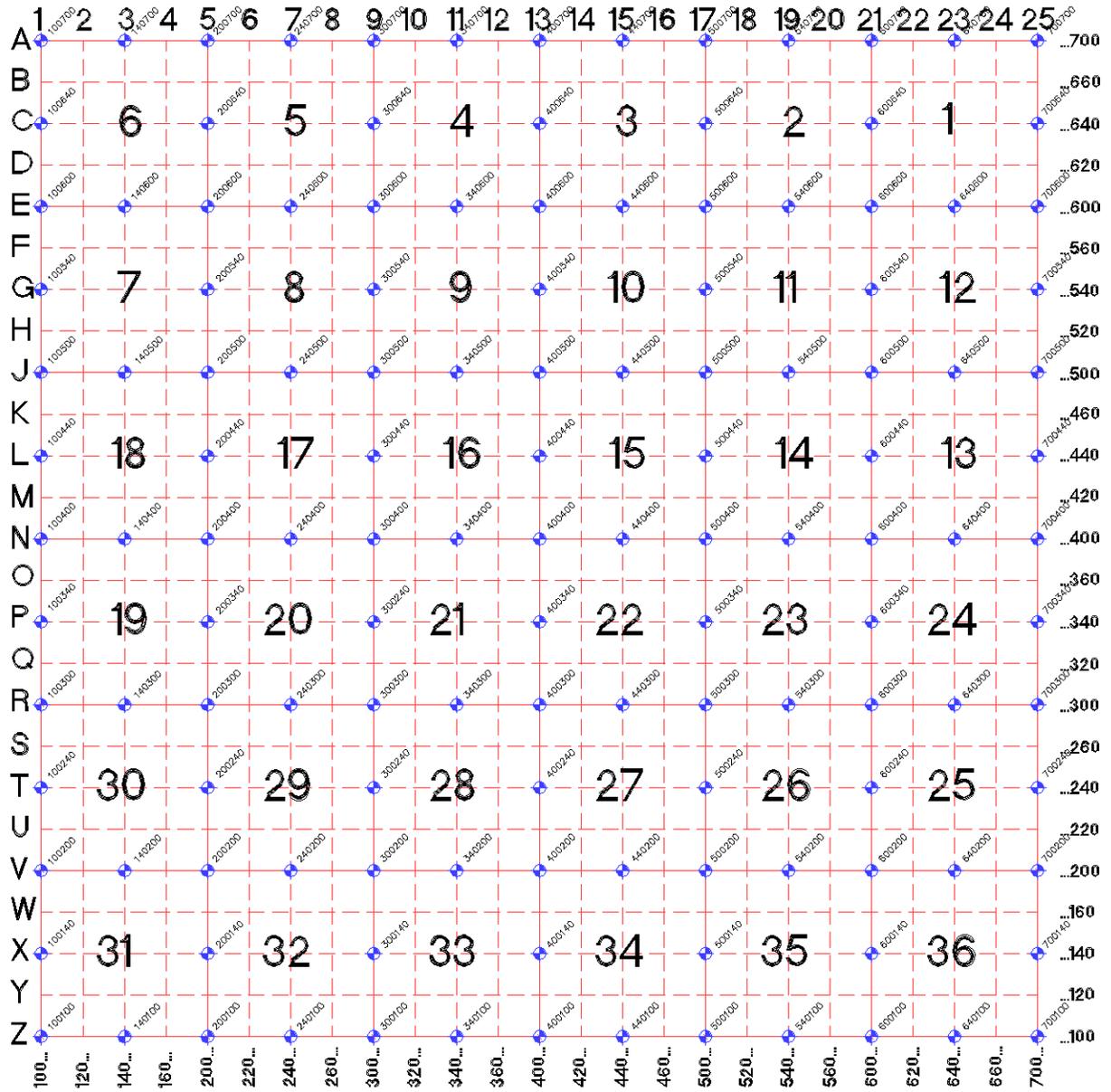
Review

- ✓ Is the CPF instrument number shown on the plat the most recently filed instrument and are the instrument numbers shown correct? While we do at times accept an older CPF instrument number to be shown on the plat, as opposed to the latest, the ties shown on the two instruments will more than likely be the same. If the ties are substantially different, then the newer CPF will be required if it is still valid. Otherwise, a new CPF will have to be filed.
- ✓ Are the CPF instrument numbers labeled on all of the Public Land Survey corners? While the CPF's are not required on 1/16th corners that are shown on a plat, if all of the elements of a Record of Survey are to be included in a plat, why would you not show it anyway?
- ✓ Does the monument that is described in the CPF match what is shown on the drawing? If the CPF describes an Aluminum Cap, and the plat shows a Brass Cap, which is correct?
- ✓ Do the conditions and ties shown on the CPF look different from any details shown on the plat? If the CPF describes ties to a corner that do not appear to be shown the same way in a detail on the plat map, file a new CPF.

References:

I.C. 50-1303, I.C. 50-1304

Ada County CPF and GCDB Index Grid



Curve Table Data Checking

After a traverse closure is performed on the boundary and all of the individual lots, the curve parameters generated by the traverse calculations are checked against the information shown on the curve table. Curves are entered in our closure checking by DELTA / RADIUS / CHORD BEARING.

