

354.25 Survey and replat of official plats.

1. A survey of an official plat shall conform as nearly as possible to the original lot lines shown on the official plat. The surveyor may summon witnesses, administer oaths, and prepare affidavits and boundary line agreements as necessary in order to establish the location of property lines or lot lines. If a substantial error is discovered in an official plat or if it is found to be materially defective, a proprietor may petition the governing body which would have jurisdiction to approve the plat at the time the petition is filed for a replat of any part of the official plat. Notice of the proposed replat shall be served, in the manner of original notice as provided in Iowa rules of civil procedure, to the proprietors of record and holders of easements specifically recorded within the area to be replatted. The governing body has jurisdiction of the matter upon proof of publication of notice of the petition once each week for two weeks in a newspaper of general circulation within the area of the replat.

2. All of the following shall apply to a replat of an official plat ordered by the governing body:

a. The replat shall be prepared by a surveyor pursuant to chapter 355 and recorded.

b. The replat shall be exempt from the provisions of section 354.11.

c. The replat shall have attached to the plat a statement by the surveyor that the replat is prepared at the direction of the governing body.

3. The costs of the replat shall be presented to the auditor and assessed against the property included in the replat as provided for in section 354.17.

90 Acts, ch 1236, §39

C91, §409A.25

C93, §354.25

2010 Acts, ch 1069, §121

Referred to in §331.511, 354.18

[P] Manner of service, R.C.P. 1.302 - 1.315