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	20.00	14.89	42°39'22"	S18°47'54"E	14.55
C2	20.00	18.55	53°07'48"	S66°41'29"E	17.89
C3	250.00	158.17	36°15'00"	S75°07'53"E	155.55
C4	242.00	153.11	36°15'00"	S75°07'53"E	150.57

Example 36 – Curve Table

Review

- ✓ Are the curves numbered sequentially? If a curve number, or series of curve numbers is not used, show it as not used. Don't just leave it out of the table. This is not necessary when a curve table is assembled for a single sheet in a multi-sheet set, where only the curves on that particular sheet are shown in the table for that sheet.
- ✓ Are the radius distances for successive curves the same? If a series of radius distances are shown as 200 feet, a radius of 199.99 feet or 200.01 feet could be an indicator that something is wrong.
- ✓ Does the calculated arc length, tangent and chord length match the values shown in the curve table? If there is a difference of more than .02' on any of the distances, further checking is required.
- ✓ If the calculated arc length, tangent and chord length DO NOT match the curve table, do the delta / radius / chord bearing match the curve table? If not, the closure check may have entered in-correctly. If they do, is the rounding error within 0.02'?
- ✓ Are all of the curves shown in the curve table actually labeled somewhere on the drawing, or are all of the curve labels on the drawing shown in the curve table?
- ✓ If applicable, add the delta angles of successive curves to compare it to the opposite side. Do they match?

References:

I.C. 50-1303, I.C. 55-1911
The Minimum Standards for Land Boundary Surveys, Land Descriptions and Maps, by the Idaho Society of Professional Land Surveyors (Adopted March 21, 1992).

Line Table Data Checking

Lines in the line table are checked to verify they are on the drawing.

Review

- ✓ Are all of the lines shown in the line table actually labeled somewhere on the drawing, or are all of the line labels on the drawing shown in the line table?
- ✓ Do the line dimensions represented in the table match the adjoining dimensions of record?

References:

Curve Table Data Checking

Lot Dimensions

Idaho Code 50-1304 specifies that “all lengths of the boundaries of each lot shall be shown”. At the time each lot is checked for closure, the dimensions are checked for clarity.

Review

- ✓ Are the lots dimensioned in a way that there is no calculation required to determine the distances?
- ✓ Are the dimensions shown obvious to which points that they reference?
- ✓ Is the text readable after scanning?
- ✓ Is there any line work that is obstructing the text? Easement lines are the single worst problem in this comment.
- ✓ If the line is dimensioned more than once, do the two dimensions match? If one side of a lot is labeled in a table for the boundary, and the other side for a lot dimension, does the dimension line match the dimensions in the lot table?

References:

I.C. 50-1304

Description – Title vs. Certificate of Owner

This section is intended to deal with the location of the parcel and the year of recording. The requirements for the Certificate of Owners, Legal Description vs. Plat are elsewhere.

Review

- ✓ Is the description correct? Does the description correctly state the parcels involved?
- ✓ Is the location in the Title correct? Does it match the location in the Certificate of Owners?
- ✓ If the plat is within a City limits, is it noted in either the Title or the Certificate of Owners which City the parcel is in?
- ✓ Is the year (of recording) shown and correct? Any time after December 1, it would be a good idea to look at changing this item.
- ✓ Does the year appear on any of the sheets besides sheet 1, and do they all match?

References:

I.C. 50-1308, I.C. 50-1310

**A PORTION OF THE NW1/4 OF THE NE1/4 OF SECTION 35
TOWNSHIP 4 NORTH, RANGE 2 EAST, BOISE MERIDIAN
CITY OF BOISE, ADA COUNTY, IDAHO
2004**

Example 37 - A Situate Description in the Title

A parcel of land located in the NW1/4 of the NE1/4 of Section 35, Township 4 North, Range 2 East, Boise Meridian, City of Boise, Ada County, Idaho and described as follows:

Example 38 – A Situate Description in the Certificate of Owners

Ties to Public Land Survey Corners

Idaho Code 50-1304 (g) requires survey ties to at least two (2) Public Land Survey corner monuments in one (1) or more of the sections containing the subdivision, or in lieu of Public Land Survey corner monuments, to two (2) monuments recognized by the County Surveyor.

In addition, Ada County Code 8-6-4-3(g) requires that the plat show at least two (2) primary control points, officially recognized by the County Surveyor and ties to said control points. Primary control points must be Public Land Survey corners or officially recognized corners. Corner perpetuation and filing recording instrument numbers shall be shown.

The definition of “Public Land Survey corner” appears in Idaho Code 50-1301(9), Plats and Vacations, 55-1603(10) Corner Perpetuation and Filing Records, and 55-1902(8) Records of Surveys laws. By definition, a “Public Land Survey corner” is “any point actually established and monumented in an original survey or resurvey that determines the boundaries of remaining public lands, or public lands patented, represented on an official plat and in the field notes thereof, accepted and approved under authority delegated by congress to the U.S. General Land Office and the U.S. Department of Interior, Bureau of Land Management”.

Public Land Survey corners are interpreted as meander corners, quarter corners and section corners (corners set in the original government surveys), and are the corners used by the Assessor’s office for tax parcel mapping purposes. While the County Surveyor has accepted corners other than public land survey corners, the corners are not accepted for plats unless they have a Corner Perpetuation Record filed on them and are used as controlling corners by the Ada County Assessors Land Records mapping staff.

Also, the definition of “controlling corner” can be applicable as to what is shown on the plat in some cases. A "property controlling corner" for a property is a Public Land Survey corner, or any property corner, which does not lie on a property line of the property in question, but which controls the location of one (1) or more of the property corners of the property in question.

Review

- ✓ Are there two Public Land Survey corners shown? Only Section corners or Quarter corners. Anything other than this gets passed on to the PLS review.
- ✓ Are CP&F’s shown for the Public Land Survey corners shown on the plat?
- ✓ Are the corners labeled with the sections, and are the sections labeled on the correct side of the line?
- ✓ If corners are on a township and/or range line, is the township and/or range line labeled?
- ✓ If there are sectional corners shown that are not Public Land Survey corners and are used for controlling corners, are they labeled?

- ✓ If a corner is described in the Certificate of Owners, is it shown on the plat the same way? If it is described in the Certificate of Owners as the SE corner of the NW-1/4 of the NW-1/4, is it labeled on the map as the SE Corner of the NW-1/4 of the NW-1/4, instead of the NW-1/16 corner?
- ✓ Do the monuments shown match the legend, or are the monuments labeled with the type of monument and LS number? Do the monuments shown in the CP&F match what is shown on the plat?
- ✓ Do the bearings and distances match previous dimensions of record for this line? If they do not, are the record distances shown?

References:

I.C. 50-1304, Ada County Code Title 8.6.4.3(g) (Sterling Codifiers website)
I.C. 50-1301(9), I.C. 55-1603(10), I.C. 55-1902(8)

Irrigation (31-3805) Notice

Compliance with Idaho Code Title 31-3805 is required on all subdivision plats, and certain Record of Surveys.

I.C. 31-3805(1) states in part that “*No subdivision plat or amendment to a subdivision plat or any other plat or map recognized by the city or county for the division of land will be accepted, approved, and recorded . . .*” unless certain criteria are met. These criteria are outlined in the code section.

The intent of the code appears to be concerned with only three items.

- Is the parcel in an irrigation district, and will irrigation water be delivered?
- Will the owner of property within the subdivision have to pay an assessment?
- The owner must be notified that the assessment is a lien on the land.

CAUTION: It may be possible for local jurisdictions to require an irrigation system using a water source that does not require irrigation water rights subject to this section of Idaho Code. Do not confuse irrigation water rights with either well water rights or other project specific requirements (such as United Water).

While the normal method of compliance is simply placing a note on the face of the plat, there have been legal interpretations that a note on the face of the plat is not legally binding. The requirements of I.C. 31-3805(2) should be added as a section to the Certificate of Owners.

A separate Irrigation Certificate (see example below) may also be used. If this option is selected, the Certificate will be examined to verify that the signatures match the signatures in the Certificate of Owners, and the name of the irrigation entity is correct. If a separate certificate is used, it may be easier to modify if the owner changes their mind at the last minute.

It would appear that condominiums may be excluded from this statute requirement, since a condominium project is not a “division of land”. However, we encourage the information to be added to the condominium plat, especially in a case where irrigation water is provided by an irrigation entity for use on the common area, or the condominium owners association will be subject to assessment for irrigation water.

Review:

A statement in the Certificate of Owners, that states in unambiguous terms, one of the following:

- 1) If the land within a subdivision has been excluded from the irrigation district (31-3805(a)), the certificate should state specifically that;

“This plat complies with Idaho Code 31-3805(a), and Idaho Code 43-1117. The land included in this plat has been excluded from the irrigation district name, and said exclusion was

recorded in the office of the Ada County Recorder as instrument number exclusion instrument number."

- 2) If the owner has provided irrigation for the subdivision (31-3805(b)), the certificate should state that irrigation has been provided under 31-3805(b), and the irrigation district shall be identified. If any other documents regarding license agreements, maintenance and ownership of the irrigation system are appropriate, they should be referenced in the notes on the face of the plat. Include the instrument numbers.

"Irrigation water has been provided from irrigation district name, in compliance with Idaho Code 31-3805(b). Lots within the subdivision will be entitled to irrigation water rights, and will be obligated for assessments from irrigation district name."

- 3) If the land within a subdivision has not provided irrigation to the lots, and has not been excluded from the irrigation district, the note should state specifically that the land has not been excluded from the district, the district shall be identified, and notification requirements as provided by 31-3805(2) shall be complied with.

"In compliance with the disclosure requirements of Idaho Code 31-3805(2), Irrigation water has not been provided for by the owner, and the lots shown on this plat shall be subject to assessments by irrigation district name"

- 4) If the land within a subdivision is not in an irrigation district, the note should state that the land is not in an irrigation district, and the requirements of 31-3805 are not applicable.

"The land within this plat is not within an Irrigation District as defined in Idaho Code 31-3805, and the requirements in I.C. 31-3805 are not applicable."

References:

I.C. 31-3805, I.C. 42-2501, I.C. 42-2502, I.C. 43-1101, I.C. 43-1117, I.C. 50-1803,
I.C. 67-6537, Ada County Surveyor Staff Research Paper,
Idaho Department of Water Resources Map Server, Boise City Code 9-20-8-J

IRRIGATION CERTIFICATE

WE, VICTOR A. KUNZ JR., DON R. HARTSFIELD, AND CHARLES L. KUNZ, OWNERS OF SAID PROPERTY, DO HEREBY STATE THAT THE IRRIGATION WATER RIGHTS APPURTENANT AND THE ASSESSMENTS OBLIGATION OF THE LANDS IN THIS PLAT HAVE NOT BEEN TRANSFERRED FROM SAID LANDS. LOTS WITHIN THE SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS AND WILL BE OBLIGATED FOR ASSESSMENTS FROM BOISE PROJECT BOARD OF CONTROL.


VICTOR A. KUNZ, JR.


DON R. HARTSFIELD


CHARLES L. KUNZ

Example 39 – Irrigation Certificate

Easements Review

We previously looked at the reservation of easements and private roads in the Certificate of Owners. In this section, we review the easements on the face of the plat.

Checking easements can be one of the most tedious of the tasks in the review. To some extent the surveyor is dependent on the Title Company to provide a complete title report on the property. But the Surveyor must use their own judgment if it is apparent in the field that there may be an easement for a particular use, and be able to do their own research.

Something that may be apparent in the field is not always obvious on the drawing. There may be revised comments after the field inspection, if it appears that an easement may be missing on the plat. This is not to say it would be required, but the question should be asked. Whether the easement is valid or appropriate to a specific situation will not be covered here.

Easement Width Review

- ✓ Is the width of the easement dimensioned on the plat?
 - If the width of the easement is not dimensioned on the plat, is it shown in the legend? If the width of the easement is shown in the legend, are there any other easements that could be confused with it, either by line type or different use?
- ✓ Can the easement be laid out on the ground with the information shown?
 - If the easement is parallel to a line, is it dimensioned such that it is apparent that it is really parallel?
 - If the easement is not parallel to a line, are the endpoints dimensioned, and are there enough dimensions on the line to locate it on the ground?
- ✓ Do the dimensions shown on the easement line scale to the values shown?
- ✓ Do the dimensions shown for the easement lines conflict with lot dimensions?

Easement Purpose Review

- ✓ Is it clear what the easement is reserved for?
- ✓ Is it clear who the easement is reserved for?

Existing Easements/Right-Of-Way

- ✓ If the easement is existing, is the easement or right-of-way shown as “existing”?

- ✓ Does the existing easement described in the record match the area shown on the plat as existing?
- ✓ Is it clear how the easement was previously created?
- ✓ If it is labeled with the use, does it match the use shown in the original reservation?
- ✓ If there is a recorded instrument number for an existing easement, has it been shown, and is it correct?
- ✓ If the easement was recorded by a separate instrument, are the bearings shown on the same basis of bearing as the plat?

In reviewing the recorded instrument, we review whether the legal description that is usually attached really describes the area that is referenced, and whether there is any information in the recorded document that would conflict with what was shown on the plat. One example would be a recorded document shown for “exclusive use”, with an area shown on a plat for “public utilities”. The two are not compatible; however this issue is usually not under the control of the plat surveyor.

References:

I.C. 50-1302, I.C. 50-1304

Owner Reservation of Easements AND Private Roads In The Certificate of Owners

We look for specific wording in this review. Private roads must be included in the reservation of easements to make it clear that they remain private. The signature by Ada County Highway District on their certificate is not an acceptance of such roads as public.

There are usually restrictions in the notes regarding “no permanent structures are to be erected within the lines of said easements”. While this is common wording and is accepted, the advisability is questionable. Most concrete or utility improvements are considered “permanent”. A common exception used is “. . . and no permanent structures other than for such utility purposes are to be erected within the lines of said easements”, and is recommended for being more accurate.

Review

For Easements, the following information is checked:

- ✓ In the Certificate of Owners, is there a reservation line that reads *“The easements . . . as shown on this plat are not dedicated to the public. However the right to use said easements are hereby perpetually reserved for public utilities and for any other uses as designated hereon”*, or similar wording?

For Private Roads, the following information is checked:

- ✓ In the Certificate of Owners, is there a reservation line that reads *“[The easements and] and private road as shown on this plat are not dedicated to the public. However the right to use said easements are hereby perpetually reserved for public utilities and for any other uses as designated hereon”*, or similar wording?

References:

I.C. 50-1309

Fee Check

Due to the way the fees are required to be collected, an overpayment of fees to the County must go through a lengthy process to be reimbursed, and must be approved by the County Commissioners. It simply is not worth the effort. However, it happens frequently enough that we mention it. Count your lots again, and make sure to use the correct chart.

An underpayment of fees to the County means that the County Surveyor will not sign the plat until the deficit is paid.

If it is identified as a Lot and Block or as a Condominium Unit, a closure fee is due. This includes non-buildable lots and Private Roads on a lot reserved for that use.

Verification

- ✓ Were the fees paid for the appropriate number of lots (or units if a condominium project)?

Refer to the Condominium Review section for some condominium specific fees. The entire current fee list is available on the Development Services web site.

References:

I.C. 50-1305, I.C. 50-1307.

Legend

The map legend is usually a critical part of a map that is very detailed. It explains the items on a plat with a minimum of clutter and extraneous labels. Object scale, line scale and widths, and the readability of the information at a reduced scale should be looked at. The legend and map should be carefully reviewed for missing or conflicting information.

Review

- ✓ Are the objects shown on the map explained satisfactorily in the legend? If they are not in the legend, are they labeled on the plat?
- ✓ Are there any objects in the legend that are not shown on the plat? If they do not show up on the map, they should not be in the legend.
- ✓ Does the line work obstruct the symbols, to the point that it is not clear from the legend what the symbol is?
- ✓ Are there any symbols shown on the map that are labeled with conflicting information on the drawing? If it is in the legend as, for example a brass cap, and labeled on the drawing as an aluminum cap, then you either need another legend symbol, or modify the legend to read brass or aluminum cap as noted.

See Also:

Monument Review

Monuments Described, Street Centerlines, Boundary, Lots

In June of 1990, the Idaho Board of Professional Engineers and Professional Land Surveyors issued a ruling that Idaho Code 55-1901 (Record of Survey) requirements are “supplementary to existing laws relating to surveys, subdivisions, platting and boundaries”.

Idaho Code 50-1304 requires “descriptions of survey monuments”, while I.C. 55-1906 requires showing “All monuments found, set reset, replaced or removed, describing their kind, size and location, and giving other data relating thereto”. And Idaho Code 50-1303 describes the types of monuments that shall be used in the field.

Monument symbols may be simple or very complex, however it should be kept in mind that at a reduced scale or after scanning or faxing, one symbol may look very much like another. This review is in conjunction with the Legend and Corner Perpetuation Filing reviews. Give some thought to this review. It is also verified in the field check.

Several of the checks in this review are common between items (boundary, centerline, etc.) but are all done separately to make sure that we do not miss something.

Review

- ✓ Are there monuments on all of the boundary angle points? Do they meet Idaho Code requirements? Are they identified? Are they Found, Set or Found & Replaced? Who set them or is there a notation about where they came from?
- ✓ Are there any monuments that are shown on other recorded documents, which may be mis-labeled on this plat? If the plat is adjacent to another new development, and several calls of the boundary are common, are any of the corner monuments shown labeled differently (L.S. number or type of monument)?
- ✓ If the monuments are a “controlling corner”, were they found? If they were set, is there enough information shown on the plat to determine why they were set in the location they were? If a Record of Survey was filed on this boundary, was it referenced on the plat to show more information, and is the Record of Survey number correct?
- ✓ Are witness corners or reference monuments correctly identified and located? If a boundary is running along a ditch centerline, and pins are shown on the angle points, have they really been set (or found)? Are reference monuments actually reference monuments, or witness corners?
- ✓ Do the monuments appear to be on the line work, or in the correct position? If something looks out of place, does it scale correctly?

- ✓ Does the line work obstruct the monument symbols, to the point that it is not clear from the legend what the monument is?
- ✓ Are there any monuments shown on the map that are labeled with conflicting information on the drawing? If it is in the legend as, for example a brass cap, and labeled on the drawing as an aluminum cap, then what is really in the field? CPF's are a prime example of this conflict.
- ✓ Are there monuments on all of the lot corners and right-of-way angle points? Do they meet Idaho Code requirements? Are they identified?
- ✓ Are there monuments shown on all of the centerline angle points? Do they meet Idaho Code Requirements? Are they Identified?

Field Checks

- ✓ Are the monuments firmly fixed in the ground, or are they sticking $\frac{3}{4}$ of the way out of the ground?
- ✓ Do they appear to be in the correct position, or do they appear to be witness (or reference) corners that were not shown correctly on the plat?
- ✓ Are the monuments capped and are the caps readable?
- ✓ Does the L.S. number on the cap match the L.S. number on the face of the plat?

References:

I.C. 50-1303, I.C. 50-1304, Ada County Code Title 8.6.4.3 (Sterling Codifiers website)

See Also:

CPF Review, Legend Review

Drawing Scale & North Arrow

The Idaho Board of Professional Engineers and Professional Land Surveyors have indicated that Title 55, Chapter 19 is applicable to subdivision plats, i.e. that a plat is a form of a Record of Survey, and as such the information required to be supplied on a Record of Survey, should also be contained on a subdivision plat.

Review

- ✓ Is there a graphic scale on the drawing? Does it scale correctly? Is it labeled correctly?
- ✓ Does the line work on the drawing scale correctly? For plats that are not original or a vacuum frame mylar, there could be some distortion in one axis of the drawing. This may create problems for verifying dimensions
- ✓ Are there any details on the drawing that are scaled differently than the main drawing? If so, are the scale values shown, and does the detail scale correctly?
- ✓ Is there a North Arrow on the drawing, and is it oriented correctly?
- ✓ Are there any details on the drawing that are oriented differently than the main drawing, and if so, do they have their own North arrow shown?
- ✓ Are there more than one ?

References:

I.C. 55-1906

Plat Notes

We review plat notes by simply reading through the notes and checking for typographical errors. The important issue is if a reference is made to the plat or another document, it should be checked for accuracy. Each example is presented with a description of what we would look for when it was initially reviewed, to give the reader an idea of the detail to which we look at notes.

Example 1

“A 12 foot wide public utility, drainage, irrigation and Eagle City street light easement is hereby reserved adjacent to all public right-of-ways.”

- ✓ Are there any public right-of-ways that this applies to?
- ✓ Is the easement shown and dimensioned somewhere on the drawing?
- ✓ Does the easement appear on the drawing with a width of something other than 12 feet?

Example 2

“A 6 foot wide public utility, drainage and irrigation easement is hereby reserved adjacent to, and on both sides of all interior lot lines for Lot 15 through 19, Block 1. However, this shall not preclude the construction of proper hard surfaced driveways for access to each individual lot.”

- ✓ Is the easement shown and dimensioned in the stated location?

Example 3

“Building setbacks in this subdivision shall be in compliance with the applicable zoning regulations at the time of issuance of building permits, or as specifically approved in the development agreement with the City of Eagle (Instrument No. 123456789, records of Ada County).”

- ✓ Was the development in the City of Eagle?
- ✓ Verify that Instrument No 123456789 is a development agreement with the City of Eagle.

Example 4

“Direct Lot access to East Hill Road is prohibited, except as shown”

- ✓ Is there any direct Lot access shown to East Hill Road?
- ✓ Is East Hill Road labeled “East Hill Road” on the face of the plat?
- ✓ Are there any Lots which have no access other than by Hill Road? Is the exception noted on the face of the plat?

Example 5

“Right to Farm Act”

- ✓ Check Current Statute. Does it match?

Example 6

“Lot 1 Block 1 is designated as a Common Lot to be owned and maintained by the Great Big Estates Subdivision Homeowners Association”

- ✓ Is there a Lot 1, Block 1, and does it appear that it should be a common lot?
- ✓ In the case of multi-phase developments, is there an association registered with the Secretary of State, or a previous deed for common lots that would verify that the name

really is Great Big Estates Subdivision Homeowners Association, as opposed to a Great Big Owners Association Inc.?

- ✓ Was maintenance responsibility and ownership intention described?

Property Ownership Report

At the time the final plat is submitted to the County Surveyor for review, one copy of the plat, (which is required with all submittals) is sent to the Assessor's office for a review of the deeds and ownership, to verify that all of the owner names required are present in the Certificate of Owners.

Any deficiencies or discrepancies are then included in the Initial Plat Review comments for further review by the County Surveyor. In most cases, comments regarding ownership will then be dealt with directly by the County Surveyor and the Ada County Assessor's staff.

Review

- ✓ Has the Ownership been checked by the Assessor's office?
- ✓ Has the Ownership according to the Assessor's office been verified?
- ✓ Have their comments been noted or included in the Initial Plat Review, for further review by the County Surveyor?

References:

I.C. 50-1309

See Also:

Certificate of Owners

Point of Beginning

One of the required essentials of a plat required by Idaho Code Title 50, Chapter 13, Section 4 is to show the “*point of beginning with ties to at least two (2) public land survey corner monuments . . .*”. “POB “ is not defined in Idaho Code. If “POB” is labeled on the face of the plat, it should be identified in the Legend as “Point of Beginning”.

Review

- ✓ Is the “Point Of Beginning” shown on the drawing?
- ✓ If it is labeled as “POB”, is “POB” defined in the Legend?
- ✓ Does it match with the location of the Point of Beginning described in the Certificate of Owners?
- ✓ Does the monument shown meet requirements of Idaho Code 50-1303?

References:

I.C. 50-1303, I.C. 50-1304

See Also:

Monuments

Lot & Block Numbering

Idaho Code Title 50, Chapter 13, Section 4(c) requires that the plat shall show “all lots numbered consecutively in each block, and each block lettered or numbered, provided, however, in a platted cemetery, that each block, section, district or division and each burial lot shall be designated by number or letter or name”. Ada County does not recognize “lettered” blocks on plats.

Idaho Code Title 50, Chapter 13, Section 7 requires that “all plats of the same name must continue the block numbers of the plat previously filed”. Even so, each phase must be numbered such that it is assumed that there are no other phases going to be recorded for it, and it must stand on its own.

Condominiums are to some extent reviewed with this requirement; however they are not labeled as a “lot”, but as a “unit”. A “block” is not applicable to a condominium; however there may be a need for separating the units by using a “building” or “floor” designation.

Review

- ✓ Is each Lot labeled with a number, and is it consecutive? This may include a “lot” for a private road, or a common lot.
- ✓ Is each Block labeled with a number, and is it consecutive?
- ✓ Are there any Common Lots within the right-of-way, and are they labeled with a Lot and Block number?
- ✓ If the plat is a continuation of a prior phase, do the Blocks agree with the recorded prior phase? Are there any duplicate Block numbers?
- ✓ If the plat is a continuation of a prior phase, do the Lots continue sequentially with the recorded prior phase? Are there any duplicate Lot numbers?
- ✓ Will the Lot and Block numbers be readable after scanning?

And a major headache that we may note, but might not always comment on . . .

- ✓ Will the numbering scheme used meet Idaho Code (read sequential and adjacent), if and when the next phase is submitted for review?

References:

I.C. 50-1304, I.C. 50-1307

Public Street Widths, Courses & Names

This section applies to both public and private streets.

In most cases, a copy of the overall development (preliminary plat) would have already been submitted by the lead planning agency to the Ada County Street Name Committee for review and approval. However a copy of each “Final” plat submitted for review by the Ada County Surveyor is re-reviewed by the Ada County Street Name Committee at the time the ownership review is done. If a plat has not been previously reviewed by the Street Name Committee, The Ada County Surveyor will not approve or sign the plat until such time as the street names on the submitted plat have been approved by the Street Name Committee.

Review

- **Street Widths**

- ✓ Is there at least one, (preferably two) right of way dimensions on each street? An overall dimension is often used, but a dimension showing each ½ of the right-of-way is preferred. A dimension showing each ½ of the right-of-way is required where there are islands in the right-of-way, or the centerline is not in the middle of the right-of-way.
- ✓ If there are islands in the right-of-way, is there a dimension showing the right-of-way width on each side of the island?
- ✓ If the plat has cul-de-sacs, is there a dimension on the center of the cul-de-sac bulbs?
- ✓ If the right-of-way width changes, are the widths noted at the transition points?

- **Street Courses**

- ✓ Is each curve and tangent on the centerline dimensioned?
- ✓ Do the dimensions shown on the centerlines scale to the values shown, or agree with the values shown in the curve or line table?

- **Street Names**

- ✓ Do the names shown on the Street Name Evaluation match what is shown on the plat?
- ✓ Do the Street Names shown align and match the adjoining recorded plats? This is done as an independent check of the names of record.
- ✓ Do the directional calls match?

- ✓ Are the street names shown for the nearest major intersection or section line road? While these may not always be shown or included in the Street Name Evaluation, it is the easiest way to locate the development for most users of the plat, and we will include this comment if the Street Name Evaluation missed it, or the plat that was submitted for the Evaluation did not include it.

References:

I.C. 50-1304, Ada County Code 8.6.4.3

See Also:

Subdivision Name Review, Monument Review

Contact the Ada County Street Name & Address Specialist in the Ada County Assessor's office at (208) 287-7200

Sheet Size & Border

Idaho Code 50-1304 requires Plats shall be eighteen (18) inches by twenty-seven (27) inches in size, with a three and one-half (3 1/2) inch margin at the left end for binding and a one-half (1/2) inch margin on all other edges. No part of the drawing or certificates shall encroach upon the margins.

Review

- ✓ Are the overall dimensions 18 x 27 inches?
- ✓ Is the left margin at least 3-1/2 inches?
- ✓ Are the remaining margins at least one-half inch?
- ✓ Is there any text or line work encroaching on the margins?

References:

I.C. 50-1304

Subdivision Name Review

Subdivision names are not considered “final” until the plat is recorded. However, to insure that the plat name is consistent through the entire development process, a particular owner (or his agent) reserves the name for a particular project in a particular location.

The name reservation is honored only as long as that particular plat is still going through the approval process. Once the plat is recorded, the owner as shown in the Certificate of Owners has what amounts to a copyright on the subdivision name. Any additional use of that name must be by the record owner of the first phase, and must be adjacent to the original development, or have a common, adjacent corner that was part of the original parcel.

Review

- ✓ Is the name of the Subdivision on the submitted plat in the online Reserved Subdivision Name database?
- ✓ Does the name on the plat match the reserved name exactly?
- ✓ Does the name of the person that reserved the subdivision name show up in the submittal documentation? If it does not, is there any indication that the name was reserved for this project?
- ✓ Is there any indication that the name was reserved for a different location?

In the case of a phased development;

- ✓ Is the signer or owner shown on the Certificate of Owners the same person or firm, as the signer or owner shown on the previous Certificate of Owners?
- ✓ If they are not the original developer/owner, was a copy of a recorded consent to use the name provided with the submittal, or was the instrument number of the recorded consent noted on the submittal transmittal?
- ✓ Is this next phase connected to the first phase with at least one common boundary point?

References:

I.C. 50-1305, I.C. 50-1307.

Surveyor Stamp

The Idaho Board of Professional Engineers and Professional Land Surveyors published an opinion in October 2002 that all of the "map" sheet(s) of the plat must be sealed, signed, and dated as well as the "Surveyors Certificate".

Idaho Code §54-1215(3)(c) which states, in pertinent part, "Each plan or drawing sheet shall be sealed and signed by the registrant or registrants responsible for each sheet", and on Idaho Code §50-1309 which states, in pertinent part, "The professional land surveyor making the survey shall certify the correctness of said plat and he shall place his seal, signature and date on the plat."

The Ada County Recorder's Office will NOT ACCEPT for recording any plat that does not have ALL of the sheets sealed and signed by the PLS in responsible charge.

Review

- ✓ Did the Surveyor seal and sign all of the sheets of the plat, for which he had responsible charge, and are all of the seals and signatures the same on each sheet of the plat?

References:

I.C. 50-1309, 54-1215

See Also:

Certificate of Surveyor

Conditions of Approval

(Ada County Plats ONLY – By Ada County Planning Staff)

At the time a final plat within the jurisdiction of Ada County is submitted to the County Surveyor for review, the Staff Planner of Record is notified that the Survey Division has received the plat for review.

The submittal of a plat to the County Surveyor for a subdivision within the jurisdiction of Ada County does not constitute a submittal to the Planning & Zoning Division under the approval process. There is a separate submittal required. See the Ada County Planning and Zoning web site, or contact the planning staff assigned to your project for current requirements or questions.

Issues regarding closures, lot areas and easements are made available to the Planners for their use and review, but the County Surveyor does not determine whether the P&Z Conditions of Approval have been complied with. Changes required by the Planning Staff must be re-submitted to the County Surveyor for additional review.

Ada County Surveyor Final Plat Review Submittal Requirements

The Ada County Surveyor reviews plats from all of the city jurisdictions within Ada County, in addition to plats solely within Ada County's jurisdiction.

Submittals are divided into two types. Ready to Record and Concurrent. A Concurrent submittal only saves any time for plats within other jurisdictions. They are not accepted for plats under the jurisdiction of Ada County.

A **Concurrent** submittal is defined as a complete plat that has been submitted to the Ada County Surveyor for review either after or at the same time as the plat has been submitted to a City jurisdiction for their review and approval. This submittal is an exact duplicate of the plat submitted to the City.

A **Ready to Record** submittal is defined as a plat on a mylar medium that has already been submitted, approved and signed by the Ada County Highway District, Central District Health Department.

Submittal requirements for "Ready to Record" Plats – (Original on Mylar) are;

- ✓ The final subdivision plat mylars with all the necessary signatures, ready for recording, fully reviewed by the professional land surveyor stamping the plat.
- ✓ One complete set of black line copies of the plat.
- ✓ A Check for the correct amount of review fees.
- ✓ A Letter of Transmittal. See below for requirements
- ✓ For Condominium Plats Only - a hard copy of the Condominium's Declaration showing contents in accordance with I.C. 55-1505, in addition to the preceding requirements.

Submittal requirements for Concurrent Plats are;

- ✓ One complete set of black line copies.
- ✓ Check for the correct amount of review fees.
- ✓ A Letter of Transmittal. See below for requirements.
- ✓ For Condominium Plats Only - a hard copy of the Condominium's Declaration showing contents in accordance with I.C. 55-1505, in addition to the preceding requirements.

A Letter of Transmittal;

In the past we have required other items with the submittal, such as one copy of the deed(s) showing current ownership that matches exactly the signatures and titles as shown on the plat, or one copy of the deed that the surveyor used to prepare the plat that was submitted and a copy of the street name review from the Ada County Assessor's office.

In the interest of cost savings to the applicant, copies of those items are no longer required to be submitted. However we want to see a transmittal signed by the PLS in responsible charge of the plat that has the following information on it:

- The instrument number of the deed that the surveyor used to prepare the plat that was submitted for review.
- Any instrument numbers of any new CPF's that were required to be filed under Idaho Code 55-1601 through 55-1612, ONLY if they are not already shown on the plat.
- If a Permission to Use a Subdivision Name was required, show the instrument number.

References:

I.C. 50-1331, I.C. 50-1332, I.C. 50-1333

See Also:

Fee page, County Surveyor's Web Site



ADA COUNTY SURVEYOR/ENGINEER'S OFFICE SUBDIVISION PLAT CHECK LIST

SUBDIVISION NAME: _____ **DATE** _____

Name Approved _____ Fees Due _____

County Plat _____ **City (B,M,E,G,K,S)** _____ **SUR -** _____ **TRS** _____

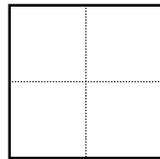
Closures _____ **Total Area** _____ **Curve Table** _____ **Line Table** _____

CERTIFICATES: _____ Owner Certificate, Legal Description vs. Plat (See below for list*)

- | | |
|-------------------------------------|--|
| _____ Intent Statement | _____ Sanitary Restrictions (Gen. Dist. Health Approval) |
| _____ 50-1334 H2O System | _____ ACHD Acceptance and Approval |
| _____ Owner Dedicate Public Streets | _____ City Acceptance and Approval |
| _____ Owner Reservation Easement | _____ City Engineer Approval |
| _____ Private Roads Reserved | _____ County Surveyor Certificate |
| _____ Signature Line | _____ County Recorder Certificate |
| _____ Acknowledgment Certificate | _____ County Treasurer Certificate |
| _____ Surveyor's Certificate | _____ County Commissioner Approval (County Plat Only) |

DESCRIPTION: _____ In Title
 _____ Correct Date
 _____ Cert of Owner
 _____ Surveyor Stamp On Each Sheet
 _____ Match Lines / Diagram For Serial Sheets
 _____ Sheet Size And Border (3 1/2" Margin)
 _____ Lots Dimensioned

CP&F REMINDER _____



LEGEND: _____ Symbols defined

_____ **IRRIGATION I. C. 31-3805**

BASIS OF BEARING _____ **NORTH ARROW** _____ **SCALE** _____ **NAME OF ADJOINING SUBS** _____

MONUMENTS: _____ Described
 _____ Street Centerlines
 _____ Boundary
 _____ Lots

_____ **TIE TO 2 GOVERNMENT CORNERS**

EASEMENTS: _____ Widths
 _____ Purpose
 _____ Private Road Reservation
 _____ Exist Easements/ Right of Way

STREETS: _____ Widths
 _____ Courses
 _____ Names

POINT OF BEGINNING _____ _____ Public Grounds

CONDITIONS OF APPROVAL _____ County Plat Only)

LOTS & BLOCKS NUMBERED _____

* Cert of Owner _____ Plat _____

OWNERSHIP REPORT OK: _____

Make a photocopy of plat for Field Check _____

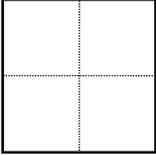


ADA COUNTY SURVEYOR'S OFFICE



CONDOMINIUM PLAT CHECK LIST

CONDOMINIUM NAME: _____ REVIEW DATE _____

County Plat Y / N	City (B,M,E,G,K,S)	Name Approved?	T/R/S
Units Numbered	Unit Count	Correct Fees?	Fees Due \$ _____
Closures		Project Area	Unit Area
Project / Units Dimensioned		Curve Table Shown	Curves Labeled
Building Elevations Shown		Line Table Shown	Lines Labeled
			Surveyor Stamp On Each Sheet
CP&F Labeled			Match Line / Index For Serial Numbered Sheets
			Sheet Size And Border (18x27, 3 1/2" Margin)
		DESCRIPTIONS:	
			Title Correct
			Certificate of Owner Correct
Township & Range Lines Labeled			Date Correct
			Legal Description matches Plat
CERTIFICATES:			
	Project Intent Statement		Sanitary Restrictions
	Consent to Record Statement		ACHD Acceptance and Approval
	50-1334 H2O System		City Acceptance and Approval
	Owner Reserves Easement		City Engineer Approval
	Private Road Reservation		County Surveyor Certificate
	Signature Line		County Recorder Certificate
	Acknowledgment Certificate		County Treasurer Certificate
	Surveyor's Certificate		County Commissioner Approval (County Plat)
	BASIS OF BEARING		NORTH ARROW
	NAME OF ADJOINING SUBS		Building Orientation Labeled
	TIE TO 2 PLS CORNERS		SCALE Shown & Correct
			POINT OF BEGINNING
LEGEND:			Building Tie to Boundary
	Symbols defined		Unit Definition Shown Or Referenced
	Project Boundary		
	Unit Numbers	MONUMENTS:	
	Common Area		Described Correctly
	Limited Common Area		Controlling Corners
			Project Boundary



ADA COUNTY SURVEYOR'S OFFICE



CONDOMINIUM PLAT CHECK LIST

IRRIGATION I. C. 31-3805		DECLARATIONS:	
	Note or Certificate is correct		Declaration is complete & copy provided
	Additional information Noted		Declaration is signed
			Declarant matches Ownership
EASEMENTS:			Signatures match Plat
	Widths Shown		Acknowledgements match Plat
	Clarity of Purpose		Consent of Record Lien-holder
	Existing Easements/ Right of Way		Required Exhibits Included
			Legal Description
STREETS: (Outside of Project Boundary)			Copy of Condominium Plat
	Courses		Common Ownership Percentages (100.00%)
	Widths		Security Interests Signature
	Names		Noted Exhibits Included
LINEWORK:			
	Text Readable		
	Text Readable after Scanning		
	Linework Readable after Scanning		
ASSESSOR OWNERSHIP OK: _____		CONDITIONS OF APPROVAL (County Plat Only)	
_____		Planner Assigned _____	